

New Hampshire
State Board of Education
Minutes of the Thursday, April 12, 2018 Meeting

AGENDA ITEM I. CALL TO ORDER

The regular meeting of the State Board of Education was convened at 9:10 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

Phil Nazzaro led the Pledge of Allegiance.

AGENDA ITEM III. PUBLIC COMMENT

There was no public comment.

AGENDA ITEM IV. SPECIAL PRESENTATIONS

A. Teacher of the Year and Finalists

Ms. Lori Kincaid, who coordinates the program for the Department of Education, provided a review of the yearlong selection and nomination process. This year there were 23 nominees and last week the list was reduced to 8 semifinalists. The committee will now visit schools to observe teachers in their classrooms and conduct interviews with students, teachers, and parents. Five finalists will be selected for national applications and will conduct presentations for the committee over the summer.

One of this year's finalists, Shauna Webber, kindergarten teacher at Smyth Road School in Manchester, thanked the State Board for the opportunity to be present today and shared her thoughts and experiences as well as what she feels have been positive aspects of being part of this process. At Ms. Chagnon's request, Ms. Webber explained her research and successful implementation of a flexible seating program in her classroom that involves individualization and encompasses the *whole child* concept.

Ms. Heidi Crumrine, the New Hampshire 2018 Teacher of the Year, was introduced to the State Board and shared her experiences from this year along with stories of two students that she felt represent the power and purpose of the

public school system. These students are both refugees who came to this country as young children from underdeveloped countries, speak multiple languages, have excelled, and she feels they are the epitome of the American dream their parents came to this country to find. She also discussed the heterogeneous grouping of students that allows individuality and the success with the reading programs where most reading is independent and student interest is high.

B. Academy for Science and Design Revised Charter

Ms. Jennifer Cava, Director for the Academy for Science and Design, introduced Mr. Peter Bewley, Board Chairman, and Ms. Kym Harmon, School Business Manager, and verified the State Board's receipt of the documents sent electronically. The Academy would like to make changes to the original 2007 charter and is seeking approval of these changes from the State Board.

One of the more significant changes is that the vision and mission now reflect the public part of charter school and makes it more representative of the value the school offers. The mission is the same but now places students in the center. Another change is an increase in the enrollment cap to 600. The intention of the increase is to maintain a higher student population over the next decade while having the flexibility for the Board of Trustees to set enrollment limits prior to each school year. The admissions process has also been simplified so as to welcome and encourage a more diverse group of students to apply. The change to the academic program graduation requirements is to simply state five years of math and remove the reference to calculus. Calculus will still be offered but removing it specifically from the requirement allows for alternate math courses such as statistics, to be included in the five-year total.

A \$50,000 grant was received from Omron Foundation and that, coupled with fundraising, will build the New Hampshire Center for STEM Invention. A statewide competition is planned to reach students statewide and get them involved in answering questions about things that can be done to improve the state of New Hampshire. The URL "live free and design" has been created and the New Hampshire Division of Economic Development (NHDED) and the New Hampshire High Technology Council (NHHTC) are excited about this competition. The primary focus is on getting high school children into the center and connecting them with members of the NHHTC and businesses.

Ms. Chagnon applauded the school for their acknowledgement of the need for individualized paths for the students. She also congratulated them on their receipt of the 2017 National Blue Ribbon School award.

Chairman Cline commended them on the changes and stated they added more clarity.

Ms. Honorow stated she was delighted about the changes in admission requirements and is proud to represent the district. She inquired about outreach efforts to minority and/or low-income families and offered her assistance in this area. Ms. Cava thanked her for her offer and acknowledged it is an area for growth and noted that they have been in discussions with a Spanish teacher to help with outreach to families who might need help in understanding and interpreting information. Ms. Chagnon suggested going to their audience directly with the information (i.e., public housing facilities, etc.).

Ms. Honorow inquired about the budget and fundraising attached to parents. Ms. Cava stated at the beginning of the year families are asked for \$450 for the year or \$50 per month but it is not a requirement. There is an acknowledgement that not all parents can afford this. Approximately 50-60% contribute, some people volunteer to help and the rest support their child at home which is just as important. There are no financial barriers to admission; however, a lack of transportation can be a barrier.

MOTION: Cindy Chagnon made the following motion, seconded by Helen Honorow, that the State Board approve the revised charter for the Academy of Science and Design.

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

C. Academy for Science and Design Renewal – Jennifer Cava, ASD, Director

There were no questions regarding the renewal application.

MOTION: Cindy Chagnon made the following motion, seconded by Kate Cassady, that the State Board of Education renew the charter for the Academy of Science and Design.

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

D. Great Bay Charter School request to add grade six for the 2018-2019 school year

Mr. Peter Stackhouse, Executive Director for Great Bay introduced himself to the State Board. The school is located in Exeter and has 147 students in grades 7 through 12. The school opened in January of 2005 and was originally chartered for Grades 8 through 10. Since that time, grades 7, 11, and 12 have been added. The request today is to add grade 6 in order to round out the middle school program, allowing a better transition option for students

entering middle school. This will also get the school closer to the 170-student enrollment cap and help create a more sustainable program.

MOTION: Ann Lane made the following motion, seconded by Cindy Chagnon, that the State Board of Education approve the request for Great Bay Charter School to add grade six for the 2018-2019 school year.

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

E. Great Bay Charter School name change request

Mr. Stackhouse explained the official name is Great Bay E-Learning Charter School. It was proposed in 2004 to provide distance learning programs but e-learning is not an accurate depiction of the school for people who may be researching charter schools as an alternative.

MOTION: Ann Lane made the following motion, seconded by Kate Cassady, that the State Board of Education approve the name change from Great Bay E-learning Charter School to Great Bay Charter School.

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

AGENDA ITEM V. OPEN BOARD DISCUSSIONS

Ms. Honorow inquired as to plans for the State Board to hold one of its monthly meetings at a school. The Chairman and Ms. Adams will work on finding a school to hold the October 2018 meeting and a school for a spring 2019 meeting.

Ms. Chagnon asked about the yearly retreat. Ms. Adams provided the Board with samples of past retreat information. Everyone will submit topics for a retreat to Ms. Adams and the list will be compiled and discussed at the next meeting.

Ms. Chagnon stated that New Hampshire placed second and fourth in the nation for National Assessment of Educational Progress (NAEP) scores and noted the negativity of the accompanying story about gaps that remain. She felt, and Commissioner Edelblut agreed, that there should be a celebration of what was done right. Ms. Honorow asked Commissioner Edelblut what the Department was doing to assist school districts looking at their score information to focus better on their achievement gap. He agreed that work needs to be done to close the gap and the new assessment this year will allow educators to test

their students on what they are being taught. He noted that next year, by contract, testing results will be received within 15 days. This more timely feedback should provide educators with ideas of where to place the instructional focus to close the gaps.

Ms. Griffin expressed her concern about the lack of cooperation between public charter schools and traditional public schools. Ms. Honorow and Ms. Chagnon explained that it has gotten better over the years but there are ways to integrate them better and hopefully during the State Board retreat ideas can be developed to help facilitate and support the communication process.

AGENDA ITEM VI. LEGISLATIVE ISSUES/RULES

A. PUBLIC HEARING – Professional Code of Conduct and Investigations (Ed 501)

The Public Hearing opened at 1:00

- Ms. Nicole Heimarck, formerly of the Department of Education, now Director of Government Relations of the New Hampshire School Boards Association, provided the State Board with handouts of written testimony, a brief history of the charges of the Commissioner's Task Force on Educator Ethics, and introduced Taskforce members present. An addendum has also been provided containing highlighted changes and feedback the Taskforce feels is important for the State Board to take into consideration prior to finalization. There is also a suggestion for a follow-up process at approximately 18 months after implementation. Other areas of observation and caution such as duplicate ongoing investigations have also been provided for the State Board's review and consideration.
- Dean Cascadden, Superintendent of SAU 67, urged the State Board to adopt both the Code of Ethics and Code of Conduct. He expressed his concerns regarding due process but also acknowledged that this is a work in progress and time will tell.
- Nate Greenberg, Interim Associate Executive Director of New Hampshire School Administrators Association (NHSAA), expressed support for all the work done by the Taskforce and strongly recommends the State Board approve both codes. He suggested that the proposed user guide be distributed to all teacher preparation program candidates making them aware of New Hampshire's requirements and expectations. Regarding the Code of Conduct, Ed 510.045(c) requiring reports of misconduct to Department of Health and Human Services and the Office of

Credentialing, Mr. Greenberg offered the suggestion to change the reporting sequence to a principal or superintendent first. He also suggested sequencing be put in place allowing superintendents to initiate an investigation.

- Esther Dickinson & Lauren Chadwick, staff attorneys from NEA New Hampshire, provided written testimony and documentation of changes, comments, and insights for the Code of Conduct. There were no additions on the Code of Ethics. They thanked everyone at Department of Education, Diana, Nicole, and Amanda who met with them to review the proposed changes. They feel clarity has been added in many places and the suggestions made speak for themselves. The bottom line was to tighten up language and point out duplicative items. No substantive changes were made.

The Public Hearing closed at 1:50 p.m.

B. PUBLIC HEARING – Professional Education Requirements (Ed 505.07 and Ed 610.02 – "Guiding Principles: The code of Ethics for New Hampshire Educators"

The Public Hearing opened at 1:40 PM

- Ms. Nicole Heimarck stated the original charge of the Taskforce focused exclusively on ethics. The Taskforce realized through the two year process that there are distinct differences between ethics and conduct which is why both codes have been brought forward. The Code of Ethics was completed on November 10, 2017 and to-date, there have been no changes or editing suggestions presented from any of the stakeholder groups. Part of the vetting process was Ms. Heimarck's outreach to Representative Ladd and Senator Reagan. Both are onboard and are eager to get the codes operationalized. Representative Ladd provided suggestions that were reviewed and incorporated by the Taskforce.

The Public Hearing closed at 2:18 PM.

C. Conditional Approval Response – Alternative Education and Career and Technical Education (Ed 3000)

Attorney Diana Fenton provided the State Board with background information. After the State Board's approval, it will be taken to the Office of Legislative Services for their approval and then returned today for the State Board for adoption. She noted that the rules expired and an interim rule has been in place. Mr. Eric Feldborg, State Director and Administrator for the Bureau of Career Development, explained the removal of conflicting language for the

automotive programs that were missed during the repeal of the original law. Another change is for the robotics grant fund money to be disbursed in two parts rather than one payment.

MOTION: Cindy Chagnon made the following motion, seconded by Kate Cassady, that the State Board of Education approve Conditional Approval Response – Alternative Education and Career and Technical Education (Ed 3000).

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

D. Initial Proposal – Educational Interpreter/Transliterater for Children and Youth Ages 3-21 (Ed 507.35 and Ed 612.36)

The largest change in this proposal is to change the requirement of an associate's degree to a bachelor's degree. Chairman Cline expressed his concern and stated he conducted research into the standards of the national groups mentioned in the documentation and found no relationship to the ability to be a good interpreter and having a bachelor's degree.

Ms. Santina Thibedeau, Administrator for the Bureau of Special Education, explained this was proposed by a legislative entity called the Deaf Commission, which created a subcommittee on education. This proposal was taken directly to the Professional Standards Board and was approved, and the Department was not brought into the process until the revision. Ms. Honorow stated it seems more like the Deaf Commission is looking to up the standards for delivery of services. It was agreed that the State Board needed more information in order to proceed. It was requested that someone be available at the next meeting to provide additional information.

MOTION: Helen Honorow made the following motion, seconded by Phil Nazzaro that the State Board of Education table the Initial Proposal – Educational Interpreter/Transliterater for Children and Youth Ages 3-21 (Ed 507.35 and Ed 612.36) until the May meeting.

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

E. Final Proposal – Special Education Aid (Ed 1128)

Bridget Brown from the Bureau of Special Education explained that this is a change in wording with the removal of the word “catastrophic”. There are no other changes to the process or the nature of the rule.

MOTION: Ann Lane made the following motion, seconded by Helen Honorow, that the State Board of Education approve the Final Proposal – Special Education Aid (Ed 1128).

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

F. Final Proposal – Highly Qualified Teacher and Core Academic Subjects (Ed 1102 and Ed 1113)

It was explained that these are the final proposals for these rules in response to the Every Student Succeeds Act (ESSA) and amendments to the Elementary and Secondary Education Act (ESEA). The term "highly qualified teacher" is no longer used and "core academic subjects" terminology has also been removed. This solves issues with federal government compliance.

MOTION: Cindy Chagnon made the following motion, seconded by Ann Lane that the State Board of Education approve the Final Proposal – Highly Qualified Teacher and Core Academic Subjects (Ed 1102 and Ed 1113).

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

G. Adopt – Alternative Education and Career and Technical Education (Ed 1300)

The approval letter has been received from Office of Legislative Services (OLS) for the conditional approval response. Before the State Board is the adoption which includes editorial changes to address the requirements for auto and technology programs. In Ed 1306.02 language was struck and now points directly to the RSA so that any changes to the RSA will be incorporated in the rule.

MOTION: Cindy Chagnon made the following motion, seconded by Kate Cassidy, that the State Board of Education approve the Conditional Approval Response for Ed 1300, Alternative Education and Career and Technical Education.

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

AGENDA ITEM VII. REPORTS AND NEW DEPARTMENT BUSINESS

A. Virtual Learning Academy Charter School charter extension request

Chairman Cline noted the charter expired due to a staffing issue with the Department of Education (NHDOE). Mr. Steve Kossakoski, CEO of Virtual Learning Academy was present to answer any questions. Commissioner Edelblut stated he has visited the school and is comfortable with recommending the extension. The commissioner is recommending a year extension from November 21, 2017 to November 21, 2018. Ms. Honorow questioned whether the State Board has the authority to grant extensions. Commissioner Edelblut stated that because the State Board is the chartering body they are also the ones who could determine conditions and circumstances.

MOTION: Cindy Chagnon made the following motion, seconded by Kate Cassady that since the charter lapse was due to staffing issues at the Department of Education, the State Board of Education approves Virtual Learning Academy Charter School charter extension request from November 21, 2017 to November 21, 2018.

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

AGENDA ITEM VIII. OLD BUSINESS

There was no old business.

AGENDA ITEM IX. CONSENT AGENDA

A. Meeting Minutes of March 21, 2018

MOTION: Cindy Chagnon made the following motion, seconded by Ann Lane, that the State Board of Education approve the Meeting Minutes of March 21, 2018, as amended.

VOTE: The motion was approved by vote of the Board with the Chairman and Helen Honorow abstaining.

AGENDA ITEM X. TABLED ITEMS

There were no tabled items.

AGENDA ITEM XI. NONPUBLIC SESSION

MOTION: Cindy Chagnon made the following motion, seconded by Ann Lane that the State Board of Education to enter into nonpublic session.

VOTE: The motion was approved by roll call vote by board members Sally Griffin, Ann Lane, Kate Cassady, Cindy Chagnon, Drew Cline, Phil Nazzaro and Helen Honorow.

MOTION: Phil Nazzaro made the following motion, seconded by Cindy Chagnon, that the State Board of Education leave nonpublic session.

VOTE: The motion was approved by roll call vote by board members Sally Griffin, Ann Lane, Kate Cassady, Cindy Chagnon, Drew Cline, Phil Nazzaro and Helen Honorow.

MOTION: Phil Nazzaro made the following motion, seconded by Cindy Chagnon, that the State Board of Education seal the minutes of the nonpublic session.

VOTE: The motion was approved by roll call vote by board members Sally Griffin, Ann Lane, Kate Cassady, Cindy Chagnon, Drew Cline, Phil Nazzaro and Helen Honorow.

AGENDA ITEM XII. ADJOURNMENT

The meeting was adjourned at 2:20 PM

MOTION: Cindy Chagnon made the following motion, seconded by Ann Lane to adjourn the meeting.

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



Secretary