

New Hampshire
State Board of Education
Department of Education
Londergan Hall, Room 100F
101 Pleasant Street
Concord, NH 03301
Minutes of the February 14, 2019 Meeting

AGENDA ITEM I. CALL TO ORDER

The regular meeting of the State Board of Education was convened at 9:35 AM at the State Department of Education, 101 Pleasant Street, Concord, NH. Drew Cline presided as Chairman.

Members present: Kate Cassady, Cindy C. Chagnon, Drew Cline, Helen Honorow, Sally Griffin, Ann Lane and Phil Nazzaro. Christine Brennan, Deputy Commissioner of Education, and Frank Edelblut, Commissioner of Education, were also present.

AGENDA ITEM II. PLEDGE OF ALLEGIANCE

Cindy Chagnon led the pledge of allegiance.

AGENDA ITEM III. PUBLIC COMMENT

The following individuals provided testimony to the State Board in support of The Founders Academy Public Charter School (TFA) charter extension and renewal:

- Leah DiPietro, Manchester, NH (*submitted written testimony*)
- Susan Lawton, Manchester, NH (*submitted written testimony*)
- Jessica Bell, Manchester, NH (*submitted written testimony*)
- Kristy Ouellette, Merrimack, NH (*submitted written testimony*)
- Jonathan Lawton, Manchester, NH (*submitted written testimony*)
- Michael Lawton, Manchester, NH (*submitted written testimony*)
- Jane Cormier, Manchester, NH (*did not speak; however, submitted written testimony*)
- Jennifer Nelson, Amherst, NH (*submitted written testimony*)

Jon DiPietro, Manchester, NH – Mr. DiPietro provided testimony to the State Board and does not want The Founders Academy Public Charter School's charter revoked. He does, however, support them developing a remedial plan.

Patrice Benard, Manchester, NH (*submitted written testimony*) – Ms. Benard stated that TFA has not met the standards and goals set forth in their

charter. She requested the State Board to vote no on the charter extension and asked that the charter be revoked.

Victoria Sullivan, Manchester, NH (*submitted written testimony*) – Ms. Sullivan stated that TFA has not been directly accountable to parents. TFA's Board had no intention of changing course or accepting responsibility when parents questioned its actions. She requests that the State Board extend TFA's charter until a hearing date is scheduled to address charter violations and that a remedial plan is put in place.

Buddy Sullivan, Manchester, NH (*submitted written testimony*) – Mr. Sullivan spoke to the State Board about his experience as a student at TFA and his disappointment with the lack of leadership qualities in its leaders. He spoke about having to make new friends each year because so many were leaving, some even in the middle of the school year. He spoke about his frustration with having to have newly trained teachers each year because they too, were leaving. He and his family are actively looking for a new high school.

Doris Hohensee, Nashua, NH (*submitted written testimony*) - Ms. Hohensee raised concerns about the Nashua School Board and the student election process.

Moira Ryan, NH Autism Advocates - Ms. Ryan described an old due process case for special education where the school district argued that autism causes dysgraphia and dyslexia, denying a parent's request for special learning disability services for dyslexia. The decision was upheld despite physician testimony refuting that autism causes dyslexia. Ms. Ryan asked the criteria for Specialist in Assessment of Intellectual Functioning (SAIF) be reviewed, as learning disabilities have expanded in society. She also submitted written testimony for someone not able to attend today's meeting.

AGENDA ITEM IV. CONSENT AGENDA

A. Meeting Minutes of January 10, 2019

B. Amend Lisbon and Lyman's Articles of Agreement

MOTION: Phil Nazzaro made a motion, seconded by Kate Cassady, to approve the minutes of January 10, 2019, as amended and to accept the amended Lisbon and Lyman Articles of Agreement.

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

AGENDA ITEM V. PUBLIC HEARINGS

A. Learn Everywhere Program for Alternative Programs for High School Graduation Credit (Ed 1400)

Chairman Cline opened the Public Hearing at 9:30 AM.

The following individuals provided oral testimony to the State Board and were encouraged to also submit written testimony:

- Sahith Kaki, Student (*submitted written testimony*)
- Ian McCabe, Student (*submitted written testimony*)
- Beth White, Big Picture Learning (*submitted written testimony*)
- Michael Bessett, SAU 65, Kearsarge (*submitted written testimony*)
- Joy Gobin, Lebanon High School (*submitted written testimony*)
- Bonnie Robinson, Director, Curriculum Instruction and Assessment, Lebanon High School, SAU 88 (*submitted written testimony*)
- Diane Murphy, Founding Director, Big Fish Learning Community
- Janet Ward, League of Women Voters (*submitted written testimony*)
- Jane Bergeron, Director, New Hampshire Association of Special Education Administrators (*submitted written testimony*)
- Patricia Mellor, Girl Scouts of the Green and White Mountains (*submitted written testimony*)
- Dean Cascadden, SAU 67 Superintendent and Brian O'Connell, Bow HS Principal (*submitted written testimony*)
- Megan Tuttle, National Education Association (NEA) - NH (*submitted written testimony*)
- Donna Couture, Winnacunnet High School (*submitted written testimony*)
- Susanne Filipone, Oyster River High School (ORHS) Principal and Sean Peschel, ORHS, Educational Learning Opportunities (ELO) Coordinator
- Bonnie Dunham, Merrimack, NH (*submitted written testimony*)
- John Freeman, SAU 50 Superintendent, Pittsfield School District
- Jon DiPietro, Manchester, NH
- Esther Asbell, SAU 16 Associate Superintendent, Exeter
- Moria Ryan, SAC Committee
- Frank Grossman, FIRST Robotics
- Maureen Redman-Scura, Concord (*submitted written testimony*)
- Stacey Kallelis, Salem High School
- Tracy Lollyer, Salem High School
- Lexi Ouellette, Salem High School
- Marisa Hamman, Salem High School
- Jeanne Gerulskis, McAuliffe-Shepard Discovery Center

- Mary Wilke, Concord (*submitted written testimony*)
- Nicole Heimarck and Barrett Christina, NH School Boards Association (NHSBA)
- Fred Bramante, National Center for Competency-Based Learning
- Esther Kennedy, SAU 73
- Louise Spencer, Concord (*submitted written testimony*)
- Doris Hohensee, Nashua (*submitted written testimony*)

Chairman Cline closed the Public Hearing at 11:50 AM.

B. School Year (Ed 306.18)

Chairman Cline opened the Public Hearing at 10:00 AM and closed it at 10:42 AM with no public commentary.

AGENDA ITEM VI. SPECIAL PRESENTATIONS

A. Choose Love

Ms. Shannon Desilets, the Program Coordinator of Choose Love for New Hampshire introduced herself. Ms. Desilets explained that she provides post-trauma treatment and has been working with the families affected by the Sandy Hook School shooting. The Jesse Lewis Choose Love Enrichment Program is a social and emotional learning (SEL) program offered to schools for free and was started by Scarlett Lewis, the mother of Sandy Hook shooting victim Jesse Lewis.

Ms. Desilets then played video about the Choose Love program.

New Hampshire is the first state to commit to roll out [The Jesse Lewis Choose Love Enrichment Program](#) to all its schools. Ms. Desilets noted that members of Parliament in England have inquired about the program and want to tour New Hampshire to see the program in action and many other governors' offices have shown an interest.

A personal video message from Ms. Scarlett Lewis was then presented to the State Board. In the video message Ms. Lewis explains the benefits of the program and how it focuses on solutions to school issues that translate into society. It's an effective way to reduce bullying, substance abuse, incarceration, and even the divorce rate.

Choose Love also addresses post-traumatic growth (PTG), which is not well known. As of last week, 224 New Hampshire schools are using the program. Ms. Desilets explained the importance of external school safety measures; however, they do not get to the reasons why a student might want to harm another or him or herself. Since Sandy Hook there have been 239 school-related shootings.

A Choose Love video about issues children face today was presented.

In a May 2018 survey of the Choose Love program showed that 99% of educators saw an improvement in classroom climate and 66% saw an increase in academic performance since starting the program.

B. US Performance Academy Non-Public School Approval

Mr. Pete Smith, President, spoke on behalf of the US Performance Academy, an independent school for high-performance athletes. US Performance Academy is seeking to incorporate in New Hampshire and to set up various schools throughout the state to receive international students.

It was questioned if the school gives students attending online the ability to travel. Mr. Smith clarified that the curriculum is both blended and in person, and is designed to fit the needs of students missing incredible amounts of school due to the demands of their sport. Students are able to have enriching experiences by traveling for their sport while still attending school. He also noted a correction to 20 credits on the application and explained that they have rolling admissions with students starting throughout the school year.

MOTION: Cindy Chagnon made the motion, seconded by Phil Nazzaro to approve the US Performance Academy Non-Public School.

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

C. Vista Learning Center Non-Public School Approval

Judy Koch, Executive Director for Regional Services and Education Center (RSEC), described their various special education programs at RSEC Academy, Vista Learning Center, and the Sunrise Children's Center. She noted that they have already been approved by the NHDOE for special education programs.

Clarification was requested on why they were seeking non-public school approval. It was explained that they are currently considered a program and not a school. Receiving non-public school approval for the Vista Learning Center would identify it as a school and would separate it from the other programs within the agency. It would allow the special needs students the choice to receive their diploma from either the school district or from Vista. Also, the Vista Learning Center is housed in a separate building on the same campus as the Academy.

When asked if RSEC is involved with the local school districts, it was explained that RSEC is a regional program that helps school districts better understand special education needs of students and works with very closely school districts to move students back into their public schools.

MOTION: Cindy Chagnon made the motion, seconded by Ann Lane to approve the Vista Learning Center Non-Public School.

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

D. Gate City Charter School Charter (GCCS) Renewal

This presentation was removed from today's agenda and will be placed on next month's agenda.

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

A. Charter Renewal Extension Request for Founders Academy

Jane Waterhouse, NHDOE, Charter School Administrator, indicated The Founders Academy Public Charter School's (TFA) current charter expires in early March 2019 and she is requesting that the State Board approve a 3-month extension.

Chairman Cline clarified the State Board is not considering revoking TFA's charter or closing the school, and any social media activity driving fear in the parents that the school is closing is untrue. He suggested that rather than continuing with incremental extensions, TFA be given an extension through the end of the 2019-2020 academic year, thereby reassuring the families and students of TFA that it will continue to operate during that time. The renewal process will continue and any action the State Board might take regarding the renewal would be separate. This is an extension of the current charter.

Helen Honorow supports the extension for the benefit of the students and believes that the State Board has the authority to take the actions that the statute provides and urges the school, who is free to take whatever actions they want, to refrain from publishing anything in their newsletter or on social media, that suggests any action on the part of the State Board of Education.

The State Board moved briefly into a non-meeting to meet with legal counsel for clarification on whether or not Ann Lane is able to vote on the charter extension motion or be recused.

After the non-meeting with legal counsel, Chairman Cline noted that the goal would be to present on the charter renewal at the March 2019 Board Meeting.

MOTION: Drew Cline made the motion, seconded by Cindy Chagnon to approve the extension of the current charter of The Founders Academy Public Charter School through the end of the 2019-2020 school year.

VOTE: The motion was approved by the State Board with board member Ann Lane recused and the Chairman abstaining.

B. Professional Standards Board Nomination of Mary Murphy for Qualified Lay Persons

MOTION: Cindy Chagnon made a motion, seconded by Phil Nazzaro to approve Mary Murphy for Qualified Lay Persons on the Professional Standards Board.

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

AGENDA ITEM VIII. LEGISLATIVE UPDATES

A. Initial Proposal - Technology & Engineering Teacher (Ed 507.05)

Amanda Phelps, NHDOE, Rules Administrator outlined the changes to the rule.

MOTION: Ann Lane made a motion, seconded by Cindy Chagnon, that the State Board of Education approve Ed 507.05, Ed 612.31, and Ed 612.36 through Ed 612.39 relative to a technology and engineering teaching endorsement and its education and preparation program, as well as renumbering of other educator preparation program rules and hold a public hearing for these rules on April 11, 2019.

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

B. Initial Proposal - Reading and Writing Program (Ed 612.02)

Ms. Phelps explained that this is an expired rule that did not get readopted when the corresponding ED 500 rule was revised, so it needs to go through the approval process.

MOTION: Cindy Chagnon made a motion, seconded by Sally Griffin, that the State Board of Education approve Ed 612.12, Reading and Writing Program, and hold a public hearing for this rule on April 11, 2019.

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

C. Initial Proposal - Computer Science and Kindergarten Minimum Standards (Ed 206) NEW

Ms. Phelps explained that Computer Science and Kindergarten were placed in one proposal so that the rules only needed to be opened once. The kindergarten portion is revised based on the House Bill that specifically outlines the change to play-based kindergarten.

Clarification on the play-based kindergarten regulations was requested. Ms. Adams will email the board a hyperlink to the regulations.

MOTION: Cindy Chagnon made a motion, seconded by Ann Lane, that the State Board of Education approve Ed 306 various sections relative to a computer science education program and corresponding amendments to change information and communication technology and literacy, as well as move kindergarten curriculum standards and hold a public hearing for these rules on April 11, 2019.

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

D. Conditional Approval Response - Non-Public School Approval (Ed 403.03, Ed 405.01, and Ed 407.01)

Ms. Phelps reviewed changes with the State Board.

She was asked if non-public schools are exempt from federal laws, such as Title IX. Ms. Phelps explained that the conditional approval could not be changed at this point and will obtain clarification on the federal laws question and bring findings to the next meeting.

MOTION: Phil Nazzaro made a motion, seconded by Ann Lane, that the State Board of Education approves the additional approval response for Ed 403.03, Ed 405.01, and Ed 407.01.

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

E. Adopt ~ Non-Public School Approval (Ed 403.03, Ed 405.01, and Ed 407.01)

Ms. Phelps received approval from the Office of Legislative Services (OLS) for the State Board to move forward with the adoption of the non-public school rules.

MOTION: Ann Lane made a motion, seconded by Helen Honorow, that the State Board of Education approves Ed 403.03, Ed 405.01, and Ed 407.01 regarding non-public school approval.

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

AGENDA ITEM IX. OPEN BOARD DISCUSSIONS

There was discussion regarding Learn Everywhere (LE) (Ed 1400) that included:

- Local control concerns.
- Clarifying the State Board's role in the review/approval process.
- Adding a metric to the rule to identify the minimum number of LE courses that could be accumulated toward graduation.
- Engaging content experts from the field, including ELO coordinators, to assist in the vetting of LE programs.
- The value of having options available to all students in the state.
- Field experts, and not educators teaching LE classes

Commissioner Edelblut spoke of next steps with the LE rules process that will include gathering all public commentary as well as today's conversation to make changes to the rules that will be presented to the State Board for review.

Chairman Cline followed up on concerns raised about Plymouth State University's (PSU) accreditation web posting and communication regarding their educator preparation programs. Ms. Adams will email the board members a link to PSU's educator preparation webpage.

AGENDA ITEM X. OLD BUSINESS

There was no old business.

AGENDA ITEM XI. TABLED ITEMSA. Initial Proposal - Technology & Engineering Teacher (Ed 507.05)

MOTION: Phil Nazzaro made a motion, seconded by Ann Lane, to remove the Technology & Engineering Teacher (Ed 507.05) initial proposal from the table.

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

AGENDA ITEM XII. NONPUBLIC SESSION

The State Board entered into nonpublic session at 3:15 PM and returned to public session at 3:48 PM.

MOTION: Cindy Chagnon made the motion, seconded by Phil Nazzaro to move into nonpublic session in accordance with RSA 91-A:3, II(l).

VOTE: The motion was approved by roll call vote at 3:15 PM by State Board of Education members, Sally Griffin, Ann Lane, Kate Cassady, Cindy Chagnon, Drew Cline, Phil Nazzaro and Helen Honorow.

MOTION: Phil Nazzaro made the motion, seconded by Cindy Chagnon to leave nonpublic session and return to public session.

VOTE: The motion was approved by roll call vote at 3:48 PM by State Board of Education 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 Sally Griffin that the State Board of Education seal the minutes of the nonpublic session.

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

The State Board entered into nonpublic session at 3:55 PM and returned to public session at 4:36 PM.

- MOTION: Cindy Chagnon made the motion, seconded by Phil Nazzaro to move into nonpublic session in accordance with RSA 91-A:3, II(c).
- VOTE: The motion was approved by roll call vote at 3:55 PM by State Board of Education members, Sally Griffin, Ann Lane, Kate Cassady, Cindy Chagnon, Drew Cline, Phil Nazzaro and Helen Honorow.
- MOTION: Phil Nazzaro made the motion, seconded by Cindy Chagnon to leave nonpublic session and return to public session.
- VOTE: The motion was approved by roll call vote at 4:36 PM by State Board of Education members, Sally Griffin, Ann Lane, Kate Cassady, Cindy Chagnon, Drew Cline, Phil Nazzaro and Helen Honorow.
- MOTION: Cindy Chagnon made the following motion, seconded by Phil Nazzaro that the State Board of Education seal the minutes of the nonpublic session.
- VOTE: The motion was approved by roll call vote by State Board of Education members, Sally Griffin, Ann Lane, Kate Cassady, Cindy Chagnon, Drew Cline, Phil Nazzaro and Helen Honorow.

AGENDA ITEM XIII. ADJOURNMENT

- MOTION: Cindy Chagnon made the motion, seconded by Phil Nazzaro, to adjourn the meeting at 4:37 PM.
- VOTE: The motion was approved by unanimous vote of the Board with the Chairman abstaining.



Secretary