



**Briefing on Proposed Rule Changes to  
the Minimum Standards for Public  
School Approval**

**August 31, 2022**



# REACHING HIGHER NH

All children deserve a high-quality, rigorous, just, and student-centered education that prepares them for college, careers, and life, and where they have authentic, meaningful participation in decision-making.

Our public schools are an essential public good, and thrive when they are supported by their communities and our state.

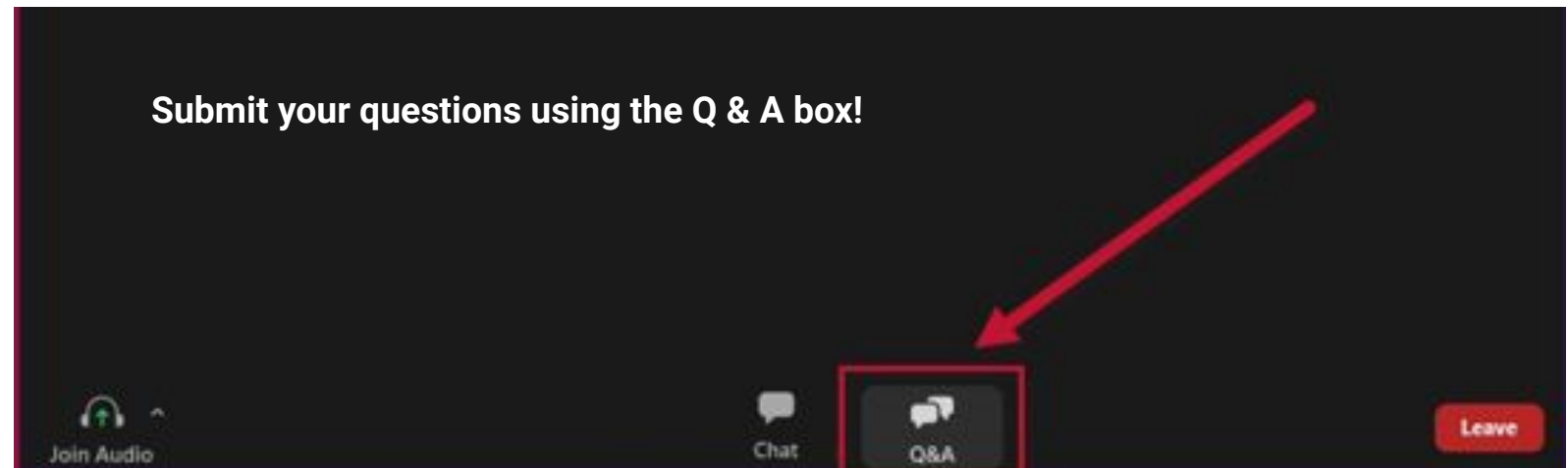


Reaching Higher NH is a nonpartisan public education policy resource for New Hampshire families, educators, and elected officials.

Our mission is to support high quality public education for every student in New Hampshire.

# Today's Focus

- About the Minimum Standards for Public School Approval
- Exploring the Process
- Key Themes
- Q&A: Drop your questions in the Q&A box as we go, and we'll go through them at the end



# About the Minimum Standards for Public School Approval

- All schools must meet the minimum standards in order to be approved as a public school by the NH Department of Education

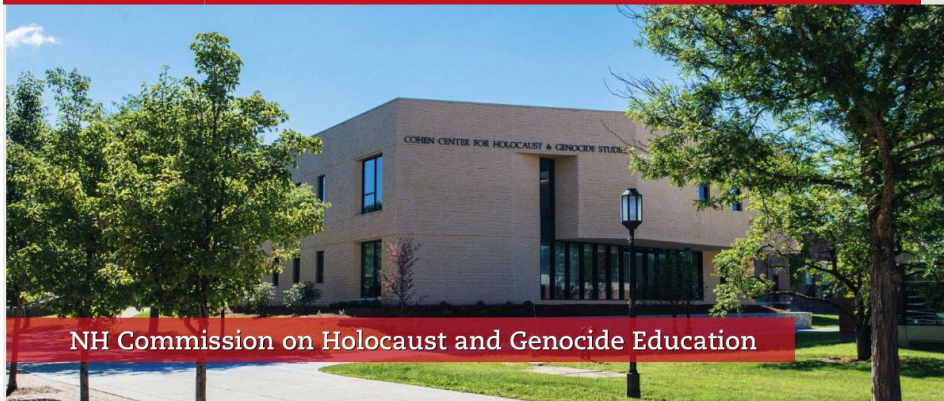
# About the Minimum Standards for Public School Approval

- Administrative Rules: Ed 306
- Adopted by the NH State Board of Education
  - Last revision: 2014
- Detail the minimum requirements for public school approval, including public academies
  - Ed 318: Charter schools
  - Ed 400: Nonpublic schools
  - Ed 700: Adult high school
  - Ed 1400: Learn Everywhere

# Scope of the Minimum Standards for Public School Approval

- Policy requirements
- School philosophy
- Culture and climate
- School facilities
- Instructional resources
- Food and nutrition services
- School health services
- Basic instructional standards
- Staff qualifications
- Professional development
- Class sizes
- School year, calendar
- Alternative programs
- Distance education
- Assessment
- Curriculum requirements
- Approval process
- Core structure for programs (program elements)





### NH Commission

- [Commission Charge-HGS](#)
- [Genocide & Mass Atrocity Awareness Dates](#)
- [Interim Report 12.30.20 V2](#)
- [Holocaust and Genocide Education Minimum Standards](#)

### Commission Minutes

- [February 2022](#)
- [July 2021](#)
- [June 2021](#)
- [April 2021](#)
- [January 2021](#)
- [December 2020](#)
- [November 2020](#)
- [October 2020](#)
- [NH Commission on Holocaust and Genocide Commission videos](#)
- [Education Resources](#)

### For Educators

[Links & Resources for Educators](#)  
[Cohen Center Presentations](#)  
[United States Holocaust Memorial Museum](#)  
[Yad Vashem](#)  
[IHRA: International Holocaust Remembrance Alliance](#)  
[USC Shoah Foundation](#)  
[iWitness](#)  
[Echoes and Reflections](#)  
[Facing History and Ourselves](#)  
[World Without Genocide](#)  
[Genocide Education Project](#)

[Universal Declaration of Human Rights - Performed by MoCo Arts](#)

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# HOLOCAUST & GENOCIDE STANDARDS

- Lawmakers determined committee membership to ensure representation and varied perspectives
- Public meetings, public minutes
- Contact information for members publicly posted
- Committee approved standards, presented to SBOE

## 306 REVISION

- NHED contracted with a third-party company (NCCBL) to create a draft
- No public meetings, minutes, or public input
- NCCBL and NHED revised rules without public input
- NCCBL sent 4 associations draft rules
- *NCCBL is expected to facilitate association meetings & listening sessions in fall, timeframe unknown*
- *NCCBL is expected to present proposed rule revisions to SBOE, timeframe unknown*

## HOLOCAUST & GENOCIDE STANDARDS

- Lawmakers determined committee membership to ensure representation and varied perspectives
- Public meetings, public minutes
- Opportunities for public input throughout the process
- Committee approved standards, presented to SBOE
- SBOE worked with committee on proposed rule revisions



# Scope of the Minimum Standards for Public School Approval

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# Missing Voices

## CERTIFIED, PRACTICING:

- Teachers (Elementary, Middle, High, specific content areas)
- Special Educators
- School Nurses
- School Counselors
- Early childhood educators
- CTE educators
- DEIJ Coordinators
- Students
- Family Representatives
- Mental Health Professionals
- Food service professionals
- Local decision makers
- Representatives from rural, urban school districts

**5 Key  
Themes of  
ED 306  
Overhaul**

## **EQUITY & STUDENT PROTECTIONS**

Removal of guidance for safe and healthy schools, protections for students and staff

## **GUTTING PROGRAM ELEMENTS**

Replacing program elements with boilerplate language

## **LOCAL CONTROL**

Removal of local competencies and removal of certified educators in granting credit

## **NEW REQUIREMENTS**

Requirements for Personalized Learning Plans

## **DEFINITIONS**

Changes throughout that minimize formal instruction

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ED 306  
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# **EQUITY & STUDENT PROTECTIONS**

**Removal of guidance for school discipline, safe and healthy schools, protections for students and staff**

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# Key Theme: EQUITY

- Elimination of any references to protected classes (race, ethnicity, gender)
  - Ed 306.06: (a)(4) Respectful use of language and behavior by all school members that is void of ~~ethnic, racial, and sexual~~ **any and all** stereotypes and biases.



# Key Theme: EQUITY

- Elimination of establishment of a fair and equitable code of discipline.

**REMOVED:**

- Ed 306.06: (b) (2) Work together to establish a fair and equitable code of discipline that is fairly and consistently implemented which supports students' understanding of the importance of norms, rules, and expectations for behavior.

# Key Theme: EQUITY

- Requires a plan to address “academic under-performance”

Review ways in which equity gaps in achievement can be reduced and barriers to learning can be eliminated



Develop a plan to address academic under-performance of individual students and the elimination of barriers to learning

# Questions & Implications: EQUITY

- How does *broadening* the scope of biases to the point of ambiguity, rather than expanding the protected classes mentioned to reflect current anti-discrimination laws, affect the field?
  - Divisive concepts law
- The proposed revisions remove the requirement for a fair and equitable code of discipline. We know that students of color and students with disabilities are disproportionately punished with exclusionary practices like suspensions and expulsions. This could have been an opportunity for the state to set clear expectations and evidence-based strategies
- **These rule changes move our state away from inclusive, equitable, and just schools.**

# 5 Key Themes of ED 306 Overhaul

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# Key Theme: **Gutting Program Elements**

- Framework for building learning programs
- Identify the basic elements that exist in each content area to ensure equitable student experiences
- Includes:
  - How educators design and revise curriculum
  - How students are assessed on the content



# Key Theme: **Gutting Program Elements**

## A Sample of the Current Business Education Rules (Ed 306.33)

- **Opportunities** for students to become familiar with business principles, practices, attitudes and procedures basic to successful participation in the business world;
- **Planned activities** designed to increase students' knowledge and skills and enable students to function as economically literate citizens in domestic and international venues;
- Financial literacy in **job application** and **interviewing**
- The **ongoing, authentic assessment** of student learning outcomes through multiple **formative and summative assessment instruments** that are aligned with the state and district content and performance standards. Examples of such assessment shall include, but not be limited to:
  - (1) **Teacher observations** of student performance;
  - (2) Competency-based or **performance based assessments**;
  - (3) **Common assessments** developed locally; and
  - (4) **Project evaluation rubrics** used to evaluate business education proficiencies applied to integrated curriculum assignments, extended learning opportunities, and out of school learning environments.

# Key Theme: **Gutting Program Elements**

## The Entire Proposed Business Education Rules (Ed 306.33)

The school board shall provide a **comprehensive, developmentally appropriate, personalized, sequential** business education program in learning levels 9 - 12 that is **aligned to state and/or national standards** and which **advances students upon acknowledgment of competencies**. The program shall include, at a minimum, courses in personal finance, business essentials, and business technology.

# Key Theme: Gutting Program Elements

## A Sample of the Current E/LA and Reading Rules (Ed 306.37)

- **Instruction** which emphasizes how to clarify, order, interpret, and communicate experiences through the skillful use of language;
- An **environment** which promotes the importance of reading;
- Methods for **assessing** students for appropriate placement in the reading/language arts program, including diagnostic assessment for remediation;
- **Support** for teachers on interpreting test results;
- Early **intervention or remediation**;
- **Instruction for teachers** in reading in the content areas;
- **Training** for instructional staff on methods for effectively meeting the language arts/reading needs of all students and on current developments in language arts/reading.
- **Systematic instruction** and activities designed to enable student to: Employ appropriate study skills, including the ability to locate materials, take notes, organize information, and use a variety of sources

# Key Theme: **Gutting Program Elements**

## The Entire Proposed E/LA and Reading Rules (Ed 306.37)

- The school board shall provide a **comprehensive developmentally appropriate, personalized, sequential** English/language arts program in learning levels 1-8 that is **aligned to state and/or national standards** and which **advances students upon acknowledgment of competencies**.
- The school board shall provide a **comprehensive, developmentally appropriate, personalized, sequential** English/language arts program in a designated middle school, if applicable, that is **aligned to state and/or national standards** and which **advances students upon acknowledgment of competencies**.
- The school board shall provide a **comprehensive, developmentally appropriate, personalized, sequential** English/language arts program in learning levels 9-12 that is **aligned to state and/or national standards** and which **advances students upon acknowledgment of competencies**. The program shall include, at a minimum, 4 courses designed as a core progression and at least 2 additional elective courses. require that an English/language arts program in each high school provides.

# Questions & Implications: Gutting Program Elements

- The revisions do not offer teachers, administrators, and schools any detailed foundation from which to build PreK-12 programs within and across all content areas
  - This stripping of detail and best practice moves away from equitable learning environments and a commitment to ensuring a common foundation with a shared understanding for program design.



# 5 Key Themes of ED 306 Overhaul

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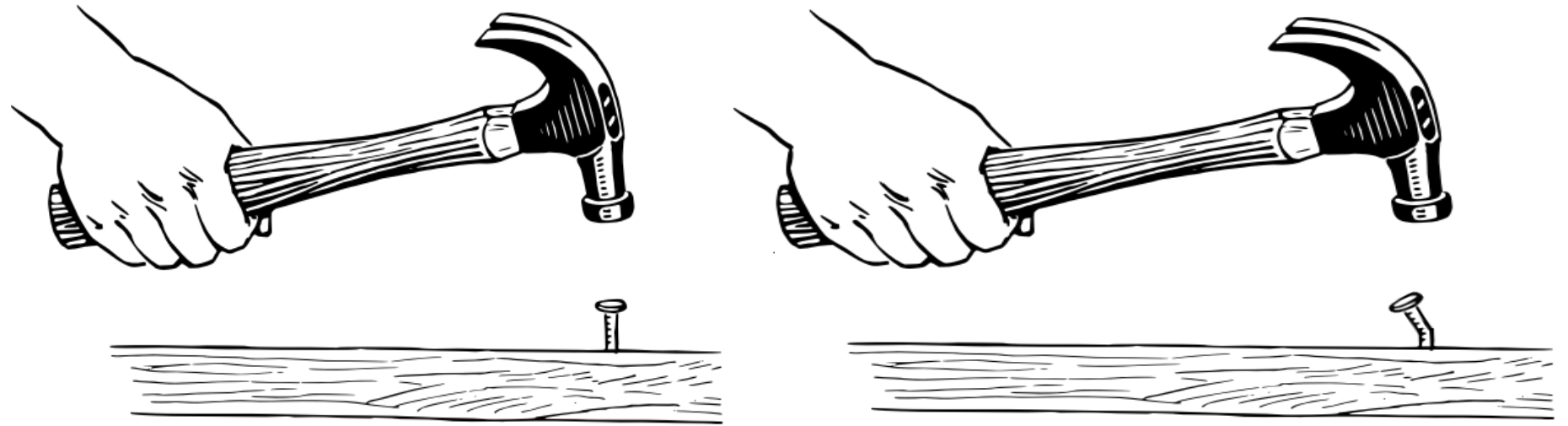
Changes throughout that minimize formal instruction

# Key Theme: Local Control

- Removal of district, content, and graduation competencies
  - District competencies: District-wide, adopted by local school board, K-12
  - Content competencies: District-wide, unique to specific content areas
  - Graduation competencies: District-wide requirements for graduation - cumulative knowledge & skills required for graduation
- Credit threshold changed from “**mastery of**” competencies to “**acknowledgement of**” competencies
- Appear to remove the responsibility of certified educators to approve the student’s demonstration of competency

# Key Theme: Local Control

*Acknowledgment vs. Mastery*



# Questions & Implications: Local Control

- How are locally developed competencies, competency assessments, and graduation requirements impacted with the complete removal and reference to district, content and graduation competencies?
- What are the implications for high school credit when the threshold for credit is “acknowledgement” of competency, rather than “mastery”?

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# Key Theme: **New Requirements**

- Personal Learning Plan (PLP)
  - Ed 306.04: **(16) A policy for how districts utilize personal learning plans, which include the process, if applicable, by which each student is assisted to develop and continually revise, as needed, their personal learning plan**
- Vermont passed a law in 2013 that requires a personalized learning planning process for each student in grades 7-12
  - Identify goals, draft action steps, assess progress, reflect and revise

# Questions & Implications: New Requirements

- Is there legislation that will be required to put PLPs into practice?
- What professional development opportunities and resources do schools and educators need to effectively meet these requirements?
- What supports, assistance, training, and resources can and should the NH Department of Education and the state provide to ensure schools and educators have the ability to effectively meet these requirements?
- Students who have Individualized Education Programs (IEPs) already have a federally mandated learning plan. How are these impacted with the new requirement of a personalized learning plan?

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# Key Theme: Definitions

- “Courses” to “learning opportunities”
  - What classifies as a learning opportunity?
  - list of what might be counted as a learning opportunity
- “Instructional” to “learning”
  - Ed 306.08: (a) Provides a developmentally appropriate collection of **curriculum and learning instructional** resources, including online and print materials, equipment, and ~~instructional~~ **learning** technologies, that shall be current, comprehensive, and necessary to support the curriculum as well as the instructional needs of ~~the total school population~~ **all students**;

# Key Theme: Definitions

- Definition of instructional time
  - Ed 301.01: (ik) “Instructional time” means the period of time **in the school day during which a school is offering instruction**; ~~during which pupils are actively working toward achieving educational objectives under the supervision of an educator or other staff member;~~
- Length of school year reflects advancement based on competency, not seat time
  - Ed 306.18: (a) Pursuant to RSA 189:1 and RSA 189:24, each school district shall maintain a school year as provided below, **which shall identify the total instructional hours offered, and recognize that students advance upon demonstrated acknowledgment of competencies, not based on seat time, pursuant to Ed 306.27(h)**

# Key Theme: Definitions

- What are the ramifications of these changes?
  - “Courses” to “learning opportunities”
  - “Instructional” to “learning”
  - Instructional time
  - Alternative means of acknowledging competency
- Would these proposed changes impact school funding by expanding the opportunity for credit to **any** alternative learning activity?

# Key Theme: Definitions

“Reimagine education through the lens of unbundling and explore how the innovations of today can lead to a new education system designed around individual students. **Whether it’s pods, microschools, parent-teacher compacts, part-time public school enrollment, or parent directed funding, emerging policy solutions are expanding learner opportunities and helping students succeed.**”

*Education Unbundled: A New Education System for All Learners, 2021 ExcelinEd Conference*

“Rather than schools having to be everything to everyone, they can focus on providing what they do best, and leaning on outside providers to do what they do best... **Rather than operating classes in-house that might be expensive to put on or difficult to find great teachers for, or are difficult for any number of other reasons, imagine if they simply paid for students to get that learning somewhere else in the community.**”

*Unbundling: Three Policies That Would Improve Schools’ Core Education Services, EdChoice, August 2020*



## Questions & Comments

**Nicole Heimarck, Executive Director**

**[nicole@reachinghighernh.org](mailto:nicole@reachinghighernh.org)**

**Christina Pretorius, RHNH Policy Director**

**[christina@reachinghighernh.org](mailto:christina@reachinghighernh.org)**




Nicole Heimarck, Executive Director  
[nicole@ReachingHigherNH.org](mailto:nicole@ReachingHigherNH.org)


Christina Pretorius, Policy Director  
[christina@ReachingHigherNH.org](mailto:christina@ReachingHigherNH.org)


Sarah Earle, Communications Director  
[s.earle@ReachingHigherNH.org](mailto:s.earle@ReachingHigherNH.org)

Matt Gerding, Policy Analyst  
[matt@reachinghighernh.org](mailto:matt@reachinghighernh.org)


Kayla Provencher, Public Policy Researcher  
[kayla@reachinghighernh.org](mailto:kayla@reachinghighernh.org)


 ReachingHigherNH.org


 603-715-9696

 40 N. Main Street  
Concord, NH 03301

 ReachingHigherNH.org

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