

New Hampshire  
**State Board of Education**  
Woodsville High School  
9 High Street  
Woodsville, NH 03785  
Minutes of the November 21, 2019 Meeting

**AGENDA ITEM I. CALL TO ORDER**

The regular meeting of the State Board of Education was convened at 9:45 AM in the library at Woodsville High School, 9 High Street, Woodsville, NH. Drew Cline presided as Chairman.

Members present: Drew Cline, Chairman, Kate Cassady, Cindy Chagnon, Sally Griffin, Helen Honorow, and Ann Lane. Phil Nazzaro was not able to attend due to a prior commitment. Frank Edelblut, Commissioner of Education and Christine Brennan, Deputy Commissioner, were also in attendance.

**AGENDA ITEM II. PLEDGE OF ALLEGIANCE**

The group led the pledge of allegiance.

**AGENDA ITEM III. PUBLIC COMMENT**

Bonnie Dunham, New Hampshire State Advisory Committee (SAC), asked the Board if it has any influence to make revisions to Medicaid for Schools rules so schools could maximize federal dollars without limiting the number or types of providers and remove disincentives for parents not to give consent. She also asked if there was a way to include charter schools in these rules.

Ms. Dunham also noted that there have been instances of conflicts of interest when it comes to discipline in charter schools. When several children are involved in an incident, the board of trustees decides who gets suspended, and their decision may be affected by whether their own children are involved. She asked for a statement that would eliminate any potential conflicts of interest.

**AGENDA ITEM IV. PRESENTATIONS/REPORTS/UPDATES**

Laurie Melanson, Superintendent, SAU 23, welcomed the State Board to Woodsville and introduced Eric Chase, Principal, Woodsville High School, and Woodsville students to present an overview of the school. The students talked about the school's extracurricular activities and academic programs. Ms. Melanson thanked the Board for their support of Woodsville's school building aid and then led a tour of the new site.

A. Fall Mountain Regional School; District Withdrawal Committee Report for the Withdrawal of Charlestown from the Fall Mountain Regional School District Cooperative

Albert St. Pierre, Chair, Withdrawal Study Committee, Fall Mountain Regional School District Cooperative, introduced his colleagues:

- Jeff Lessels, Selectman, Town of Charlestown
- Scott Winn
- Trina Dearborn, Withdrawal Study Committee, Fall Mountain Regional School District
- Gordon Graham, Attorney for the SAU
- Phil Stahl, Minority Committee, Fall Mountain Regional School District
- Sarah Vogel, Minority Committee, Fall Mountain Regional School District
- Joe Levesque, Member, Fall Mountain Regional School District
- Jim O'Shaughnessy, Attorney, Drummond Woodsum

Mr. St. Pierre then presented an overview of the withdrawal report.

Attorney O'Shaughnessy said he was part of the commission to study withdrawal that resulted in the amendment to RSA-195-25. One of the bigger changes in the law was recommending the withdrawal instead of determining its feasibility. This has created more transparency with respect to the minority plan and requires the withdrawal to be approved by both the town and the cooperative.

The report complies with the requirements in RSA-125-26, but one challenge involves the method of apportionment. The statute requires the method to be in the plan but only if the change is proposed in conjunction with the withdrawal procedure. The plan only calls for this method if the vote to withdraw moves forward. The committee can't recommend a change to the apportionment formula – that can only be done by the cooperative after the withdrawal takes place. Otherwise, the method stays the same.

Attorney O'Shaughnessy said the details will be worked out after the vote if the withdrawal goes forward. If the parties can't agree on a final plan, it will go to the State Board and the Supreme Court.

Chairman Cline noted that the report contains a lot of language about what the town wants but little detail on how it will be executed or funded. He asked for more detail on both. Mr. St. Pierre said the Fall Mountain funding formula is unique in that it separates the budgets for each grade PreK-8, so it is not as simple as allocating a certain percentage to each item. The details have been mapped out, but they do not appear in the report.

Chairman Cline noted that the withdrawal report predicted more than \$1 million in savings. Mr. St. Pierre said those numbers were not included in the report because they appear in the annual district report. Those numbers show an annual budget of \$30 million, \$12.7 million for Charlestown and the rest for the other schools.

Chairman Cline said the Charlestown valuation is \$411,000 per student, or 40% of the state average, and asked how Charlestown would keep its tax rate after taking on the cost of forming its own school district. Mr. St. Pierre remarked that Charlestown has 165 students in the high school, but is billed for 205 and does not know why. Moreover, Charlestown holds three of the 12 buildings in the district but pays 45% of the cost, so there is some confusion about what Charlestown should pay for.

Attorney O'Shaughnessy acknowledged the importance of providing details, but said the statute only requires the withdrawing district to give a basic outline of the impact on the students leaving the district and those remaining in the district. The feasibility of the plan will be determined at the polls.

Ms. Cindy Chagnon recalled the minority report saying the three middle schools share teachers. She expressed concern that those services would cost more per student in a small district and wants to make sure students receive the same level of service. Mr. St. Pierre said Charlestown can share some staff with the district even if they withdraw. In other cases, the town has the resources but would be able to provide them at a lower cost.

Ms. Helen Honorow disagreed with Attorney O'Shaughnessy and said the Board needs to understand the impact of withdrawal on students. She also said she doesn't see how the town could provide a similar experience based on the finances she has seen. Mr. St. Pierre said the town has historically been told not to talk about those issues but withdrawing would free it to outline a plan for its schools.

Attorney O'Shaughnessy noted that the Board's role has been somewhat more reserved in terms of evaluating the merits of a plan, and noted that what he is hearing today is the Board needing more detail to confirm the reporting rules have been met. Chairman Cline replied that the Board is charged with making sure there is a plan to educate children, but the current report does not have enough detail about what the town is planning to do, even if those plans may change. Attorney O'Shaughnessy asked for more specific feedback on what needs to be in the report.

Ms. Honorow asked if there was a plan for capital expenses. Mr. St. Pierre said the committee used the existing tax rate to calculate it. Also, Charlestown has the only bond in the district, with which it pays for the primary school through 2024.

All those expenses are in place and outlined in the addenda. Attorney O'Shaughnessy said their costs include both capital and operating.

Ms. Ann Lane said it may be enough to present a future capital expense report in the current district's strategic plan. Attorney O' Shaughnessy said if Fall Mountain bonds for a capital project, the member town assumes the responsibility. Costs related to upgrades or improvements are absorbed by the remaining towns. He said he can help them figure that out.

Ms. Honorow said she understands an agreement is premature but wondered if there has been any discussion about the cost of high school services. Mr. St. Pierre said those discussions began but were shut down because only the school board was allowed to discuss it. He also noted the contracts Fall Mountain has with nearby districts and said the system cannot be fixed, which is why Charlestown is considering withdrawing.

Attorney O'Shaughnessy said the withdrawal committee could provide a tentative plan to send high school students to the district for a tuition range and consider offering a choice. Ms. Chagnon recalled a state formula requiring a detailed cost and recommended using that formula to calculate a baseline figure. Attorney O'Shaughnessy said he liked that idea. Chairman Cline said having some of these estimates will be helpful to the Board.

Ms. Lane asked if Charlestown has spoken with the SAU about staying with the SAU even after withdrawal. Mr. St. Pierre said they talked about hiring someone to oversee the transition and perhaps become the town's superintendent.

Ms. Sally Griffin asked if the committee would share the financial plan that will be presented for a vote. Mr. St. Pierre said it is listed in the expenses.

Unidentified male speaker said he is a graduate of Fall Mountain High School but feels the school has outlived its usefulness. The acrimony and resistance that Charlestown gets from other towns is the opposite of what one would expect from a cooperative. He asked the Board to let the townspeople tell them what they want.

#### B. Fall Mountain Regional School District Minority Report for the Withdrawal of Charlestown in the Fall Mountain Regional School District Cooperative

Mr. Phil Stahl spoke of the minority committee's concern with the withdrawal report having few details and it is not clear what the voters will be voting on. He noted that Appendix 1 shows almost no support for withdrawal among directors and administrators, and there is no guarantee Charlestown will stay in the SAU. Also, the report does not address apportionment, which will change after

withdrawal. He and the committee are concerned that the children in Charlestown will suffer.

Ms. Sarah Vogel, a former special education teacher, remarked that adding a child with special needs into any system results in additional costs. Fall Mountain does not have that issue because the towns split the cost of adding a child. She said she does not think advocates for withdrawal are fully considering these costs and asked for more guidance about what to include in the plan.

Ms. Chagnon asked why there was a discrepancy between the allocation numbers in the two reports. Mr. Stahl said the minority report reflects the state numbers, but he doesn't know where the withdrawal committee got their numbers.

Ms. Chagnon noted that the SAU budget is integrated into the district budget, which makes this issue more complex, but voters need to understand the financial impact of this withdrawal. Ms. Vogel agreed, and Mr. Stahl said there is a question as to whether both districts would get the same state aid. Ms. Lane recommended thinking about the impact of sending students to other districts.

Ms. Chagnon asked about the impact on career and technical education (CTE). Mr. Stahl said the programs in the district need a certain number of students to work, but withdrawal may make it harder to reach that number.

Mr. Graham remarked that the statutes leave a lot to the imagination. The apportionment formula doesn't cover the impact on the remaining district, for example. Also, it's implied that the new school board will only include the two Charlestown reps. but they'll still be subject to articles of agreement in the cooperative. He said he was concerned that the plan calls for withdrawal first and then working out the details later.

Attorney Graham explained that the statute requires an agreement on the apportionment formula before withdrawal, so voters understand the impact, but he is not sure who comes up with that formula. Fall Mountain requires a 2/3 majority vote to approve the apportionment formula, but Charlestown requires a 50% vote, so that issue must be resolved.

Ms. Lane asked if Charlestown would still want to withdraw if they found the formula more equitable. Unidentified male speaker said when the cooperative was originally formed, Charlestown was the primary town and would help the smaller towns. Now, the other towns are faring better and are unwilling to hear Charlestown's feedback. If the towns were more cooperative, it would stay. Mr. St. Pierre said a vote to change the apportionment was supported by Charlestown but opposed by the other towns, which has helped lead to the withdrawal proposal.

Ms. Chagnon said the Board has too many questions to let this move forward. Chairman Cline asked if the district could get this information to them before the next Board meeting. He requested more detail on:

- How the administration would look?
- Reconciliation on cost discrepancies between the two report.
- How new costs would be funded based on Charlestown's tax base.
- More detail on capital costs and the apportionment method.

MOTION: Cindy Chagnon made the following motion, seconded Ann Lane, that the State Board of Education return the withdrawal plan for revision and be presented at the December 12, 2019 Board meeting.

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

C. Strafford School District Planning Committee Withdrawal Report from SAU #44

Debbi Hinrichsen, Vice Chair, Strafford School Board, and Denise Rainey, Planning Committee, Strafford School District, presented a plan to withdraw from SAU 44. The committee reviewed successful single-school districts, the budgets from those districts, the organization structures and other pertinent information and met with administrators from these districts to learn more about how their transitions went. This research was used to develop their plan.

Ms. Honorow asked what was said at the October 29, 2019 public hearing. Ms. Hinrichsen said the community was, for the most part, very supportive of the plan, but wanted to make sure the children would still attend Coe-Brown High School. People from other districts have been supportive as well.

Ms. Chagnon asked if Strafford planned to hire a superintendent and curriculum coordinator on a full-time or part-time basis. Ms. Hinrichsen said the superintendent and business administrator will be part-time, but other staff such as the student service director will be full-time. The town also voted to start its own preschool to keep those children closer to home.

Ms. Lane asked about the financial impact. Ms. Hinrichsen said, according to the superintendent, the cost difference between what the districts pay now and what they would pay post-withdrawal is \$173,000, but that might change.

Ms. Lane asked about potential financial exposure from special education students. Ms. Hinrichsen said Strafford has a reserve account of \$350,000 for students with disabilities housed in the local operating budget. That fund ensures

the town can support new students. SAU 44 has been consolidating IDA funds, but this year it voted not to, so the funds are now spent directly on children.

**MOTION:** Helen Honorow made the following motion, seconded Sally Griffin, that the State Board of Education recommend the Strafford SAU withdrawal plan.

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

#### D. Timberlane Regional School District SAU 55 Withdrawal Plan Update

Attorney Sarah Murdough, introduced Karen Steele, a member of the SAU Withdrawal Plan Committee, to review the revision to the SAU withdrawal plan. She recalled that the only issue raised at the October Board meeting was whether the plan addressed certain liabilities of the SAU. The committee made revisions with a proposed plan for proportionate sharing for compensated absences and retirement. The revision also addresses pension liabilities and lease of space.

One criticism of the recent plan is that it does not address implicit subsidies, which means a retiree participating in the insurance pool may result in a higher cost to the pool. This is a projected actuarial cost, which are typically not addressed in a plan like this. However, the plan includes language indicating this as an undefined liability that will be proportionally shared. There may be other disputes with Hampstead regarding liabilities, but they are not a basis to disqualify the plan.

Ms. Lane asked for clarification on the obligation to fulfill the superintendent's contract. Attorney Murdough said the contract will remain with SAU 55, but there will be discussion to determine what will happen with that position in the future. If Timberlane withdraws, the superintendent would stay on another year.

Attorney Michael Eaton with Wadleigh, Starr & Peters representing the Hampstead School District Board, said Hampstead supports Timberlane's withdrawal but remains concerned that the plan continually overlooks the disposal of liabilities. The Hampstead school board submitted a letter outlining the deficiencies in the plan and attached the language it had proposed, but some of that language was rejected. As a result, there is no provision to address any of these claims that have already arisen. He asked the Board to approve the plan. Ms. Murdough said some of those liabilities have been addressed, and there is language about unanticipated liabilities.

**MOTION:** Cindy Chagnon made the following motion, seconded by Sally Griffin, that the State Board of Education recommend the revised Timberlane withdrawal plan.

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

E. PACE Career Academy Charter School Status Change Request

Jorge Santana, Director, PACE Career Academy Charter School, asked the Board to raise its cap from 50 students to 80. The school would like to enroll 60 students next year and raise that number by 10 every year.

Ms. Lane asked for a breakdown by grade. Mr. Santana said this year, most new students came in as freshmen, but some are sophomores and juniors. Right now, about half of the students come from the SAU and the other half come from Concord, Hooksett and other surrounding towns.

Chairman Cline asked if the school has a waitlist. Mr. Santana said the past year ended with a waitlist of 14.

Ms. Honorow asked about PACE's finances. Mr. Santana said it would take a few years to reach 80 students; however, the school is financially stable and has built great partnerships with different organizations in the area. The school owns its space and has the capacity to absorb these additional students.

MOTION: Cindy Chagnon made the following motion, seconded Kate Cassady, that the State Board of Education, pursuant to RSA 194-B-3 XI, authorize PACE Career Academy Charter School to increase the charter enrollment limit to 80 students starting in the 2019-2020 academic year.

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

F. Capital City Public Charter School Corrective Action Plan Update

Stephanie Alicea, Head of School, Capital City Public Charter School, handed out a packet containing the school's revised action plan with updates on completed items. Jane Waterhouse, NHDOE, Charter School Administrator outlined these revisions to Capital City's action plan:

- Board membership has increased from 5 to 8. Two vacancies remain.
- The Board has created seven committees to govern the school.
- Board training is underway to cover member responsibilities and how to build strategic partnerships.
- Policies are included in the new student handbook and will be posted online.
- School operations have been updated and will be sent to the Board.
- Plodzik & Sanderson will handle financial reporting requirements.
- The PTA will hold its first meeting in December.



- A new English program has been implemented and will be evaluated at the end of the year.
- The school has hired a part-time physical education staff member and is working on a health program.
- The curriculum summary is complete and will be uploaded to the school site by mid-January.
- A finance committee has been created and Ms. Alicea regularly gives reports on expenditures and finances to the board.
- Other districts have allowed the school's students to participate in extracurricular activities, but there hasn't been much interest.

Ms. Honorow asked about the process of creating an education plan. Ms. Waterhouse said a typical plan includes goals and objectives, a timeline for implementing them and a method of tracking student progress. Ms. Waterhouse noted that Ms. Alicea tracks student progress but has not yet presented the goals or method of monitoring.

Ms. Griffin asked when audits will be ready. Ms. Alicea said they should be ready in the next few weeks.

Ms. Alicea presented more details on the school's plans and objectives:

- The first board training will take place December 4. Dean Graziano will train members on what a board does and may cover strategic planning issues.
- The board will create a list of potential partners for fundraising opportunities and service learning connections. A status update will be presented in 3-6 months or perhaps at the next board meeting.
- The meeting minutes are online and available for download.
- Fundraising activities include a craft fair and T-shirt sales. Other ideas include a winter carnival, a service auction and other events that would generate advertising revenue.

Ms. Griffin asked the school to send the most recent updates to the Board. Ms. Waterhouse said she would. Ms. Honorow asked for a list of ongoing training for board members. Ms. Alicea said she does not have that list because they are still being determined. Mr. Kasai Mumpini, Chair, Capital City, said this will depend on the board needs and member availability.

Chairman Cline noted that this is more of an outline than a developed plan. He noted that events are expensive to produce and would need high attendance or sponsorships to recoup the cost. He recommended using resources such as the New Hampshire Center for Nonprofits to help develop fundraising calendars and reach out to corporations and local businesses to get sponsorships. Ms. Alicea replied that the school's parent liaison has experience planning events, the school raised about \$300 selling T-shirts and the auction will be the main event and could generate a lot of revenue with the right items up for bid.

Chairman Cline said many fundraising plans include a goal and the projected amount raised at each event. He then asked to review the governance strategic plan. Ms. Alicea replied the school has a FERPA policy and some recommended policies that need to be voted on at the next advisory board meeting. Ms. Caroletta Alicea, assistant chair, Capital City, noted that the school is regularly updating its policies to meet the state's rules and regulations.

Chairman Cline said he is looking for something that lays out a plan for how the school will structure its organization and management. He then asked if its board has a treasurer. Mr. Mumpini said the finance committee has met and will submit a report next week. Ms. Caroletta Alicea said the school started with a small staff and students with 504s and individual education plans (IEPs). Many of the staff did not feel comfortable working with these kids and left, so Ms. Stephanie Alicea started working with them by herself. Because of this turnaround and inadequate support, the students did not have the opportunity to get to where they needed to be.

Chairman Cline said he recognizes the turnaround but does not see a strategic plan that will assign certain roles and responsibilities to other staff. Ms. Cassady asked if the school has a financial plan, budget and fiscal stability. Ms. Alicea said it does, but the bookkeeper has been away for a few weeks. The school also has three new staff, one to handle discipline and behavior issues, one to serve as an administrative assistant, and one to handle health and physical education.

Ms. Griffin said she is concerned that special needs students are not receiving the support they need because audits and financials have not been submitted. Ms. Alicea replied that she is still waiting for one district to respond to her, but the other districts are providing the services for their students.

Ms. Honorow said it sounds as if the school is saying children with IEPs or 504s are causing a disruption, which is hurtful. She suggested using different language regarding students with IEPs and said there needs to be an alternate plan if the school cannot provide what is required in a student's IEP.

Commissioner Edelblut asked if those students were transitioned into the school after they were enrolled. Ms. Alicea said some students could easily be accommodated, but others required more services than expected.

Ms. Honorow said she was concerned that the school focused on English language learning when its math scores were so low. She asked for a plan on how the low scores would be addressed.

Several Board members said it was hard to follow the materials submitted by Ms. Alicea in comparison to the report submitted by Ms. Waterhouse in determining what has been accomplished and what is still outstanding. Chairman

Cline suggested Capital City reconcile the two packets. He also recommended mapping out a strategic plan that outlines the school's goals and a process for how to accomplish those goals and asked the school to return in January.

Commissioner Edelblut recommended Ms. Alicia reach out to Bonnie Dunham and Jane Bergeron, both of whom were in attendance, for assistance with IEPs as both represent organizations that have valuable information on working with students with IEPs.

#### G. Capital City Public Charter School Status Change Request

Ms. Alicea requested that the Board expand Capital City to 12<sup>th</sup> grade. The charter originally called for growing by one grade per year, but some older students would like to enroll. Ms. Griffin asked if the school could teach those students, given the challenges the school is facing. Ms. Alicea replied that most of the faculty have experience teaching high school students.

Ms. Honorow asked if the school is recruiting more high school students. Ms. Alicea said they are enrolling based on word of mouth. The current cap is at 80 students, but the school is significantly below that with only three students. Ms. Honorow reiterated that there are several concerns about the school, and is not sure the request would be approved.

MOTION: Helen Honorow made the following motion, seconded by Sally Griffin, that the State Board of Education table the request to expand Capital City Public Charter School to 12<sup>th</sup> grade and approve only the three students currently enrolled and not allow Capital City Public Charter School to enroll any more students until the curriculum has been set and the request to expand approved.

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

#### H. School Restraint and Seclusion Report for School Year 2018-2019 per RSA 126U

Diana Fenton and Rich Farrell, Governance Unit, NHDOE, presented the school restraint and seclusion report. The numbers for 2018-2019 are similar to numbers in previous years. There was 100% reporting among public and charter schools and among non-public schools.

Of all the restraints in public and charter schools, there was only one injury, which turned out to be self-inflicted. Among non-public schools, which had incomplete numbers last year, there were more injury-related restraints, but they

came from the most at-risk populations. The highest number came from Mount Prospect Academy, but 90% of those students are there by court mandate.

Ms. Chagnon asked about the reports from Broad Street. Mr. Farrell said Broad Street overreports per district policy, so some were not in the statutory requirement. Broad Street also has an autism program, so their numbers are consistent with other schools with similar populations.

**MOTION:** Ann Lane made the following motion, seconded by Cindy Chagnon, that the State Board of Education accept the school restraint and seclusion report for the 2018-2019 school year per RSA 126U.

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

## **AGENDA ITEM V. COUNCIL FOR TEACHER EDUCATION (CTE)**

### **A. Plymouth State University – Priority Progress Report II**

Chris Ward, Co-chair, CTE, introduced Laura Stoneking, Administrator, Bureau of Educator Preparation and Higher Education, and Brian Walker, Plymouth State University.

Mr. Ward presented a recap of five programs that were not reviewed by the Council for the Accreditation of Educator Preparation (CAEP). The CTE determined they would receive conditional approval, followed by progress reports and another review in Spring 2020. Plymouth submitted its first report in January 2019 and a second one in July 2019. In September, the CTE recommended accepting the progress report and recommending full approval, which means a re-review would not be necessary in Spring 2020. He asked the Board to accept the progress report and approve the programs for seven years.

Ms. Honorow asked when the full review was scheduled. Mr. Walker said it was scheduled for May 2020. The CAEP review was scheduled for October 2019 to address previous concerns, and then the findings from that would be brought to the CTE in May 2020 and then to the Board.

Ms. Chagnon recalled the discussion around diversity in placements and asked if these were new programs designed to bring students to Manchester. Mr. Walker replied that Plymouth has placed three interns in the Manchester School District and has partnerships with SAUs 48 and 59 and the Laconia and Pittsfield school districts. It has also developed a clinical database that gathers information to demonstrate students have experience working in different schools. Ms. Honorow said she is happy to see a commitment to using the resources available to them.

MOTION: Ann Lane made the following motion, seconded by Sally Griffin, that the State Board of Education accept the priority progress report and approve the five programs for seven years.

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

## **AGENDA ITEM VI. LEGISLATIVE UPDATES**

### **A. Interim Rule – Vocational Rehabilitation Programs (Ed 1000)**

Amanda Phelps, Administrative Rule Coordinator, NHDOE, requested a continuation of the interim rules, which will go to the Joint Legislative Committee on Administrative Rule (JLCAR) in December and come back to the Board for adoption in January 2020. In the meantime, the NHDOE is working on a rulemaking proposal. Ms. Phelps said she has met with the vocational rehabilitation director and identified sections that need to be changed. They are also trying to figure out the rulemaking authority for these rules. Once the rules go to the Office of Legislative Services (OLS), the NHDOE will have a better idea of its rulemaking authority.

MOTION: Cindy Chagnon made the following motion, seconded by Sally Griffin, that the State Board of Education approve the proposed interim rule for vocational rehabilitation programs Ed 1000.

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

### **B. Final Proposal – Confidentiality and Record Retention (Ed 1102.04h and Ed 1119.01)**

Ms. Phelps noted that this rule had its public hearing last month where some changes were proposed. Those changes have been incorporated into the final proposal and are highlighted in the text.

Chairman Cline asked for clarification on the decision to make it a rule rather than a technical advisory. Ms. Phelps said she consulted a few special education administrators, who advised that requiring the local education agency (LEA) to add this statement fell outside the statute requirements. Chairman Cline said he did not have an issue with making it a rule as long as it is worded correctly; noting that some parents might not be aware that some information in an academic record might not be in a medical record which they might want to access. Ms. Phelps said the only concern among the special education administrators is the language

advising parents they might want to keep academic records to secure accommodations in post-secondary education and employment.

Chairman Cline said he would clean up the language to be more succinct and present it at the January meeting.

MOTION: Helen Honorow made the following motion, seconded by Ann Lane, that the State Board of Education table the motion.

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

C. JLCAR Petition for Regular Rulemaking – Robotics Education Fund (Ed 1307)

The NHDOE brought this emergency rule to JLCAR. At the meeting, JLCAR expressed concern that the NHDOE was rushing into rulemaking, so it issued this petition. The robotics education fund team is working on the initial proposal now.

MOTION: Ann Lane made the following motion, seconded by Sally Griffin, that the State Board of Education grant the petition to begin rulemaking on Ed 1307 robotics education fund.

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

**AGENDA ITEM VII. OPEN BOARD DISCUSSIONS**

A. Final Objection and Joint Resolution to Final Proposal 2019-5 Ed 1400

Commissioner Edelblut said his team went before JLCAR to respond to JLCAR's response to the Learn Everywhere (LE) rules. He believes some of their objections are not within the scope of their authority. The team is working on a response to each of JLCAR's responses and he noted he was not sure if the responses will be from the department or the Board.

Ms. Honorow said JLCAR wrote their response to the Board, so it should come from the Board. She asked that the Board review the response before it goes to JLCAR. Chairman Cline said it will go to the Board if it is considered a Board response, but he does not know which entity will send the response yet.

**The following items were discussed and not formerly on the agenda.**Nonpublic School Approval

Ms. Honorow said she was concerned when Commissioner Edelblut sent a press release saying the Board regularly approves nonpublic schools. The Board has been extremely careful about noting they approve for attendance purposes only. There are many fine nonpublic schools, but there are also many issues regarding policies and procedures that concern Board members. She is concerned about the misconception that the Board is reviewing all aspects of nonpublic when the Board is only approving for attendance purposes.

Cooperative School Agreements

Commissioner Edelblut suggested having the Board attorney review cooperative school agreements looking at their structure and maybe think about the language in the agreements that would make it easier for schools to get out of cooperatives if they choose.

**AGENDA ITEM VIII. COMMISSIONER'S UPDATE**Charter School Funding

NHDOE went before the legislative fiscal committee and asked for the authority to accept and expend the federal start up grant monies awarded back in August 2019; however, the fiscal committee tabled the request. Commissioner Edelblut is working with legislators to respond to their concerns.

Chairman Cline said his sense was that the fiscal committee was suspicious of charter school expansion to help at-risk children, and is hoping he can speak at the next fiscal meeting to answer any technical questions. Ms. Chagnon suggested the Board call their representatives and talk about the successful stories of charter schools. Chairman Cline recommended talking about them as chartered public schools to clear up the misconception that charter schools are not also public schools.

Personnel Changes

- Becky Fredette has been promoted to bureau chief for special education.
- An attorney has accepted an offer to replace Richard and is scheduled to start January 3.
- Laura Stoneking was able to save teacher preparation programs money by not requiring them to take a 2<sup>nd</sup> exam if they passed the 1<sup>st</sup>.
- Heather Gage will be leaving December 11. The position has been posted and interviews have taken place.

- NHDOE hosted a job fair and has sent out several announcements that positions are available.

Ms. Cassady asked if anyone is calculating the turnover rate. Commissioner Edelblut said it might feel like turnover is high, but part of it is due to a new culture of accountability that has led some people to leave. He also noted a new HR person has been hired and will start December 20.

#### Mobile Classroom

NHDOE purchased an RV which contains a classroom that can be taken around the state to expose children and parents to available CTE programs.

#### iPlatform

New report cards have been loaded into iPlatform. DOE 25s are currently being loaded but will not be available until December. This will increase transparency and access to data.

#### Vocational Rehabilitation

Some individuals with disabilities who qualify for services are still on the wait list. The VR team, after moving some funds around, will be able to provide them services by Christmas.

#### School Days, Lunch Trays and Gourmets

Commissioner Edelblut participated in a baking show with high school students in the Plymouth High School culinary program. Last night, he filmed the Chopped Challenge in conjunction with the National Guard. The kids had a great time.

#### Teacher of the Year

This year's celebration will take place Thursday, December 5 at the Common Man Inn in Plymouth, NH.

### **AGENDA ITEM XI. CONSENT AGENDA**

#### A. Meeting Minutes of October 10, 2019

Chairman Cline requested on Page 4771, change "Chairman Cline said he has worked with Mr. Appleby in the past" to "Chairman Cline said that, as chair of the BOE, he has worked with Mr. Appleby."



MOTION: Cindy Chagnon made the following motion, seconded Ann Lane, that the State Board of Education approve the minutes of the October 10, 2019 meeting as amended.

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

B. Summary of Withdrawn Cases

C. Jaffrey-Ringe Cooperative School District Separation Committee Update

D. Tuition Agreements

MOTION: Ann Lane made the motion, seconded by Sally Griffin, that the State Board of Education approve items B, C and D in the consent agenda.

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

**AGENDA ITEM XII. ADJOURNMENT**

MOTION: Cindy Chagnon made the motion, seconded by Ann Lane, to adjourn the meeting at 3:35 PM.

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



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Secretary