

Executive Summary
2023 Educator Review Sessions
ED 306 Revised Rules (Minimum School Approval Standards)
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Introduction

“...Public elementary and secondary education shall provide all students with the opportunity to acquire knowledge and skills to prepare for successful participation... in the systems of a free government, now and in years to come...Respecting New Hampshire’s long tradition of community involvement...an integrated system of shared responsibility between state and local government...The state establishes minimum standards for public school approval and academic standards for inclusion and delivery of educational services at the local level...School districts have responsibility and flexibility in implementing diverse educational approaches to instruction and curriculum tailored to meet student needs.”

-New Hampshire Title XV Education - Chapter 193-E Adequate Public Education

As demonstrated from the excerpt above, public education in New Hampshire is a partnership between state and local government. This partnership is subject to political shifts, balance of state and local control, funding responsibilities, and communication among varied stakeholders from elected officials, state and local educational leaders to the public school practitioners providing services each and every day to our New Hampshire public school students. The voice of this last stakeholder group is the premise for this executive summary. It is with deep respect and admiration that this executive summary is dedicated to all local public school practitioners. Thank you for your collective voices and willingness to participate in review sessions related to the Minimum School Approval Standards (NH Education Rules 306). Even more, thank you for your dedication, passion, and service to our public schools and students!

This executive summary provides information related to seven feedback sessions that were organized and facilitated by a New Hampshire citizen and current public school educator/administrator, who volunteered time, energy, and resources, to provide opportunities for educators to review the revised Minimum School Approval Standards (NH Education Rules 306). A draft of revised Ed Rules 306 was presented to the New Hampshire State Board of Education on March 9, 2023, as prepared by the National Center for Competency-Based Learning (NCCBL). This organization was contracted by the New Hampshire Education Department. The project detailed in this executive summary is completely independent of the NH State Board of Education, NH Education Department (NHED), and National Center for Competency-Based Learning (NCCBL). The session organizer, facilitator and author of this executive summary is an independent volunteer under no contract with any organization and has no affiliation to any organization. Throughout this summary, when terms, phrases, or sentences are italicized in quotes this represents direct written feedback from educators or language from the March 9, 2023, version of the revised rules. This summary should not be posted, shared, copied, or used in any capacity without the explicit written permission from the author. For written permission, please contact Christine Downing at christine.downing68@gmail.com.

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Description of Feedback Sessions

Why were educator review sessions conducted?

In August of 2020, NCCBL was awarded a contract from NHED to form a team to develop a draft of Ed Rules 306. A little over two years later, in November 2022, a two-day event was organized by NCCBL, NHED and NHASCD (New Hampshire Association for Supervision and Curriculum Development) that brought approximately 40 to 50 public school educators and administrators to Laconia, New Hampshire, to review and provide input on a draft of the rules. This event has been publicly referred to as a “gathering of content experts.” This author was a participant in this two-day event. **Appendix A** includes samples of the revised standards that were presented to the participants on the first day of this event. Educators and administrators who participated in the event expressed concerns about the broad nature of the revised language. After significant discussion, it was decided participants would work from language in the current rules. At the end of the two-day event, participants expressed concern about only having this one event to solicit feedback on the revised rules. Participants expressed that having only one to two educators providing feedback on content sections that covered all grade spans was not sufficient, especially when educators at the event specialized only in specific grade spans, such as only elementary or middle school levels. It was this discussion regarding the need to involve more educators throughout the state that led to the idea of providing educator feedback sessions.

How were educator review sessions organized?

Seven educator review sessions were conducted, with a majority of sessions conducted in the first three weeks of September 2023. Five sessions were held in-person and two sessions were conducted through remote meetings. Pre-registration links and session information were disseminated through New Hampshire School Administrators Association (NHSAA), New Hampshire Association for School Principals (NHASP), North Country Educational Services (NCES), and National Education Association - New Hampshire (NEA-NH). Once educators and administrators pre-registered, emails were sent that included access to a shared Google folder that contained all materials to be used in the session, including draft ED Rules 306 separated by each specific section, access to an online feedback form, and additional background information related to Adequate Education RSAs, state laws, and NHED technical advisories. Registrants were given permission to use materials and conduct local review sessions. Participants were not required to attend facilitated sessions in order to submit feedback and have access to session materials. This design was put in place to provide all educators and administrators equitable access to feedback opportunities, given the lack of a clear review timeline from the NHED and speculation that the State Board of Education would include the rules on a meeting agenda in September or October. The online feedback form was available to all educators and administrators through September 28, 2023.

What was the structure of educator review sessions?

The length of in-person and remote educator review sessions were between 2 to 2.5 hours. Participants were given an overview of RSA 193:E Adequate Public Education, with specific attention to

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section 2, Criteria for an Adequate Education. Participants were provided talking points from NCCBL's Listening Sessions, as presented by Mr. Fred Bramante. Three questions were suggested to set the context for educator review of the rules. They were:

1. How do the revised rules advance competency-based education in the state?
2. How do the revised rules support adequate education of public schools, as stipulated in RSA 193:E?
3. How do the revised rules promote consistency of programming among public schools?

Approximately, one-half of the scheduled time was allocated for educators to work in small groups to review specific sections of the rules, as chosen by each participant or group. Feedback was submitted through an online Google form either by small groups of educators or individuals. Feedback did not need to be completed during the scheduled session time as the online form remained available through September 28, 2023. Data indicates:

- 176 pre-registrations were collected through the online feedback system.
- 57 responses came from those pre-registrations, with many entries indicating feedback was completed by groups of educators.
- 70% of responses indicated rules need further changes.
- 25% of responses indicated rules show no changes.
- 5% of responses indicated rules show improvement.

Qualitative Feedback Themes - Different Sections of 306 Rules

Appendix B contains educator phrases and comments obtained through direct emails to the facilitator, discussion notes collected during sessions, and direct responses in the online feedback system. These comments were categorized by the different sections of the rules to produce the chart found in Appendix B.

Three themes emerged based on review of the qualitative responses to the different sections of the rules. The first theme captures the importance of language choice and phrasing. As stated repeatedly in the feedback, "*Language matters.*" Often, the concern regarding language called into question the balance between state and local control. The overall concern about language is best captured by this comment, "*It seems like they (the rules) are moving from one haphazard body of language to another.*" A second theme can be characterized as missed opportunities to advance competency-based education (CBE) throughout public schools in New Hampshire. In some cases, feedback indicated revised language was contradictory to competency-based education and would "*undo or set back*" previous CBE efforts endorsed by the state. The final theme related to missed opportunities to update the rules based on relevant research in areas of class size, social emotional learning, equity, and the different content areas. Educators shared concerns that state professional organizations in different content areas (such as mathematics, science, social studies, world languages, digital learning, and career and technology education) were not consulted. This consultation could have been valuable in updating the rules to reflect relevant best practices in the teaching and learning of important areas that constitute an adequate education in New Hampshire.

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Theme #1: Language Matters

The first theme focuses on the definition section of the rules, ED 306.02, and general language changes that were applied throughout all sections. While language concerns are noted in **Appendix B** for each section of the rules, samples of specific concerns are provided below to demonstrate how language was interpreted and viewed as critical to the implementation of these rules from an educator's perspective.

The removal of the word, "local," in front of "school board," resulted in feedback that included:

It seems like local decisions will be reduced. Consistency can be a good thing, but this feels like a reduction in our ability to make appropriate decisions based on a community's specific needs.

The word "local" needs to remain in all areas that reference "local school board". It is essential to the understanding of what is within a district's purview.

The changes to ED 306 are absurd! These changes take away the tried and true legal holding of local control in the state of New Hampshire. The absence of the word local throughout these revisions is a smack in the face of educational opportunity here in New Hampshire. The local school boards, districts, and SAU's that are present throughout the state are the ears and eyes of their constituency and know what works best for the students and community that they serve.

The use of the word "program" in common phrases such as "competency-based (insert name of content area) program," as found in revised ED 306.24 and 25, resulted in feedback that included:

The use of the word "program" is not appropriate in this context. To an educator, "program" means a commercially purchased product. If the word "program" is intended to mean an encompassing set of materials and curriculum then that definition needs to be provided. Local school boards provide curriculum and resources. The curriculum should be the Board's responsibility and it should be the work of educators to choose programs and instructional pedagogy to deliver the curriculum.

Feedback suggested "program" should be adjusted to "curriculum and instruction" as these are under the purview of the local school district as outlined in RSA 193:E.

The removal of "instruction" and replaced with "learning" elicited this type of feedback.

Why are the words "instruction" and "teaching" taken out of a lot of the proposed rules? Are teachers not expected to teach anymore? Are we only providing students with "learning opportunities" or learning resources? and what does that mean? Haven't we learned something from remote learning? Students need to be in school and taught by someone they have a connection with and be with their peers in a structured environment.

In all documents, do not replace "instruction" with "learning" because this suggests that an online program could be provided instead of an in-person teacher, and in-person instruction has been proven superior to learning outcomes as compared to online learning.

Several of the content area rules (revised codes ED 306.29 through 42) began with this phrase, "The school board shall provide a (insert name of content area) program in each (elementary, middle, high) school consistent with competencies determined pursuant to Ed 306.25, which may include..."

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Educator feedback related to this phrase indicated a contradiction between the legal interpretation of the verbs “*shall*” and “*may*” within the same sentence. While the “*program shall be provided*” indicated a requirement to be met, any rules stipulated after “*may include*” were not requirements. As a result, “*the latter suggests a lot of ambiguity when enforcing what’s best in public education.*”

The general use of the phrase “*acknowledgement of competencies*” was interpreted as “*moving us backwards*” and “*lowering the rigor and quality of education in our public schools.*”

One of the most significant concerns expressed by educators were the sweeping changes made to policy development, Ed 306.04. This section includes several new additions and removal of existing policies. It is recommended this section be analyzed closely and a separate crosswalk document be prepared that clearly shows why new language is being added and existing language is being removed. This section is vital to promoting consistency among our public schools.

As referenced at the beginning of this theme a full list of language concerns is provided in **Appendix B**.

Theme #2 - Missed Opportunities to Advance Competency-Based Education (CBE)

The second theme is directly connected to the premise that revisions to the rules will advance competency-based education in the state. Below are examples identified by educators that contradict this notion.

The definition of competency-based assessment in Ed 306.02 does not include language about the importance of application and transferability as students demonstrate their learning in alignment with competencies. It reduces the concept of competency-based assessment to a quantity, “*student proficiency with regard to one or more competencies.*” Competency-based assessments are about the quality of learning evidence that can be demonstrated by students. The proposed language is in direct contrast to the phrase “*student demonstration of a defensible collection of work or other assessment evidence,*” which is found in revised Ed 306.25(i). It is recommended that the definition of competency-based assessment include a reference to revised Ed 306.22(b), which is a new component of the assessment section.

The explanation of credit in the high school section (revised code ED 306.25(h)) removes the rigor associated with competency-based education. The existing rules include, “*The credit shall equate to the level of rigor and achievement necessary to master competencies that have been designed to demonstrate the knowledge and skills necessary to progress toward college level and career work.*” The revised language states, “*Credits shall be based on demonstration of competencies and not on time spent achieving these competencies.*” This reduces expectations in terms of what defines a credit.

The broad use of the term “competencies” in lieu of distinguishing between local course or grade level and district competencies calls into question the balance between local and state control relative to curriculum and instruction. [Per RSA 193-E:2-a\(v\)a](#), “*Each school district shall be responsible for maintaining, updating, improving, and refining curriculum. The curriculum shall present educational goals, broad pedagogical approaches and strategies for assisting students in the development of the skills, competencies, and knowledge called for by the minimum standards for public school approval for each area of education identified in paragraph I. It is the responsibility of local teachers, administrators,*

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and school boards to identify and implement approaches best suited for the students in their communities to acquire the skills and knowledge included in the curriculum, to determine the scope, organization, and sequence of course offerings, and to choose the methods of instruction, the activities, and the materials to be used.” Further discussions should occur regarding the state’s role in defining state competencies that do not usurp local control *“in the development of the skills, competencies, and knowledge called for by the minimum standards for public school approval.”* RSA 193-E:1(II) is clear that *“the state establishes minimum standards for public school approval and academic standards for inclusion and delivery of educational services at the local level.”* During educator review sessions, there were consistent discussions related to the lack of published and articulated *“academic standards”* from the NHED in all content areas. It is the state’s role to establish *“academic standards,”* which then can become guidance for the development of local competencies. The NHED has neglected its duties and responsibilities in meeting this requirement.

While public statements have been made in reference to the addition of state graduation competencies in revised Ed 306.25 (High School Curriculum, Credits, Graduation Requirements, and Co-curricular Program), section (t) does not explicitly provide quality competency statements, but instead lists 9 curriculum areas encompassing 34 skills. This seems contradictory to the description of section (t) which states, *“Graduation competencies encompass a complete body of interrelated student accomplishment and should be considered as a whole, not as discrete silos. Graduation competencies shall align with appropriate high school academic content standards and require students to demonstrate their ability to apply and transfer their learning.”* Further confusion follows in section (u), *“School districts shall develop course competencies, based on New Hampshire academic standards, where applicable, for all course offerings. School districts may use state model course competencies to develop minimum course competencies.”* As stated previously, NHED has not fulfilled its legal obligations to set *“academic standards”* in content areas outlined in RSA 193:E. In addition, state model competencies have not been developed and published for all content areas listed in RSA 193:E. NH public schools would be better served by a commitment from NHED to articulate and publish state academic standards and model competencies in all content areas. Consistent feedback through educator review sessions indicate public schools have been waiting for over a decade for the state to provide consistent state graduation competencies. There is a strong recommendation this task should be accomplished prior to any approval of the rules. With clear state *“academic standards”* and graduation competencies outlined in the rules, there is strong support that competency-based education can move forward consistently across NH public schools.

Theme #3 - Missed Opportunities for Updated Research and Relevance in Critical Areas

The third theme captures educator concern related to missed opportunities to use evidence-based research to bring the rules into alignment with current challenges facing public schools, especially following a worldwide pandemic. Qualitative feedback encompasses a variety of topics including class size, removal of facility standards, social emotional learning, removal of equity language, and vagueness of content standards. The quotes provided below capture a sample of the feedback related to this third theme.

Are the class size recommendations based on economy or students' needs? Due to all of the SELF/Trauma behaviors, it was felt as a group that class size is written very vaguely. The class

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size rule does not allow for improved quality of student learning. In a larger class of K-5 it is very difficult to teach competency-based learning through small group instruction; peer to peer, etc., with only 1 individual educator for 25 students. The class sizes are antiquated. Class sizes should be based on the needs of the students.

Why are we excluding kindergarten from Social Studies standards? It is never too early for students to understand how government works and impacts their life, even in small ways. We need New Hampshire standards to require that United States history be taught in such a way that doesn't erase or diminish the experiences of typically marginalized communities.

Social Studies and Science: The wording "excluding kindergarten" needs to be removed completely from this section. Social Studies and Science are necessary components of a balanced curriculum and the knowledge gained from NGSS and Social Studies skills are necessary to build the foundation for first grade. By excluding kindergarten, more inequities are created because some districts will choose to require it and others will not, creating more achievement gaps.

It seems that some of the changes in wording are attempts to open the door for having young students (grades K through 8) learn completely online through automated learning programs. This is disturbing. Our students need face-to-face interactions with highly qualified teachers who care about them. They also need face-to-face interactions with their peers in order to be prepared to function in society. If we truly want to work towards the goal of providing a "world-class, personalized, student-centered, education" then reducing the maximum class size should be high on the list of changes. Expecting one teacher to enable 30 diverse eight-year old learners to maximize their individual potential is unrealistic.

The proposed rules are counterintuitive to the wellbeing of students, parents, and staff. Such rules diminish best practices, and puts students in substandard environments and risks having mediocre quality! Our students, families, staff and the community at large deserve better. The students are our future! They deserve an optimal learning environment to develop to their fullest potential. More importantly these changes put our most vulnerable in a situation which makes physical, academic and emotional access even more limiting for them to become valued and productive individuals. Making their already challenging life and learning more difficult to overcome.

Ed 306.38 Mathematics - There is an omission of the skills & knowledge that would define a standard. Standards are not evident.

Requiring only 450 hours of kindergarten is highly problematic in the state of NH. Gaps in achievement are automatically created when one district only provides half day K and another provides full day. It is IMPOSSIBLE to teach the minimum requirements in RSA 193 and the play-based guidelines in a half-day session. Kindergarten needs to be mandatory full day with state supported funding for all schools.

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Qualitative Feedback on NHED & NCCBL Process to Revise ED 306 Rules

Qualitative responses were also collected related to the NHED & NCCBL process in developing the draft rules that were presented to the State Board of Education on March 9, 2023. Two themes emerged from this feedback. The first theme links to the lack of clearly articulated and published steps and associated timelines that guide this review process. The second theme connects to the ability of the rules to provide an adequate education and consistency across public schools. Educators expressed concerns related to trust in terms of how their feedback would be considered and applied.

Theme #1 - Lack of Articulated and Published Review Steps and Timeline

The author of this summary contacted NHED for clarification on steps and timeline. Below is the response received.

The Office of Legislative Services' website is a great resource with a lot of information, including links to [RSA 541-A](#), the drafting and procedure manual used for the rules process, the forms, and a [process flow chart](#). The flow chart gives a visual of the process if the rulemaking authority is a single rulemaker (a commissioner, for example), or a group rulemaker (the State Board of Education). The process is a little different for each because the timelines will vary.

This information was shared with educators during feedback sessions. Educators found the process flow chart confusing, indicating it did not provide any specific guidance in terms of specific dates or decision-making steps as they directly related to the review of ED 306 rules. Educators were looking for a simplified plan that outlined key decision-making dates and who was responsible for making these decisions. Because this was not clearly articulated, there was a sense from educators that feedback needed to be collected in a relatively short period of time; thus limiting a comprehensive review and analysis of the entire set of rules. The following quotes are provided directly from educator feedback to capture the essence of concerns related to the NH Education Department's haphazard approach to reviewing and updating these rules.

The average citizen of the state of New Hampshire assumes their state leaders are working toward improving the lives of the people who live here, which includes providing an excellent education for the children of our state. If that average citizen could see the way their elected officials are striving to destroy our public schools, they would be astonished and outraged.

I am shocked. I feel the urgency and need of school communities to come together to express our concerns.

There needs to be a bigger review of the proposed changes. Many words and phrases have been removed for no apparent reason.

In my humble opinion all of the rules changes should be reviewed with deep reconsideration of the impact on optimal student learning outcomes and wellbeing. In good conscience, with all due respect; it is beyond belief why these changes were proposed.

Overall, the proposed revisions underscore my deep concerns regarding the DOE's commitment to supporting public schools. It seems the Commissioner, in particular, is more interested in pushing the controversial voucher program, and stretching rules and laws in support of it, than

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in a real commitment to funding and encouraging the work being done with the majority of NH students, who are learning in our public schools, supported by the public school teachers whose voices are missing from these rules revisions.

Theme #2 - Lack of Consistency in Support of Adequate Education

Educators were guided to consider these two questions as possible lenses by which to review the rules. How do the revised rules support adequate education of public schools, as stipulated in RSA 193:E? How do the revised rules promote consistency of programming among public schools? The following samples capture a general consensus that the rules, as revised, fail in meeting these two purposes.

The proposed rules do not improve the quality of education in public schools. If anything, they are moving us backwards.

Overall, I don't see how the proposed changes to the ED Rules seek to improve education at all. These rules would significantly reduce requirements; details and specificity would be removed and eroded, in favor of generalities that leave much open to interpretation. Instead of supporting quality education, the proposed changes seem to broaden the scope of what might be considered education, without clear guidelines, policies, or structures.

Why is this all so cryptic? We recognize that there is an agenda and these subtle changes are being made for a very specific reason. Why not be transparent and share exactly what the underlying motives are rather than require speculation by those already busy trying to educate the youth of NH?

1. How many classroom teachers were involved in this process total? 2. How many K - 8 classroom teachers were involved in this process? 3. How many 9 - 12 classroom teachers were involved in this process? 4. What role did public, private, and charter school classroom teachers play in this process? 5. What role did specialized service educators (ie. School Counselors, School Psychologists, School Nurses, etc.) play in this process? 6. In what ways were state professional organizations consulted in the process? (NHSAA, NHCSS, NHASP, etc.) 7. How were recertification bodies such as NEASC consulted in the process? 8. How often were there meetings to discuss these changes and have input on these changes? When & where did any such meetings take place? 9. How was organized labor consulted about these changes? (ie. Teamsters, NEA, & AFT) 10. What is the purpose behind these changes? What is the end goal? What is the timeline for implementation and roll out?

How do we stop this? How do we let the greater community understand what could happen if these changes go into effect?

Why are the voices of certified expert educators actively shut out in the creation of the rules governing public schools? We dedicate our lives to ensuring that every child in the state can reach their potential. Why is the state working to defund and dismantle public schools, which are the foundation of democracy?

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I am hopeful that the intentions of this document are to make education rigorous and accessible to all students; not water it down, making it just another box to check before adult life begins. The phrasing in the document is muddy enough to make some people believe that the Ed Department is trying to pull a fast one.

These changes dramatically detract from the quality of education that our communities rely on and that NH is known for. I hope that the comments from teachers and administrators will be heard. The greatest error in these revisions is the erosion of local control. Can we honestly make a change at this point? This is honestly very frightening.

Conclusion

Based on the quantitative and qualitative feedback provided through educator review sessions, significant changes need to be considered related to the March 9, 2023, draft rules presented by NHED and NCCBL to the New Hampshire State Board of Education. Any decisions to enter into the rulemaking process must be delayed to allow for a comprehensive review of the feedback and responsible consideration needs to occur in terms of how language in the rules can be corrected to accomplish the purposes of the Minimum School Approval Standards for Public School. To proceed forward in the decision making process regarding these rules would constitute blatant disregard for public school educators, who are directly responsible for implementation of the rules. It further calls into question the motives and intent of the New Hampshire Education Department, its Commissioner, and State Board of Education in putting forth rules that include documented instances of contradictions, vagueness, and blurring of local and state control. Ultimately, it will be public school students who will pay the price for such callous actions should the Commissioner and State Board of Education choose to proceed forward with rulemaking. It is critical for our elected officials to take note of the review process for Ed Rules 306 and consider what steps may be taken at their level to ensure a transparent and comprehensive review of these critical rules. Without this intervention, the future of New Hampshire public schools is in question.

Appendix A - Samples of Draft ED 306 Rules presented to educators in November 2022

These samples reflect revised standards for the section headers provided in this appendix. The paragraphs listed under the section header were the only standards for that section that were presented in November 2022 to a small sample of NH educators. Many revised sections of the rules had the same paragraph copied and pasted, with only a slight change in wording related to the specific section header. Educator feedback during the first day of the event was to return to the existing 306 rules and provide feedback on those standards and not consider the wording in these paragraphs.

Ed 306.33. Business Education Program.

Pursuant to Ed 306.24, the local school board shall provide a developmentally appropriate, personalized business education program that is aligned to state and/or national standards, advances students upon acknowledgment of competencies, and includes, at a minimum, courses in personal finance, business essentials, and business technology.

Ed 306.42. Digital Literacy Program.

The local school board shall require an integrated approach to the use of 21st century tools, including, but not limited to technology and communication tools, within all curriculum areas through the adoption of a developmentally appropriate, personalized, digital literacy program in learning levels 1 - 12 that is aligned to state and/or national standards and advances students upon acknowledgment of competencies.

Ed. 306.43 Mathematics Program.

(a) Pursuant to Ed 306.23, the local school board shall provide a developmentally appropriate, personalized, sequential mathematics program in learning levels 1-8 that is aligned to state and/or national standards, which advances students upon acknowledgment of competencies and conforms with RSA 186:13 and RSA 189:11;

(b) Pursuant to Ed 306.24, the local school board shall provide a developmentally appropriate, personalized, sequential mathematics program in learning levels 9-12 that is aligned to state and/or national standards which advances students upon mastery of competencies and includes at a minimum, courses in numbers and operations, geometry and measurement, data, statistics and probability, and functions and algebra.

Ed 306.45. Science Education Program.

(a) Pursuant to Ed 306.23, the local school board shall provide a comprehensive, developmentally appropriate, personalized, sequential science education program in learning levels 1-8 that is aligned to state and/or national standards and which advances students upon acknowledgment of competencies.

(b) Pursuant to Ed 306.24, the local school board shall provide a comprehensive, developmentally appropriate, personalized, sequential science education program in learning levels 9-12 that is aligned to state and/or national standards which advances students upon acknowledgment of competencies and includes at a minimum, courses in physical science, biology, chemistry, physics, and earth/space science.

Ed 306.46. Social Studies Program.

(a) Pursuant to Ed 306.23, the local school board shall provide a developmentally appropriate, personalized, sequential social studies program in learning levels 1-8 that is aligned to state and/or national standards, which advances students upon acknowledgment of competencies and conforms with RSA 186:13 and RSA 189:11;

(b) Pursuant to Ed 306.24, the local school board shall provide a developmentally appropriate, personalized, sequential social studies program in learning levels 9-12 that is aligned to state and/or national standards which advances students upon mastery of competencies and conforms with RSA 186:13 and RSA 189:11. The program shall include, at a minimum, 5 courses encompassing US and New Hampshire history, world history, geography, civics, to include understanding a diversity of points of view, and economics.

Appendix B - Qualitative Feedback (annotated by each section of ED 306 Rules)

Resources used in feedback:

[Side by Side comparison](#)

[3/9/23 state board packet](#) with rules showing strikethroughs and underlined new language.

Section Ed 306.XX (Current section numbers)	Feedback
General	<ul style="list-style-type: none"> -Add “local” before school board into the entire document. Not sufficient to just include this in the definitions section. -Remove language “shall provide program that may include” - return to language “shall provide program that includes.” -Phrase “traditional” is used repeatedly - what exactly does this refer to? What constitutes tradition now? -Use of the word “program” - The use of the word "program" is not appropriate. To an educator, "program" means a commercially purchased product. If the word "program" is intended to mean an encompassing set of materials/resources, instructional methods, and articulated curriculum then that definition needs to be provided. Replace program with curriculum - this is the responsibility of local boards. -Discrepancies between side by side comparison and 3/9/23 state board packet in terms of changes to sections. See notes as identified in specific sections. -Recommend a review of what academic standards are versus competencies. Standards and competencies are not synonymous. Reference Rose Colby blog/post on this topic. <p>It is the duty of the state board to set “academic standards.” These do not currently exist. Where are the social studies, ELA, Math, science, etc. standards? This should be the focus of the NHED work.</p>
01 Applicability	<p>Return grades and eliminate learning levels. This new term is not in the definition section. If it remains it should be explained. Learning levels and grades are not synonymous. This term is subject to a broad interpretation causing inconsistencies among public schools.</p>
02 Definitions	<p>Replace “acknowledgement of achievement” with “demonstration of achievement” . Acknowledgement is passive - demonstrate requires active performance from the student.</p> <p>Reinstate district and or graduation competencies.</p> <p>Define “learning opportunities” - how are these different then extended learning opportunities (which is defined)?</p> <p>Re: CTE definition - why use academic standards - why not replace with “competencies.” Why going back to “vocational fields?” Vocation is outdated.</p> <p>Why remove (2)? That is good language.</p> <p>Why remove college and career readiness? Isn't this the very purpose of CBE?</p> <p>Competencies - why not update this language to connect to the competency validation rubric and promote the use of that tool?</p> <p>Link: https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/2020-04/v</p>

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	<p>Validation_rubric.pdf</p> <p>Competencies are about acquisition of knowledge and skills, making meaning, and transferability of this to authentic applications. (See R. Colby blog on standards versus competencies) Proposed definition misses the importance of transferability and application.</p> <p>Competency-based assessment - this definition is minimalistic at best - suggest reviewing the research by Karin Hess and refer to what was written in section 24 for assessment.</p> <p>Credit - remove “acknowledgement” - also in other definitions - course was being suggested to be changed to learning opportunities - inconsistent language use</p> <p>District competencies - needs to remain - what is in ED 306.27 are not competencies, but rather topics of learning units.</p> <p>Extended learning - Reinstate existing language that included list of possible options.</p> <p>District competencies - reinstate the language</p> <p>Instructional Time - this contradicts the proposed idea to replace instruction with learning - inconsistency - wouldn't this be learning time? Reinstate language that had connections to “achieving educational objectives and supervision of educator” - new definition would imply none of this needed –furthermore isn't CBE about moving away from seat time? Why is time being defined?</p> <p>Personalized Learning language - bias exists in the phrase “encourages student curiosity by connecting” implies this doesn't happen in other learning situations and only through this method? Remove new phrase.</p> <p>Personalized learning plan still defined in side by side document -if this definition exists does this imply schools are required to do this?</p> <p>Work study practices - why wasn't updated research used related to future ready skills considered in this definition? Where are future ready skills in these rules?</p> <p>Missing definitions:</p> <p>Competency-based Program - used throughout the document - what does this mean?</p> <p>Learning opportunities?</p> <p>Courses? Used throughout the high school section. What is the difference between courses and learning opportunities?</p> <p>Interdisciplinary Learning</p>
03 Statutory & Policy Requirements	No feedback
04 Policy Development	<p>(a) New addition - vague language - what constitutes “shall keep...informed” - what methods are acceptable? What does “readily available” mean? Who determines if practices meet this test?</p> <p>There is a request from the field that a separate side by side comparison document be created that indicates the current sections where policy statements were removed from other sections and then bumped to this section. There needs to be a crosswalk that clearly shows when things were “bumped” from one section to another that language either remained the same or was also changed in this “bumping” process. There is concern that without this careful review, alternate language is making its way into policy that schools will be surprised by. Example (11) - what was the revised language? (page 8 side by side)</p> <p>(17) removal of daily physical activity -was ED 310 considered in terms of integration to the revised rules?</p>

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	<p>New (17) - policy on personalized learning plans - required? Thought this was removed after NHSAA feedback?</p> <p>New (18) remove “acknowledgement” replace with “demonstration of competencies”</p> <p>(18)(c) remove “affirmative” - ED 1400 does not require “affirmation” should read policy shall include “acceptance of Learn Everywhere credits when requested by the student.”</p>
05 School Philosophy Goals & Objectives	What constitutes being “visible?” What about those who are blind? Suggest shall be “available” to stakeholders.
06 Culture & Climate	<p>Consider adding “equity and equality” to the definition list in the beginning.</p> <p>Will a list of what defines “any and all” stereotypes and biases be provided? This is a very wide phrase open to much personal interpretation - Can the NH Center for Justice and Diversity be a resource in this area?</p> <p>Side by side comparison not accurate with 3.9.23 board packet - reinstate all sections related to fair and equitable code of conduct, etc.</p> <p>Should protected classes be included in this section?</p>
07 School Facilities	Side by side is not accurate compared to 3/9/23 packet. In 3/9/23 packet entire section removed. There is concern that no crosswalk has been provided on how information removed from 306.07 was revised when inserted into 320. Will this be coming for the field? There should be side by side comparison between ED 306.07, ED 306.09 and ED 320.
08 Instructional Resources	<p>Add “learning resources” to the definition section at the beginning. Field mixed on this change - why?</p> <p>With the change to “all students” - does this mean public schools are purchasing resources for non-public school students? Suggest inserting all “public school students.”</p> <p>Use of “parents” is outdated - use guardians/providers, etc.</p> <p>(3) - page 24 side by side - if instruction is replaced with learning then why say “opportunities for instruction?”</p> <p>(4) - “district specific” what does this mean - “district written plan” is more clear</p>
09 Custodial and Maintenance Services	Side by side is not accurate - board packet shows complete removal - how appear in ED 320? Is information added to 320 comparable to what was in 306.09?
10 Administrative Support Services	Add “local”
11 Food & Nutrition Services	No feedback
12 School Health Services	No feedback
13 Reserved	<p>Note this section is missing in the side-by-side comparison and appears in the strikethrough version of the document in state board packed 3/9/23</p> <p>Was noted in the current version as “Reserved.” Is this still a reserved section?</p>

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14 Basic Instructional Standards	<p>Section (a) "A learning program" - there is more than just one program in a school or district - this phrase is subject to multiple interpretations - does this refer to a commercial program which is not a curriculum - what is a learning program for this purpose?</p> <p>Also "skills levels" but level is supposed to replace grades - how is level being used in this context.</p> <p>"Meeting competencies" replace with "student progress in attaining proficiency in district competencies." Meeting is too vague...if proficiency is replacing mastery it should be used in this context</p>
15 Provisions of Staff & Staff Qualifications	No feedback
16 Professional Development	<p>Side by side notes are not accurate with 3/9/23 school board packet. Packet shows strikethroughs and changes in wording - not reflected in side by side.</p> <p>concerned about the removal of section 2 c because this provides PD for our teachers to understand the policies and reporting necessary to support a safe and healthy school system. We live in a time when schools are not safe places. We need to constantly improve the amount and quality of PD we provide to our teachers to improve the safety of our schools. We must reintroduce section 2c to have safe schools.</p>
17 Class Size	<p>Reinstate grade levels - learning levels have different meanings in various contexts, such as performance associated with learning progressions and pathways.</p> <p>Missed opportunity to update recommendations based on research related to SEL, wellness and behavior needs of students - parameters outdated.</p> <p>Language is conflicting "shall be 25 students...then later states...shall strive to achieve 20 students." Which is required, 25 or 20? Very confusing to the field. Same for other grade levels.</p>
18 School year	<p>(a) Why instructional hours - when learning is replacing instruction? CBE is not time-based. Mixed messaging.</p> <p>(4) Reinstate the language - provided consistent practices among schools</p> <p>(5) How do schools now count early release, delayed start with the removal of this language? Why removed?</p> <p>(6)(b) and (c)- provided consistency and clarity - going backwards</p>
19 School calendar	<p>Why the need to still set by days or hours? Missed opportunity for consistency.</p> <p>"Every effort to offer" - how will this be measured or defined?</p>
20 Career and Technical Ed Programs	Missed opportunity to combine sections 20, 34 and 35 - this should be done
21 Alternative Programs	ED 1400 defines an alternative program as "learn everywhere." If this is the case, then why don't these ED 306 rules also apply to learn everywhere? Why are there 2 different definitions? This needs to be addressed.
22 Distance Education	No feedback
23 Statistical	No feedback

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Reports- Accountability	
24 Assessment	Side by Side comparison is not accurate compared to 3/9/23 board packet. Section b related to competency-based education has been added in the packet, but not listed in the side by side comparison. This new section also does not match the very rudimentary definition of “competency-based assessment” in the beginning.
25 Comprehensive School Psychological Services	Side by side page 46 missing header for code and section title
26 KN through 8 School Curriculum	Field not receptive to learning levels and facilitate learning (perception this implies non-certified person could do this) Why the need for “where applicable” in terms of Kindergarten? KN (4) guided reading literacy program is an instructional method, which is under the purview of local control per RSA 2193E - in addition not in alignment with Science of Reading - needs to be removed - in violation of local control (g) ELOs in middle school - this language should parallel what is also listed for high school in terms of what needs to occur in the process - has this been cross-checked? Also new phrase used “demonstrate achievement of competencies.” Inconsistent. Suggested new wording eliminates statements that promote “rigor.” Why?
27 High School Curriculum, Credits, Graduation Requirements, and Co-Curricular Program	(1) Reinstate district competencies for this entire section. Why the use “instructional activities” if shifting to “learning?” (3) In a previous section “diagnosing” was replaced with “identifying” . Why is diagnosing still in this section? (5)/new (4) ELOs - what is a “traditional academic experience?” Please define Number 4 about attain acknowledgement. ...very wordy - suggest “attain proficiency of district competencies for ELO” and Number 5 remove by “the school” should remain with “certified educator.” C - related to the program of study - side by side should reflect in notes that this section was also renumbered. (f) - department approved assessments - what does this even mean? Also, thought courses were changed to “learning opportunities”? (g) - replace acknowledgement with demonstration - same comment about courses? (h) reinstate all the original language in defining credits - new language removes rigor and connections bridging standards and competencies together. THIS IS A MUST. NEW LANGUAGE DOES NOT MOVE CBE Forward. (i) suggest this wording - students are granted credit for competencies through student demonstration of defensible collection of work or other assessment evidence at a proficient level, as defined by local proficiency scales, that are provided through learning opportunities. This is stronger CBE language than what is proposed. If this language is used, include “proficiency scales” in the definition section. ***(n)4 - program of studies - new proposed language calls into question if costs associated with the specific list are now on the burden of high schools. What is the intent of this new language? (6) - change achievement of competencies to proficiency of competencies. Thought courses were changing to learning opportunities? (p) removal of competency assessments is concerning - why? Reinstate! (t) - references NH Academic Standards - where are those? What are those? These

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	<p>are missing! This entire section of items 1 through 9 are not a demonstration of graduation competencies. This is simply a list of topics or categories within different content areas. This list conflicts with the opening statement that “graduation competencies...should be considered as a whole, not as discrete silos.” Yet, the list following this are discrete silos separated out. Yes, please set district competencies, but use the current competency validation rubric to actually complete a rigorous set of well-articulated competencies. This does nothing to move CBE forward in the state. There should not be 9 graduation competencies that encompass 34 “learning targets” - what are the 34 things supposed to be? Districts will still need to develop competency statements, learning targets, and performance scales -this should be explicitly provided by the state. Yes - state create graduation competencies - but local control should still exist for grade level and course level competencies. These could be referred to as “district level competencies.”</p> <p>Note - some of the state model competencies have been removed from the NHED website and replaced with learning progressions that really are just a list of standards - this moves CBE backward.</p> <p>(v) reinstate original language including definition of interdisciplinary learning in the beginning section.</p> <p>(z) why removal of digital literacy? This doesn’t connect with the requirement to include in adequate education language.</p> <p>(ac) why removal of early graduation?</p> <p>(x) insert district competencies.</p>
28 Approval Process	No feedback
29 Alternative Approval	No feedback
30 Delay in Full Compliance	No feedback
31 Arts Education	Remove “may” from “may include” these should not be optional they should be required (shall is needed). (3) what are “sound assessment practices?”
32 (Missing)	Missing
33 Business Education	Remove “may” from “may include” these should not be optional they should be required (shall is needed). (3) what are “sound assessment practices?”
34 Career and Technical Education Program	Missed opportunity to combine sections 20, 34 and 35 - this should be done
35 Career Education Program	Missed opportunity to combine sections 20, 34 and 35 - this should be done Why is section 35 removed? Was it moved?
36 Reserved	
37 ELA program	Remove “may” from “may include” these should not be optional they should be required (shall is needed).

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	What are “sound assessment practices?”
38 Family and Consumer Science	Remove “may” from “may include” these should not be optional they should be required (shall is needed). Concern about removal of (2) - 21st century learning....why? - in 3/9/23 board packet as strikethrough (middle school section) but this does not appear in side by side. What are “sound assessment practices?”
39 School Counseling	Reinstate “local”
40 Health Education	Remove “may” from “may include” these should not be optional they should be required (shall is needed). What are “sound assessment practices?”
41 Physical Education	Remove “may” from “may include” these should not be optional they should be required (shall is needed). What are “sound assessment practices?”
42 Digital Literacy Program	Section c - removal of the 4 items leads to wide interpretation as to what comprises a digital learning credit -reinstate these items as they act as standards for this area.
43 Mathematics	Remove “may” from “may include” these should not be optional they should be required (shall is needed). <i>Elementary - (6) Interactive instruction and sustained activities designed to enable all students to demonstrate proficiency using the concepts and skills articulated in any grade level expectations that are adopted at the state level; and</i> What grade level expectations at the state level? There are no state standards in mathematics - when is the state going to get back to this? The elementary section is all about mathematical processes, but has no mention of specific concepts, knowledge and skills needed to demonstrate (such as numeracy, operational sense - what about the domains of CCSS?) Middle School - same comment as above High School - very concerned about the lack of explicit mention of mathematical content knowledge related to algebra, geometry, statistics, data (suggestion to reference the domains of CCSS). All about process, nothing about actual content knowledge.
44 Computer Science	Remove “may” from “may include” these should not be optional they should be required (shall is needed). What are “sound assessment practices?”
45 Science Education	Remove “may” from “may include” these should not be optional they should be required (shall is needed). What are “sound assessment practices?” Reinstate specific content knowledge under physical science, biology, chemistry and physics and earth space science. Stripping this removes all content knowledge that defines what makes up these different science disciplines. Doesn't the following language date back to GLES and NHEAP days?

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	<p>(g) High school science courses shall be designed to prepare students for meeting or exceeding the end of grade 10 proficiencies in science consistent with RSA 193-C:3, III, regardless of the grade in which the course occurs.</p> <p>Why exclude kindergarten - NGSS provides guidance in this area?</p>
46 Social Studies	<p>Remove “may” from “may include” these should not be optional they should be required (shall is needed).</p> <p>What are “sound assessment practices”?</p> <p>Why exclude kindergarten? Important Social Studies concepts begin at this level.</p> <p>Where is personal financial literacy? It can be included as part of an economic credit per the list of required graduation credits. Why is this not outlined in terms of the standards that make up personal financial literacy?</p> <p>Were the C3 Frameworks consulted in these revisions? Does not appear to be so. NH Social Studies organization should be involved in this review.</p> <p>Where are the updated state standards for Social Studies?</p>
47 Technology/Engineering Education	<p>Remove “may” from “may include” these should not be optional they should be required (shall is needed)</p>
48 World Language	<p>Number of specific questions regarding World Languages. In C1 we should define what is basic proficiency - is this A1 level? In 1e, does this mean that students in MS should get a HS credit for level 1? We should also define what exploratory means. In C3, it talks a lot about the culture of the countries. Again, using ACTFL language, this is about learning the perspectives, practices, and products of a country. We would like to see this language used. In 4a, what is basic linguistic knowledge? Is this A1 level? It would be easy to define using the levels provided by ACTFL. In 4b, again use the levels like A1, A2, etc. In 4c, you could combine 4c and 4d if you use the 3Ps language (perspectives, practices, and products). In D what is the difference between provide (new) and require (old)? In general, virtual should NOT COUNT as effective and rigorous WL instruction. How are 1&2 different? Again, use ACTFL language. D3e What is offered at the HS level, is NOT what is stated here in all cases. What happens to schools who do not do this or just say that VLACS access is enough? Do not understand the purpose or placement of D3g. Please consult the state WL professional group.</p>
49 Holocaust & Genocide Education NOTE - this section is not a revision, but a new section as a result of recent legislation passing.	<p>Note - this section is not listed in the side by side comparison</p> <p>Interesting that the initial language in this section makes it clear that everything in this section is required (not the “shall provide program that may include” found in other sections).</p> <p>In general educator feedback was positive that this section clearly explained the knowledge and skills (standards) expected; unlike previous content sections.</p>