

New Hampshire
State Board of Education
Department of Education
Londergan Hall, Room 100F
101 Pleasant Street
Concord, NH 03301

Minutes of the Thursday, September 13, 2018 Meeting

AGENDA ITEM I. CALL TO ORDER

The regular meeting of the State Board of Education was convened at 9:50 a.m. at the State Department of Education, Londergan Hall, Room 100F, 101 Pleasant Street, Concord, NH. Drew Cline presided as Chairman.

Members present: Kate Cassady, Cindy C. Chagnon, Drew Cline, Sally Griffin, Helen G. Honorow, and Ann Lane. Frank Edelblut, Commissioner of Education, and Christine Brennan, Deputy Commissioner of Education, were also present. Phil Nazzaro was unable to attend due to another commitment.

AGENDA ITEM II. PLEDGE OF ALLEGIANCE

Cindy Chagnon led the pledge of allegiance.

AGENDA ITEM III. PUBLIC COMMENT

Ann Marie Banfield, Cornerstone NH, asked the Board if an independent study could be conducted on the effectiveness of competency-based education in New Hampshire schools. She noted that studies done in Maine showed evidence that success was lacking and lower academic performance. She provided handouts to the Board regarding these studies. Ms. Banfield also raised concerns regarding socio-emotional learning being conducted in New Hampshire schools. Some New Hampshire teachers had reached out to her voicing their concern of being asked to make student mental health assessments with little training and being uncomfortable because the assessments are so subjective and felt the assessments should only be done by mental health professionals. There is also concern that informed consent is not being obtained from parents prior to the assessments being given to students.

Moira Ryan, a parent and registered nurse, echoed Ms. Banfield's concerns regarding socio-emotional learning. She spoke to the Board about her own personal experiences and read off a list of statistics regarding special education. She will email Ms. Adams the statistical information to share with the Board. Ms. Ryan agreed that student health assessments need to be conducted by medical doctors and health professionals, not educators, and asked that this process be reviewed.

AGENDA ITEM IV. CONSENT AGENDA

A. Minutes of November 3, 2016

MOTION: Ann Lane made the following motion, seconded by Sally Griffin with Cindy Chagnon and Kate Cassady abstaining, to approve the Minutes of August 8, 2018 as presented.

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

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

MOTION: Cindy Chagnon made the following motion, seconded by Ann Lane to accept and approve the Commissioner's Non-Public School Approval Designation Report for Cedarcrest.

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

AGENDA ITEM V. SPECIAL PRESENTATIONS

A. Student/Grantham School Board - SB-FY-18-12-015 – Request for rehearing/reconsideration.

MOTION: Cindy Chagnon made the following motion seconded by Ann Lane, to deny the request for rehearing/reconsideration.

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

B. Student/Merrimack School Board - SB-FY-18-04-008 – Request for rehearing/reconsideration.

MOTION: Ann Lane made the following motion, seconded by Cindy Chagnon, to deny the request for rehearing/reconsideration.

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

C. Student/Grantham School Board - SB-FY-18-01-010 – Withdrawal

MOTION: Ann Lane made the following motion, seconded by Cindy Chagnon, to accept the Hearing Officer's Report and adopt the Hearing Officer's recommendation thereby closing the matter.

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

D. Student/Conway School Board - SB-FY-18-04-017.

Cherise Sullivan, the mother of the student, chose to have the hearing heard in public and was sworn in by Chairman Cline. No attorney was present.

Ms. Sullivan provided the Board with a history of her case. She is requesting that the Board look into the nursing practices at her daughter's high school after an administrator acted against policy. She stated that she made numerous attempts to be heard by the administration and school board and received different recommendations from different sources which created confusion regarding the correct process. Ms. Sullivan noted that the school board attorney also dismissed her request to be heard and asked the Board to look into this as well. She noted that parents have very little guidance to help them through these situations.

Attorney Erin Feltes, representing the Conway school board and Superintendent Kevin Richard were present. Attorney Feltes noted that a formal Office of Civil Rights (OCR) investigation was conducted and concluded that there was no negative impact to the student's 504 Plan before it was changed. Also, Ms. Sullivan's motion to appear before the school board was dismissed because they felt the parents' complaint was an issue with school staff and the superintendent, and the school board does not have authority to hear personnel complaints. She is requesting that the Board accept the Hearing Officer's recommendation and grant the Conway School District's motion to dismiss.

MOTION: Helen Honorow made the following motion, seconded by Cindy Chagnon, to accept the Hearing Officer's report and adopt the Hearing Office's recommendation thereby dismissing this matter and under the State Board's authority to consider complaints regarding the operation of school districts under its general supervisory authority set forth in RSA 186:5, refers Ms. Sullivan's complaint to the Department for further review and investigation.

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

It was noted that the State Board is looking to make this process easier for parents.

E. Professional Standards Board Annual Report

Anne Wallace, Vice Chair, Professional Standards Board (PSB) presented the report. The PSB began last year with three vacancies and four new members. Two new members were nominated and accepted in November; however, the category III, qualified lay person seat remains vacant. She noted that 30% of the members were new and that nine meetings were held in 2017-2018.

In the area of educator credential standards, the PSB had 5 active subcommittees, some of which are still active, throughout the calendar year and each reported progress at the monthly PSB meetings. The subcommittees were:

1. Mathematics teacher, mathematics teacher middle level, and mathematics teacher upper level, chaired by herself and adopted by the State Board on August 8, 2018.
2. Digital learning specialist chaired by Kimberly Yarlott, Principal at Reeds Ferry School in Merrimack and is before the State Board today as a final proposal.
3. General special education teacher, early childhood special education teacher, and all special education categorical endorsements co-chaired by Cynthia Lucero, Professor of Education & Coordinator of Field Experience at New Hampshire Technology Institute (NHTI) and Joann Misra, Special Education educator in Windham. This is an active committee that is planning full-day retreats for each separate rule and will tackle them one at a time until completed.
4. Comprehensive technology education teacher chaired by Kurt Beitler, Superintendent at SAU 73. This is an active committee that includes new member, Jack Grube, former Director of the Career and Technical Education Center at Pinkerton Academy. This committee is just starting the revision work to the rule.
5. Qualifying methods for obtaining teaching credentials chaired by Page Thompkins, Executive Director, Upper Valley Educators Institute in Lebanon. This is an active committee that recommends using a two track process to the rule revisions. 1) The Department would identify and bring to the subcommittee suggest changes and areas of priority (i.e., rule changes and proposed policy changes) and to the full PSB by the January 2019 meeting. 2) The subcommittee will continue to work on recommendations to the Board and the Department on a process for reconsidering the broader qualifying methods, which would go before the PSB at the same time as the rule changes.

One of the first steps is to define who will be credentialed and what options there are for credentialing and to describe learning-to-teach experiences, especially on the job; what constitutes good teacher

readiness; and develop learner-responsive teachers (as defined by Network for Transforming Educator Preparation) through multiple pathways. Most schools in the state try to have a mentoring program for learning procedures, etc. It may be possible to condense the five pathways into fewer, but in doing so, need to ensure teachers continue to get the necessary experiences.

The PSB will continue to create or update educator credential standards that reflect educator excellence and high performance.

AGENDA ITEM VII. LEGISLATIVE ISSUES/RULES

A. Final Proposal - Non-Public School Approval (Ed 403.03; Ed 405.01; Ed 407.01)

MOTION: Cindy Chagnon made the following motion, seconded by Ann Lane, to approve the final proposal for Ed 403.03, 405.01, and 407.01 Non-Public School rules.

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

Minor changes were made in response to legislative changes and to the practices of the Department.

B. Final Proposal - Digital Learning Specialist (Ed 507.22 and Ed 612.19)

MOTION: Cindy Chagnon made the following motion, seconded by Ann Lane, to approve the final proposal for Ed 507.22 and Ed 612.19 Digital Learning Specialist.

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

C. Preliminary Objection - Certification Standards for Educators on Code of Conduct Investigations, and Disciplinary Proceedings and Denial of Certification (Ed 501.01; Ed 501.02; Ed 502.01; Ed 510; Ed 511 and Ed 512)

Amanda Phelps, NHDOE, Administrative Rules Coordinator, explained that by accepting the preliminary objection it allows the Board more time to be thoughtful about changes. She will request a waiver extending the response deadline giving the Board more time for review.

Ms. Phelps noted that because the Code of Ethics cannot be incorporated into rules, an option would be to have an outside agency take ownership of the

Code of Ethics document to allow it to be incorporated by reference. The Board decided they prefer to keep ownership.

Changes to specific conduct expectations of teachers and educators, credentialing issues, and clarification of language used in the code of ethics document were also reviewed page by page. The Board will vote on the changes at their October meeting.

MOTION: Ann Lane made the following motion, seconded by Kate Cassady, authorizing Ms. Phelps to request a waiver to extend the 45-day response deadline to the Joint Legislative Committee on Administrative Rules.

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

AGENDA ITEM VII. OPEN BOARD DISCUSSIONS

A. Discussion of Educational Interpreter/Transliterater for Children and Youth ages 3 to 21 (Ed 507.35 and Ed 612.36)

Helen Honorow asked Chairman Cline why this rule was open for discussion again and recalled keeping the public comment period open longer after the public hearing and noted that no further commentary had been received. She also recalled Chairman Cline having folks that were not able to attend the public hearing and asked them to submit written testimony. Ms. Honorow noted that no written testimony had been submitted.

Chairman Cline responded that he had received written testimony late the evening before from the Manchester school district and that a district representative, Mary Steady was present to read the letter.

Ms. Honorow asked why the school district did not submit their comments within the comment period.

Chairman Cline explained the difficulty in gathering information on this matter from the field and opened the discussion to the public.

Mary Steady, Manchester School District's Director of Student Services, read a letter from Superintendent Vargas which expressed concern about proposed changes to credentialing requirements for sign language interpreters to include a Bachelor's degree, and noted the requirement will make it more difficult for the school district to recruit and hire sign language interpreters. The school district is concerned the change would exacerbate the national interpreter shortage and create gaps in services.

Laurie Shaffer, Interim Director of ASL/English Interpreting program at the University of New Hampshire - Manchester, spoke in support of requiring a Bachelor's degree to credential interpreters. She explained that the Educator Interpreter Proficiency Assessment (EIPA) is the assessment tool used for educational interpreters that examines a number of linguistic capacities that are needed to interpret properly. EIPA currently requires kindergarten through twelfth grade (K-12) interpreters to have a minimum score of 3.5, and noted that without an educational background with a Bachelor's degree as a foundation, achieving the minimum score would be difficult. A score less than the minimum would indicate a lack of reading and language skills. A lengthy discussion ensued regarding interpreter experience, education, and EIPA score requirements; and how they relate to student learning outcomes. Ms. Shaffer will provide research on interpreter K-12 requirements to the Board.

Susan Wolf-Downes from Northeast Deaf and Hard of Hearing Services spoke to the Board in support of requiring a Bachelor's degree and noted that she has a master's degree and that an interpreter with a 2-year degree would not have been able to keep up with her while she was pursuing her degree. She has seen first-hand interpreters with only an Associate's degree having a hard time passing the EIPA with a 3.5 or above. She thanked the Board for taking the time and listening to more feedback and gathering more information on this matter.

Laurie Gilbert from the Nashua school district spoke to the Board in support of requiring a Bachelor's degree. The Nashua school district currently employs seven of the seventeen certified interpreters in New Hampshire and that three are currently on alt plans. The alt plan requires candidates to have passed state screening with minimum of an Associate's Degree and have three years to score 3.5 or above on the EIPA (*which was lowered to 3.4 this year*).

It was asked why it was so difficult to find interpreters who have obtained a 3.5 or above on the EIP. Ms. Gilbert explained that it is another language and noted how unlikely it would be to find someone that has mastered a foreign language, such as French, after two years of study to then be qualified to teach French. She explained that she has honor students that she cannot pair with interpreters with only two years of sign language. She has to be thoughtful and selective when placing interpreters with students. Nashua is fully staffed with interpreters and it was noted that the primary factor is Nashua's salary is double that of Manchester's. Ms. Gilbert's concern is for the students state-wide, especially those in remote areas, and that state regulations should be looked at with them in mind and not through the lens of only Manchester and Nashua.

It was asked if technology has developed a virtual reality interpreter. Ms. Gilbert responded that remote video interpreting is available, but it is not very effective because interpreting is a three dimensional language and video is a two dimensional platform.

Chairman Cline noted that this was a helpful and productive discussion. He noted that more information needs to be gathered and it is important to take the time to make sure the Board gets it right.

Ms. Gilbert offered to resend the national studying information she provided to the Board in July and will email the report to Ms. Adams.

B. Review Draft Agenda for Wednesday, September 26, 2018, Retreat

The retreat will be open to the public and is scheduled from 8 a.m. to 4 p.m. Issues to be focused on will be: clarifying the role of hearing officers and the hearing process, such as when parents go to a hearing versus going to complaints, and what the hearing officers do; a holistic look at teacher and educator rules to see how to make them more consistent, clear, and more user friendly, and the role of the Board in relation to the Department and Commissioner. Credentialing requirements and charter schools were also discussed as possible topics. The chairman is finalizing the agenda and will distribute to the Board once it is finalized.

AGENDA ITEM VIII. REPORTS, NEW BUSINESS and/or DEPARTMENT UPDATE

A. Nominations for Professional Standards Board

MOTION: Ann Lane made the following motion, seconded by Sally Griffin to reappoint Joanne Goelzer and David Webster to Category I – Teachers and Education Specialist and appoint Beth McClure to the Category II – Higher Education and Education Administration vacancy.

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

An invitation will be extended to Marion Anastasia, Superintendent at SAU 36 to consider applying next year when there will be a superintendent opening on the PSB.

AGENDA ITEM IX. OLD BUSINESS

It was asked that an update be provided to the Board regarding the status of Plymouth State University's Professional Educator Preparation programs.

AGENDA ITEM X. TABLED ITEMSA. Final Proposal - Non-Public School Approval (Ed403.03; Ed 405.01; Ed 407.01)

MOTION: Cindy Chagnon made the following motion, seconded by Ann Lane to remove item from the table.

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

B. Nominations for Professional Standards Board

MOTION: Ann Lane made the following motion, seconded by Helen Honorow to remove item from the table.

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

AGENDA ITEM XI. ADJOURNMENT

MOTION: Sally Griffin made the motion, seconded by Ann Lane, to adjourn the meeting at 2:20 p.m.

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



Secretary