

New Hampshire
State Board of Education
Minutes of the November 9, 2017 Meeting

AGENDA ITEM I. CALL TO ORDER

The regular meeting of the State Board of Education was convened at 9:00 a.m. at the State Department of Education, 101 Pleasant Street, Concord, New Hampshire. Drew Cline presided as Chairman.

Members present: Kate Cassady, Cindy Chagnon, Drew Cline, Chairman, Bill Duncan, Gary Groleau, Helen Honorow, and Ann Lane. Frank Edelblut, Commissioner of Education and Christine Brennan, Deputy Commissioner of Education were also present.

AGENDA ITEM II. PLEDGE OF ALLEGIANCE

Cindy Chagnon led the Pledge of Allegiance.

AGENDA ITEM III. PUBLIC COMMENT

Amy Yeakel from the New Hampshire Extended Learning Opportunities (ELO) Network brought two students with her to share their stories with the Board. They are doing senior projects while also pursuing other ELOs. Ms. Yeakel thanked Superintendent Stacy Buckley for her immeasurable support of extended learning.

- Julianna presented her senior project on kinesthetic learning in the classroom, and will be engaging in a career search looking at entering into elementary classroom settings as her ELO.
- Ariel's ELO was teaching social studies and helping struggling students. Her senior project involves massage therapy, and will be attending the Florida School of Massage next October. Her senior project and ELO tie together from the perspective of giving back to people and being able to help them.

Dr. Lisa Janosik, Nashua School District, addressed the Board regarding the science teacher credentialing standards. She worked on the review committee for the documents and underscored that the documents are well scripted and will in turn produce alternative certification candidates that will be fully prepared to provide science education to New Hampshire's students. She noted that a change was made to the document after it left the committee's hands using a non-science term "scientific method". Dr. Janosik explained that the term "scientific method" is dated, and it was intentionally removed to separate

science from non-science. She further stated that the intention was for students to learn more than one scientific method, and suggested that it be changed from "the scientific method" to "scientific practices" and would demonstrate that New Hampshire is current in its scientific knowledge. Another option would be "Proficiency in the use of scientific methods as demonstrated by the ability to..." would also be acceptable." Proficiency in the use of scientific practices as demonstrated by the ability to..." would be preferred.

Jamie Soucier, Reaching Higher, explained that in May, June, and July they visited 15 schools in New Hampshire as part of a grant, and asked elementary, middle, and high school students, "Are you ready for what's next?" They had 48 hours of footage that has been narrowed down to 6 small, social media -sized video clips. Those videos will be shared with the Board.

There was no additional public comment.

AGENDA ITEM IV. SPECIAL PRESENTATIONS

A. World Education Summit

Kimberly Yarlott, Principal, Reeds Ferry School introduced Nancy Rose, Director of Technology for the Merrimack School District, Julie Lichtman, Director of Guidance for the Windham School District and Matthew Mallila, Assistant Principal at Windham High School.

Ms. Yarlott explained that they had gone to the World Education Summit to participate in professional development starting in Finland where they learned about the high-achieving Finish education system. From Finland the group traveled to Italy where they met up with students from other schools from around the United States as well as students from around the world involved in project-based learning. The theme was focused on the future and sustainability of food. Julie Lichtman explained that they were with 80 other educational professionals from all over the world during this learning community adventure. Matthew Malila provided a PowerPoint overview of Finland's education system including its history and reforms in the 1970s.

The presenters went on to provide an overview of their take-aways from Finland including incorporating additional recess in elementary schools, flexible seating in the classrooms, strong early intervention, high focus on personalized learning, phenomena-based learning, SIMPLE education (sensible, independent, modest, playful, low-stress, and equitable), and shifting from content-based to skills-based curriculum (thinking to learn, cultural competence, self-care and life skills, multi-literacy, computer skills, working life and entrepreneurship, and participation in building a sustainable future). There is no mandated time for instructional time; the onus for instruction lies with the teachers and students. There are no high-stakes testing until 9th grade. Learning is student centered and

student directed. The Finnish culture values personal and professional responsibility. Education focuses on the joy of learning, and it is balanced with play. The last couple of years of school are geared toward higher education or a career vocational path, and the Finish society gives as much honor and respect to someone who is an electrician as to someone who goes on to get a PhD.

Julie Lichtman provided an overview of the Global Leadership Summit in Italy. There were 2500 students from all around the world that participated. Students will be brought from New Hampshire next year when it will be held in Dublin, Ireland and Berlin, Germany.

It was explained that the goal for the World Education Summit attendance was to provide an opportunity for educators, particularly administrators and superintendents, to explore and learn about the educational systems of the world that have risen to the top. More deeply, the goal is to create an opportunity for students at Windham to compete in the next year's Global Summit.

B. Student/Dresden School Board – SB-FY-17-05-004

Chairman Cline asked, prompted by Attorney Dean Eggert of Wadleigh Starr and Peters if the parents wanted the hearing to be held in a public or nonpublic setting. The parents stated that the public setting was fine.

Attorney Eggert went on to provide an overview of the case from his perspective. The case came before the State Board in December of 2016 regarding the question of jurisdiction. The State Board noted at that time that the local school board had not held a hearing. While the State Board voted to accept the recommendation of the Hearing Officer, it also voted to remand it back to the school board for a hearing. In April of 2017 a hearing was held. The school board retained independent counsel, and a decision was issued in writing on April 20, 2017. The case involved tuition reimbursement of unilateral placement of a non-IDEA eligible student. The dispositive issue before the State Board was whether or not a local school board with a local high school has the authority to assign a non-IDEA student to attend a private school in another state based on manifest educational hardship.

The parents were asking for two forms of relief, assignment to a private school in another state and tuition reimbursement.

A question was asked about how the school board had a hearing that did not address whether or not there was manifest educational hardship. It was explained that the local school board had a Hearing Officer's decision indicating that they did not have jurisdiction but were required to hold a hearing. They did so during which time they agreed with the State Board and Hearing Officer that they did not have jurisdiction. With no jurisdiction, they did not address the merits.

Another question was raised regarding the school board's "lack of authority" to assign the student to Sharon Academy. Attorney Eggert explained that there is a caveat that only allows districts without a public high school to consider that as an option.

The student's parents appeared before the State Board and stated that the student's emotional and educational needs were not met at Hanover High School. Despite numerous meetings with high school administration addressing their concerns that their daughter was not receiving an adequate education due to the bullying, the administration insisted that they could not investigate bullying and denied that names were every provided. Sharon Academy was the lowest cost option of any public and/or private school in the area. Their daughter was suffering severe mental and emotional stress to the point that they and her therapist feared for their daughter's life. The parents requested, when their daughter was in the 9th grade that she given an IEP, and in grade 10 the special education coordinator agreed, but it was never done. Before their daughter's junior year, a meeting was held with the school principal to discuss tuition reimbursement. He indicated that the family could not meet with the Dresden School Board denying them the ability to present their grievances. The delay in communication by the administration also denied the family the right to discuss public school options. The delay in time from August of 2014 to April 2017 denied the family the ability to make their requests in a timely manner as their daughter had graduated in June of 2016. Sharon Academy provided a safe and appropriate education for their daughter at a cost that was far less than it would have been to educate her in the Dresden School District. The parents felt it was reasonable to request tuition reimbursement.

The State Board asked why the process had taken so long. Attorney Eggert commented that there was clear disagreement throughout the process on whether the student was or was not a victim of bullying. There was also, at a minimum, a miscommunication with regard to what the State Board would or would not do.

A question was raised as to whether the Dresden School Board had in fact engaged in best practices. Attorney Eggert explained that some school districts have a formalized process through the use of forms; however, in this case much was done through email communication and face-to-face meetings. It would have been helpful had it been handled more formally.

A Board member commented that if the therapist indicated there was a suicidal child as a result of bullying, and the parents had provided names to the administration, it did not seem like a long stretch to say that bullying had occurred. She was shocked that there was not more follow-up by the school administration. Attorney Eggert indicated that he would have to look at the timing of the letters to see whether they were post-withdrawal or pre-withdrawal.

Another Board member indicated that the District had fallen down in their leadership and in how they supported the family.

Chairman Cline asked that the student's mother clarify the timeline, and she explained what happened that led to the gap in time from 2014 to 2016.

A Board member asked the mother what the Dresden School Board's response was when they notified them that they were removing the their daughter from the school, to which she indicated their response was, "Oh, too bad". She noted that she still has the emails.

MOTION: Cindy Chagnon made a motion, seconded by Helen Honorow, that the State Board of Education go into nonpublic session per RSA 91-A:3(c).

VOTE: The motion was approved by roll call vote by board members Ann Lane, Gary Groleau, Kate Cassady, Cindy Chagnon, Drew Cline, Bill Duncan, and Helen Honorow.

MOTION: Cindy Chagnon made the motion, seconded by Helen Honorow, that the State Board of Education return to public session and seal the nonpublic session meeting minutes.

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

MOTION: Helen Honorow made a motion, seconded by Cindy Chagnon, that the State Board of Education reject the Hearing Officer's recommendation and remand the case to the School District for a hearing on manifest educational hardship and that the decision be written with assistance of counsel and sent to the School District and parties.

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

C. Student/Merrimack Valley School Board – SB-FY-18-08-006

MOTION: Cindy Chagnon made a motion, seconded by Helen Honorow, that the State Board of Education accept the Hearing Officer's report and adopt the Hearing Officer's recommendation.

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

D. Student/Errol School Board – SB-FY-18-07-001

Chairman Cline asked whether the parents wanted the hearing to be held in a public or nonpublic setting. The parents stated that their preference was a nonpublic setting.

MOTION: Cindy Chagnon made the motion, seconded by Helen Honorow that the State Board of Education go into nonpublic session.

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

MOTION: Cindy Chagnon made a motion, seconded by Helen Honorow, that the State Board of Education come out of nonpublic session and that the minutes be sealed.

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

MOTION: Cindy Chagnon made the motion, seconded by Kate Cassady, that the State Board of Education accept the Hearing Officer's report and that the matter be dismissed.

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

E. The Windham Academy, Windham, NH

James Fricchione, Founder & Foundation for Student Achievement, appeared before the State Board representing the Windham Academy Initiative. Slides were presented to the State Board indicating their vision to create a public charter school based on a STEM model coupled with reading and arts. The school would focus on getting boys and girls excited about the process of STEM-type careers and learning in the context of a full-day K-3, K-4 program. The Academy would have a partnership with Southern New Hampshire University that would include everything from material support to graduate students working hand in glove in the development of the school as teachers' aids and development of staff.

Mr. Fricchione reviewed the changes that had been made to the application at the request of the State Board. There was a strong sense from the State Board that there were too many changes in the application to digest in the time provided to render a decision.

A question was raised regarding the budget that sets out a \$1,000 annual gratuity from parents of kindergarten students and a \$750 annual gratuity from families of other grades. Mr. Fricchione responded that that had been removed and replaced with parental and corporate fundraising.

Another question was raised regarding the budgets for a school nurse, a special education teacher and library/media that were only funded for years 2 and 5. Mr. Fricchione's response was that was a misinterpretation. The reference to library/media it to library supplies and media that in the first year there would be a bucket of money to build upon.

A question was raised as to how many students would need to be enrolled for opening. Mr. Fricchione responded that 88 students would need to be enrolled to open.

The partnership with Southern New Hampshire University (SNHU) was clarified at the request of a State Board member, and it was explained that the nature of the partnership was for the SNHU students to be working in the charter school itself and the teachers from the charter school receiving professional development from the university. It would not be a financial partnership.

The changes made as a result of the legal review were gone through.

A State Board member asked for clarification on STREAM, in that reading is not something that would be omitted from any curriculum. It was explained that reading was not highlighted because it was unique but to underscore that it is a priority. It is science, technology, reading, engineering, arts, and mathamatics.

In the initial application there was a statement that Windham would make special efforts to make lower income and minority families aware of Windham Academy. The initial legal review suggested developing a targeted plan for reaching those communities. That was omitted from the resubmitted application, and that coupled with the budget that referenced the gratuity and parent fundraising caused concern. Mr. Fricchione explained that it was omitted in the resubmission because it was too big of a bite and they weren't ready to submit a targeted plan. He clarified that it is not a reflection of whether they wanted to do it, it's just at this juncture in the process was too much. The board member expressed that she did not think it was too big of a bite, and she certainly hoped that outreach would be part of their plan. It was pointed out that as a charter school it would have an open admission policy and a timely addendum including a plan may be appropriate.

There was a request from the State Board that a final single completed application packet be submitted for Windham Academy prior to the next meeting. It was also requested that the process moving forward be that only fully completed charter school applications with all supporting materials be submitted

to the board in a single packet in advance of the meeting the presentation is being made.

The State Board also requested that all documents included in the meeting material packets submitted to the board in advance of each meeting include author information so it is clear where the information originated.

MOTION: Helen Honorow made the motion, seconded by Kate Cassady, that the State Board of Education table the agenda item and move it to the December meeting.

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

F. Capital City Charter School, Concord, NH

Stephanie Alicea, Founder, explained her passion and excitement for education. Capital City would be a sixth to eighth-grade charter school in the greater Concord area, eventually adding grades nine through twelve. Middle school is hard, and Ms. Alicea explained that they want to make education fun, exciting, and sometimes unpredictable. The vision for Capital City Charter School is to "provide curriculum that enables each student to become empowered with the knowledge and skills to use his or her voice effectively with integrity in co-creating our global public world." They want students of all abilities and backgrounds and keep an open mind about who attends. The projected enrollment for year one is 60 students, and the teacher needs are based on a 15:1 teacher to student ratio.

A Board member commented that the growth goals are very aggressive. Ms. Alicea responded that the first goal is to have sixth through eighth grade, and there are a lot of kids in the area who want a different educational option. A follow-up question was why the concept wasn't to grow the school with the children they would already have instead of adding students to each grade level each year. The ideal plan is to grow with the students in each grade.

Ms. Alicea reviewed the results of an online survey that they had conducted to judge interest. Capital City Charter School's approach would be a research-based teaching method of guided classroom learning applied through action. It's an alternative approach to learning for high-quality public education. This would be done by strengthening students' service and academic learning with service learning curriculum. Capital City Charter School would be student centered. Ms. Alicea listed the K-12 service learning standards as well as the New Hampshire State Standards and stated that when service learning is employed as a teaching method to meet designated content and skills,

academics come alive. Video clips were shared with the State Board that further explained service learning.

A Board member asked about a question on page 2 of the legal review regarding the teachers' salaries and commented that some of the numbers on the budget didn't seem realistic. Ms. Alicea explained that for the first year there are roughly three full-time teaching positions at \$37,500 and a half-time position at \$18,000. The Board member pointed out that the teaching positions would also need to include benefits.

There was a comment made that with the heavy emphasis on projects there would be many logistical things to confront that would be resource intensive. Ms. Alicea explained that the home base is the school, and the planning and preparation is done in the school. Service learning is meant to be an effective, consistent, and continued process. There will also be a volunteer base of parents that will be utilized.

A question was raised as to the number of founding board members and whether they were based on familial relationships. Ms. Alicea responded to the question and explained the relationship. The Board member recommended to Ms. Alicea that she increase the size of her Board with members with a broader Board with a greater variety of skills. It was also recommended that she in

Another Board member expressed that she hoped they would be given additional information on what a day in the life of a student would look like and how the service learning would be incorporated into the curriculum.

Chairman Cline commented that there is a lot of excitement about the application, and there is a sense that it will be a great option for the Concord area. The Board would like to take additional time to review the packet. Ms. Alicea will submit the final answers to the legal review questions and provide an update to the Board by the January meeting.

AGENDA ITEM IV. OPEN STATE BOARD DISCUSSION

There was no open board discussion.

AGENDA ITEM VI. LEGISLATIVE ISSUES/RULES

A. 1:00-1:30 PM - PUBLIC HEARING – Alternative Education and Career and Technical Education (Ed 1300 & Ed 1400) – The Public Hearing was opened at 1:00 p.m. There was no public comment. The Public Hearing was closed at 1:35 p.m.

B. _Adopt – English Language Arts Teacher (Ed 507.24, Ed 507.53, Ed 612.05 and 612.35)

MOTION: Helen Honorow made a motion, seconded by Gary Groleau, that the State Board of Education adopt Ed 507.24, Ed 507.53, Ed 612.05 and 612.35, English Language Arts Teacher.

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

C. Adopt – School Nurse Certification (Ed 306.12, Ed 504.07-.09, Ed 508.06, Ed 509.01.02 and Ed 512.07)

The concerns expressed in the last meeting were addressed, and the rule was now before the Board for adoption.

MOTION: Gary Groleau made a motion, seconded by Ann Lane, that the State Board of Education of Education adopt Ed 306.12, Ed 504.07-.09, Ed 508.06, Ed 509.01.02 and Ed 512.07.

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

D. Adopt – Computer Science Educator (Ed 505.05(a) Alternative 5: Site-Based Certification Plan, Ed 507.52 Computer Science Teacher and Ed 612.33 Computer Science Education)

MOTION: Kate Cassady made the motion, seconded by Gary Groleau, that the State Board of Education adopt Ed 505.05(a) Alternative 5: Site-Based Certification Plan, Ed 507.52 Computer Science Teacher and Ed 612.33 Computer Science Education.

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

E. Initial Proposal – Manifest Educational Hardship (Ed 320)

There was no action. This item was on the agenda in error.

F. Final Proposal – Science Teacher 5-8 (Ed 507.28 & Ed 612.22)

G. Final Proposal – Science Teacher; General Requirements (Ed 507.29 & 612.23)

H. Final Proposal – Earth & Space Science Teacher 7-12 (Ed 507.30 & Ed 612.24)

I. Final Proposal – Life Science Teacher 7-12 (Ed 507.31 & Ed 612.25)

J. Final Proposal – Chemistry Teacher 7-12 (Ed 507.32 & Ed 612.26)

K. Final Proposal – Physics Teacher 7-12 (Ed 507.33 & Ed 612.27)

L. Final Proposal – Physical Science Teacher 7-12 (Ed 507.51 & 612.34)

It was noted that a couple of emails were received regarding the above items, and those were circulated to the State Board. An editorial change will be made to the science teacher description removing "the" and adding an "s" to method.

MOTION: Ann Lane made a motion, seconded by Gary Groleau, that the State Board of Education adopt Ed 507.28 & Ed 612.22, Ed 507.29 & 612.23, Ed 507.31 & Ed 612.25, Ed 507.32 & Ed 612.26, Ed 507.33 & Ed 612.27, and Ed 507.51 & 612.34 as amended.

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

AGENDA ITEM VII. REPORTS AND NEW DEPARTMENT BUSINESS

A. Nominations for Professional Standards Board

Category II - Higher Education and Education Administration

1. Joseph Crawford – 1st three-year term (2017-2020): Director, Next Charter School, Derry, NH

MOTION: Ann Lane made a motion, seconded by Kate Cassady, that the State Board of Education accept Joseph Crawford to the Professional Standards Board.

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

AGENDA ITEM VIII. OLD BUSINESS

There was no old business.

AGENDA ITEM IX. CONSENT AGENDA

A. Meeting Minutes of October 12, 2017

MOTION: Gary Groleau made a motion, seconded by Kate Cassady, that the State Board of Education accept the meeting minutes from October 12, 2017.

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

B. Cornish and Claremont School Districts Tuition Agreement

C. Cornish and Windsor School Districts Tuition Agreement

D. Cornish and Hartford School Districts Tuition Agreement

Helen Honorow noted language concerns in agenda items, B, C, and D regarding special education services.

MOTION: Helen Honorow made a motion, seconded by Kate Cassady, to remove the tuition agreements from the consent agenda and contact the school districts to clarify that all of the special education services that can be provided will be.

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

E. Derry School District and Pinkerton Academy Tuition Agreement

MOTION: Helen Honorow made the motion, seconded by Cindy Chagnon, to approve the tuition agreement.

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

AGENDA ITEM X. TABLED ITEMS

There were no tabled items.

AGENDA ITEM XI. NONPUBLIC SESSION

There was no nonpublic session.

AGENDA ITEM XII. ADJOURNMENT

The meeting was adjourned at 4:05 p.m.

MOTION: Helen Honorow made the motion, seconded by Ann Lane, to adjourn the meeting at 4:05 p.m.

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



Secretary