



Unpacking the NHED's Proposed Overhaul of the ED 306 Administrative Rules

Reaching Higher NH
March 20, 2024

VISION

All children deserve a high-quality, rigorous, and student-centered education that prepares them for college, careers, and life.

Reaching Higher NH is a nonpartisan, nonprofit organization that serves to provide decision makers, families, educators, and communities with the tools they need to deliver on that promise.

REACHING HIGHER NH
POLICY BRIEF JULY 2020
District-Level Salaries for Teachers with a Bachelor's Degree

Teacher salaries in New Hampshire's public schools varied widely between school districts, based on factors like district size and the property wealth of the community. First-year teachers earned 57% more in the highest-paying district than in the lowest-paying district.

Key Takeaways

- The median starting salary for first-year teachers with a Bachelor's degree was \$37,602 in 2019.
- Salaries for teachers with a Bachelor's degree, with the same amount of teaching experience, differed considerably throughout New Hampshire.
- First-year teachers in the single highest-paying district earned over \$17,000 more than first-year teachers in the single lowest-paying district -- a difference of 57%.
- Fifth-year teachers in four New Hampshire school districts did not make as much as first-year teachers in 64 New Hampshire school districts.
- New Hampshire's school funding

In the 2019 school year, the average salary for all New Hampshire public school teachers was \$59,198, compared to the state's average income of \$53,950 (NH Department of Education, 2020; NH Bureau of Labor Statistics, 2019). In most districts, teacher salaries are determined by a "step schedule," or a set amount based on level of education and years of teaching experience.

New Hampshire's district and school leaders identify teacher salaries as one way of attracting and retaining high-quality teaching staff (Green, 2010). National research supports this claim: teacher pay has been cited as a driving factor in teacher attrition and retention (Miller, 2006). Teacher turnover tends to lead to lower math and reading scores for students, and these effects are especially strong for underserved students (Korfeldt, Loeb, and Wyckoff, 2013). Teaching experience, particularly in the same grade level, subject, or district, is also positively associated with teacher effectiveness (Kini and Podolsky, 2016). Teachers with less experience (fewer than three years) are more likely to teach in schools with high concentrations of students navigating poverty, raising concerns around equity, student

In 2008, less than 10% of the school funding went to the educator with 10 years or more of experience. In 2019, that number had risen to 15% and three years of experience. The funding period.

This policy brief focuses exclusively on teachers with Bachelor's degrees, with additional information on alternative certification.



THE WHOLE PICTURE OF PUBLIC EDUCATION IN NEW HAMPSHIRE

a project of
REACHING HIGHER NH

HB 464 COULD CREATE A UNIVERSAL SCHOOL VOUCHER PROGRAM IN NEW HAMPSHIRE

Here's what you need to know →

REACHING HIGHER NH

Recommendations to Reverse Harm and Strengthen Public Schools

Recommendations to address major concerns and craft meaningful public school approval rules that advance a positive, student-centered vision for our schools.

Reaching Higher NH

WEBINAR
Looking Ahead: Education Policy in 2024

Wednesday, January 10 | 1-2 p.m.
Open to the public, registration required

REACHING HIGHER NH

What are the **minimum** **standards?**

Administrative rules that implement key parts of education law

- RSA 193: Pupils, Statewide Education Improvement and Assessment Program (C); Adequate Public Education (E).
- RSA 189: School Boards, Superintendents, Teachers and Truant Officers; School Census

Foundational rules and regulations that govern all public schools in New Hampshire

Determine what makes a public school, a public school

- Set standards and limits, so that all public schools are operating by the same rules.
- One of the most important ways that the state can ensure that all students, regardless of where they live, are receiving a baseline education.

What are the **minimum** **standards?**

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)

Overhaul Process To Date

2020

NHED contracts with third-party to create a draft

2020-2022

Contractor engages Workgroup 1. Contractor, Workgroup 1, and NHED write Draft 1

2022

RHNNH finds significant concerns with Draft 1, signaling an overhaul of rules with significant implications for public schools

2023

NHED presents Draft 1 as first initial proposal to State Board of Education (SBOE)

SBOE tables first initial proposal to give time for public feedback

Contractor solicits public input through listening sessions

Contractor forms Workgroup 2 to refine NHED's initial proposal based on expertise & public feedback

2024

NHED presents Draft 2 as final initial proposal to State Board of Education

Educator holds feedback sessions for educators across state

RHNNH compares Draft 1 to Draft 2 and finds that the NHED did not address most significant concerns with proposed overhaul, including the removal of local control and hollowing out of instructional requirements, and in fact goes further in redefining the purpose & structure of public schools

Proposed Overhaul Could Redefine the Role of Public Schools

The NH Department of Education's proposal could redefine the vision and role of public schools in New Hampshire.

<u>CURRENT RULES</u>	<u>PROPOSED RULES</u>
"Teaching Students"	"Facilitating Learning"
"Instruction"	"Learning Opportunities"
"Instructional Materials": current, comprehensive, necessary; adhere to a plan	"Learning Resources" Requirements gutted
Instructional program	Policy on how students pursue learning opportunities
Class size maximums	No class size maximums
Minimum number of courses/classes offered	Required to offer opportunity to achieve proficiency in competency statements

Key Takeaways of Proposed Overhaul

- 1 Redefining purpose & structure of a school**
- 2 Hollowing out instructional requirements**
- 3 Removal of local authority**
- 4 Lawmaking through rules**
- 5 Potential school funding implications**

JACK

Attends a rural high school in New Hampshire. His school is the center of his community -- despite a lack of state funding, voters pass their budget each year, but it's getting difficult.

MIA

Attends a well-funded suburban high school in New Hampshire. Her school has lots of resources, and last year, she was able to take a field trip to Europe to study Spanish.

Key Takeaways of Proposed Overhaul

1 Redefining purpose
& structure of a
school

“Courses” removed & replaced with
“learning opportunities” (throughout)

“Regardless of... enrollment status” (pg 5)

2 Hollowing out
instructional
requirements

“Cocurricular activities” as credit-bearing
(pg 29)

“Programs” to “learning opportunities”
(throughout, pg 31 for example)

3 Removal of local
authority

4 Lawmaking through
rules

5 Potential school
funding implications

JACK

Attends a rural high school in New Hampshire. His school is the center of his community -- despite a lack of state funding, voters pass their budget each year, but it's getting difficult.

Jack's school board cuts courses and offers online "learning opportunities," but he's struggling because he doesn't have a teacher he can go to when he has a question about the recorded lesson.

MIA

Attends a well-funded suburban high school in New Hampshire. Her school has lots of resources, and last year, she was able to take a field trip to Europe to study Spanish.

In Mia's town, three new learning co-ops open to offer credit-bearing opportunities. Her school must offer credit for them, even though they don't match the rigor of her high school's classes.

Key Takeaways of Proposed Overhaul

1 Redefining purpose & structure of a school

Removal of “teaching” and replacing with “facilitating learning” (throughout)

Definitions are vague, non-descriptive, and sterile (example: definition of “credit”)

2 **Hollowing out instructional requirements**

Removes the responsibility of certified educators to approve the student’s demonstration of competency by changing the use of the word “certified” from a noun to a verb, and shifts from certified educator being responsible to principal certifying demonstration of proficiency (pg 31)

3 Removal of local authority

“Mastery” to “proficiency” in achievement of competency (pg 2)

4 Lawmaking through rules

Academic “underperformance” focused on individual students; no systemic approach to addressing achievement gaps (pg 9)

5 Potential school funding implications

JACK

Attends a rural high school in New Hampshire. His school is the center of his community -- despite a lack of state funding, voters pass their budget each year, but it's getting difficult.

Teachers in Jack's school are concerned with the progress of some of Jack's classmates because they got credit for an Algebra I class from an external organization, but the courses weren't rigorous enough to prepare them for Algebra II.

MIA

Attends a well-funded suburban high school in New Hampshire. Her school has lots of resources, and last year, she was able to take a field trip to Europe to study Spanish.

Mia's mom is concerned about the watering down of how New Hampshire schools award credit because she has heard that the universities Mia wants to attend don't feel as though they are rigorous enough.

Key Takeaways of Proposed Overhaul

1 Redefining purpose & structure of a school

Removal of “district competencies” and “graduation competencies” (throughout)

Does not specify who the approving body is for the “competency-based assessment” leading to the mandatory awarding of graduation credit (pg 30)

2 Hollowing out instructional requirements

Alters the role of the school: from determining how courses, credits, etc lead to a diploma, to “ensuring that” learning opportunities lead to a diploma (pg 31)

3 **Removal of local authority**

4 Lawmaking through rules

5 Potential school funding implications

JACK

Attends a rural high school in New Hampshire. His school is the center of his community -- despite a lack of state funding, voters pass their budget each year, but it's getting difficult.

At the school district town meeting, the ambiguity of the new minimum standards is creating confusion and discontent among town residents around what their schools must offer.

MIA

Attends a well-funded suburban high school in New Hampshire. Her school has lots of resources, and last year, she was able to take a field trip to Europe to study Spanish.

Mia's school board responds to her mom's request, saying that they do not have the authority to adopt local competencies.

Key Takeaways of Proposed Overhaul

1 Redefining purpose & structure of a school

Proposed changes to reading instruction could advance controversial legislation that the Legislature decided not to adopt (example: [HB 437](#)) (pg 25)

2 Hollowing out instructional requirements

Shifts from “shall” to “may” strip requirements for academic content areas, similar to [HB 1671](#) (2022)

3 Removal of local authority

Alters role of the Library media specialist from an instructional specialist to a content manager

4 **Lawmaking through rules**

Removes the authority for local school districts to assign certified teachers to content areas outside of their certification area, while pursuing a certification waiver for part-time teachers ([HB 1298](#)) (pg 15)

5 Potential school funding implications

JACK

Attends a rural high school in New Hampshire. His school is the center of his community -- despite a lack of state funding, voters pass their budget each year, but it's getting difficult.

In Jack's relatively small high school, his physics teacher also teaches algebra as a minor assignment. After the passage of the rules, his district has to hire a part-time, uncertified teacher to teach math instead. Because Jack's teacher can't have a full course load, he leaves the school for a neighboring district.

MIA

Attends a well-funded suburban high school in New Hampshire. Her school has lots of resources, and last year, she was able to take a field trip to Europe to study Spanish.

Mia's school board is trying to balance the changes in the rules and what it means for their library staff: they want to continue to offer courses in media literacy and critical research skills, but the rules shift the role to a position that curates their library collection.

Key Takeaways of Proposed Overhaul

1 Redefining purpose & structure of a school

Removal of class size requirements (pg 16)

Removal of requirements that K-8 and high schools have a program of studies that is aligned with the program elements for specific instructional areas mandated by RSA 193-E (pg 29)

2 Hollowing out instructional requirements

Removal of cross-references to program elements in K-8 and High School Curriculum (pg 29)

Removal of career education (pg 30)

3 Removal of local authority

Requires school boards to adopt parent opt-in policies for “alternative courses of study” (pg 19) and puts it under the umbrella of remote learning (pg 21) and may be required to pay for it (pg 33)

4 Lawmaking through rules

Changes requirement language in program elements from “shall” to “may” include elements

5 **Potential school funding implications**

JACK

Attends a rural high school in New Hampshire. His school is the center of his community -- despite a lack of state funding, voters pass their budget each year, but it's getting difficult.

Now that class size requirements have been eliminated, Jack's school board has decided to merge two elementary school classes in his district. Now, the second grade class in Jack's school district will have 34 children for one teacher.

MIA

Attends a well-funded suburban high school in New Hampshire. Her school has lots of resources, and last year, she was able to take a field trip to Europe to study Spanish.

Mia's classmate, who would be a first-generation college student and has dreams of becoming a nurse practitioner, is unsure about what's next after high school. But with the removal of her school's career education program, she and her family aren't sure how to navigate the complex college application process.

What are the potential outcomes?

Impact, not intent

Role of the school would shift from places of teaching & learning to credit approving centers

- Shift emphasis away from teaching & learning and towards certifying a student's collection of "competency" statements
- Reliance on "competency" statements and reliance of developing programs based on state standards, most of which are expired and out of date

Privatization & dismantling of public schools

- Public schools would have little control over the quality and depth of curriculum and instruction
- Could create a market for external credit-bearing opportunities while removing the school's authority to vet programs

Open Questions

- How will the State Board of Education address the inconsistencies and contradictions in the proposed overhaul?
- What is the purpose of removing class size requirements?
- Why is assessment altogether removed from the minimum standards?
- What is the expected impact on school funding?
- What is the actual meaning of “proficiency,” and how does that compare with best practices and what we know about competency-based education? What constitutes or defines what proficiency is?
- What is the intent of eliminating the minor assignments for teachers, especially amid a teacher shortage?
- How are student, parent, and community voices going to be incorporated in the proposal?

Next Steps

APRIL 3, 1:00 P.M.

Public hearing on **FIRST** half
of minimum standards

APRIL 11 (tentative)

Public hearing on **SECOND** half
of minimum standards

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