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Commissioner



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STATE OF NEW HAMPSHIRE  
DEPARTMENT OF EDUCATION  
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## EXECUTIVE SUMMARY

### Final Proposal: Ed 306.01-306.26, Minimum Standards for Public School Approval

**Deadline to file final proposal with JLCAR: September 10, 2024**

Submitted to the State Board of Education, August 14, 2024:

- A. **ACTION NEEDED**  
A vote is needed by the State Board of Education to approve the final proposal to readopt with amendments Ed 306.01-306.26, relative to minimum standards for public school approvals.
- B. **RATIONALE FOR ACTION**  
Revisions have been made to the initial proposal based on public testimony, OLS comments, and open board discussions.
- C. **EFFECTS OF THIS ACTION**  
If the Board approves this final proposal, it will be submitted to the Office of Legislative Services (OLS) to be reviewed and added to the agenda of the September 19th JLCAR meeting.
- D. **POSSIBLE MOTION**  
I move that the State Board of Education approve the final proposal for Ed 306.01-306.25, and Ed 306.31-306.46, Minimum Standards for Public School Approval.

**REPORT OF PUBLIC COMMENT**

Notice Number	<b>2024-41</b>	Rule Number	<b>Ed 306.01-Ed 306.26</b>
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<p>1. Agency Name &amp; Address:  <b>Board of Education</b>  <b>c/o Department of Education</b>  <b>25 Hall St.</b>  <b>Concord, NH 03301</b></p>	<p>2. Were there attendees at the public hearing? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <hr/> <p>3. Was public comment submitted during the public hearing? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <hr/> <p>4. Was public comment submitted during the public comment period? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <hr/>
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5. Short Title: **Minimum Standards for Public School Approval**

6. Comments received and responses, if applicable:

The public hearing for 2024-41 was held on Wednesday, April 3<sup>rd</sup>, from 1:00-4:30 p.m. 17 people attended to provide public testimony. A continuation of public hearing was held on Thursday, April 11<sup>th</sup>, where an additional 17 people attended to provide public testimony. The written public comment period was open until Tuesday, April 30<sup>th</sup>. Between the adoption of the initial proposal and the close of the public comment period, the agency received 189 emails, not including any written testimony that was submitted concurrently with testimony provided at the April 3<sup>rd</sup> or April 11<sup>th</sup> hearing. Out of the 223 submissions received during the public comment period, 116 of those expressed general opposition to what was generally characterized as “wholesale changes,” but did not identify specific areas of concern or suggest any specific revision of the initial proposal.

All written public testimony was posted on the department’s website [ed-306-written-testimony-redacted.pdf \(nh.gov\)](#)

**Prepared and submitted on behalf of the State Board of Education by:**

Julie Shea, Administrative Rules Coordinator  
 Department of Education

Prior to the rulemaking process being initiated with publication in the rulemaking register on March 14<sup>th</sup>, 2024, the New Hampshire Department of Education engaged the National Center for Competency Based Learning (NCCBL) to lead a team in developing a draft to be brought back to the State Board of Education for review. For the past two years, a committee has been working to amend and revise the rules. To date, there has been input from a number of professional organizations, including teachers, school boards, school administrators, special educators, principals and others. Some of the public commentary refers to these committees, working groups, and consultants when referencing previous drafts or revisions.

In response to public comments, the following revisions to FP 2024-41 were made:

- Amended Ed 306.02 to revise the definitions of the following terms: “achievement of competencies,” “competency-based,” “equity,” “instruction,” and “learning opportunities,” and added a definition for “mastery”;

Please adopt Ed 306 Minimum Standards for Public Approval that include the following: Definitions informed by peer-reviewed academic studies, Language and definitions that advance CBE and support ongoing CBE efforts by providing a framework for local decisions, continued growth, and innovation, Language and definitions that ensure equitable access to a wide range of engaging educational opportunities, Language and definitions that

ensure high standards and quality programming for students and teachers. --Submitted by NHSSA, Daniel Smith, Marion Anastasia, Shelley Westenberg, John D'Entermont, Erin Chubb

I feel that the definition of Rigor needs to remain the language from the original ED 306 rules. The proposed NHED version of the definition for Competencies is weak and vague. I feel that either the definition that currently exists, or the definition written by the Workgroup, are both of higher quality and clarity, and that the NHED version is ineffectual. The current rules definition for Credit includes the word "demonstrated," whereas the proposed version does not. I feel strongly that any definition of Credits should also include language related to demonstrated achievement, or defensible body of learning evidence. The definition of Work Study Practices I feel should be the version proposed by the Workgroup. This definition should be explicit, and not only reference an RSA outside of these rules with minor supporting language. --Submitted by Beth Page

Definitions are important to the full set of rules. It is important to retain technical language in many definitions to support a consistent and shared interpretation of these important tenets of competency-based education from one school to the next. There are several recommendations related to definitions. It was a lack of specific definitions that were missing from NH's initial efforts to implement CBE models across the state. Please refer to Appendix B, which includes the acceptable definition of CBE at a national level. Restore the workgroup definitions. -- Submitted by Christine Downing

NHSBA has concerns over the removal of "mastery" as it relates to local competencies leading toward high school graduation. As the current rule states, mastery means "means a high level of demonstrated proficiency with regard to a competency." The proposed rule turns this on its head by defining "proficiency" as the "minimum student performance required." --Submitted by Barrett Christina on behalf of the NH School Board Association

- **Amended Ed 306.04 to add a future effective date for any new policies to give school boards time to draft policies;**

NHSBA respectfully asks the State Board to amend the proposed Minimum Standards to delay implementation or effective dates of these amended policy requirements by six months. To be done using appropriate processes, local school board policy development takes a few months. Policies are often introduced by the administration to a policy committee. The committee works on the policy then brings an initial proposal to the full school board. Depending on the nature and content of the policy, it may be sent back to the committee for review and amendment before the full school board formally adopts the policy. --Submitted by Barrett Christina on behalf of the NH School Board Association

- **Amended Ed 306.08 to include "Instructional" in the title and reference both learning and instructional resources;**

NHSBA's largest concerns with this draft is the significant change in vital terms and phrases without a clear rationale or a clear definition of those new terms and phrases. For example, Ed 306.08 is changed from "Instructional Resources" to "Learning Resources" or "Learning Opportunities." Similar changes from "instructional" to "learning" are noticed throughout the draft. While there is some reasoned support for language change in RSA 193-E, Adequate Public Education, it marks as a sharp contrast to what public schools do. -- Submitted by Barrett Christina on behalf of the NH School Board Association

Substituting the phrase "learning opportunities" for the words "instruction," "course," "teaching" or "program" in various places in the proposal is a policy move inconsistent with this language. See, e.g. 306.08, 306.17, 306.18, 306.20, and various subsections of 306.21. --Submitted by Mary Wilke

- **Amended Ed 306.14 regarding student-educator ratios, to reinsert the original maximum class sizes;**

Please adopt Ed 306 Minimum Standards for Public Approval that include class sizes that assist districts in creating budgets, allocating resources (personnel and supplies), and crafting schedules where students are able to

receive personalized, supportive, engaging, expert, and diverse learning. --Submitted by NHSSA, Daniel Smith, Marion Anastasia, Shelley Westenberg, John D'Entermont, Erin Chubb

I would urge you to reconsider your proposed revision to Ed 306.14 and revert to including the specific numbers of students per class at different grade levels, because class size does significantly impact the ability of teachers to meet the individual needs of students. And, as others have testified, without class limit requirements it's very hard for districts to maintain reasonable class sizes in the face of pushback from property taxpayers who are feeling the squeeze caused by the State's downshifting of costs onto them, and who may not understand the impact of increased class size on the quality of education provided. But if you do continue to use the phrase 'educator/student ratio', please define how to calculate that. Sometimes people calculate this ratio by dividing the number of educators in the whole school by the number of students in the school. As a teacher, if I am trying to teach 38 students in a classroom and no other adult is involved, that 1:38 ratio is way too small, regardless of how many other teachers may be in the school's employ. The relevant educator/ student ratio should be the ratio of educators involved in teaching a specific set of students a specific class or subject at any given time, divided by the number of students in that set, or something along those lines. --Submitted by Mary Wilke

- **Amended Ed 306.16 to include text from Ed 306.4, to combine the two CTE sections;**

Missed opportunity to combine Ed 306.16 with Ed 306.34 CTE Program, this should be done. --Submitted by Christine Downing on behalf of educator cohorts

- **Amended Ed 306.17 to return the language to "Alternative Program" instead of the proposed "Alternative Course of Study"**

I endorse the Workgroup's language for this section. Converting ED 306.21 Alternative Programs to ED 306.17 Alternative Course of Study is not equal, and creates challenging technical inequities. Alternative Programs, as I believe is intended through the original ED 306 rules, is in regards to educational programs that are approved by the NH DOE. Courses of Study are not approved by the NH DOE, and applying the same ruleset to something that is not monitored by the DOE is not appropriate. --Submitted by Beth Page

(a) Add the word "individualization" to the list - "of a student's learning opportunities through individualization, personalization, and differentiation..." --Submitted by Christine Downing

Current Ed 306.21 speaks to "Alternative Programs" and defines these programs as "the regular delivery of the majority of a student's instruction through classroom or other methods designed to address the needs of individual students or particular groups of students that might be different from the methods of instruction used by the standard schools of the district." This definition implies that "alternative programs" are just that – alternatives to regular school programs. However, the proposed draft of the Minimum Standards inserts replaces "program" with "course of study". NHSBA believes a program and a course of study are distinct and different. Further, NHSBA also believes that this proposed language changes the original and primary intent of "alternative programs". NHSBA respectfully asks the state board to clarify why these significant changes to the above-referenced language are being made. --Submitted by Barrett Christina on behalf of NHSBA

- **Amended Ed 306.19 to included language from the repealed "Statistical Reports; Accountability" section and reinstated the language relative to local assessment requirements;**

Ed 306.24 Assessment should absolutely not be removed as a part of this ruleset. Again, going back to requiring a defensible body of learning evidence, some form of assessment must take place. Again, if we are required to produce the burden of proof when engaged in state audits, then we must require that our education systems have concrete proof that competencies are being met for awarded credit. This in no way should be stricken from the Ed 306 rules. --Submitted by Beth Page

Restore the assessment section as presented in the January 22, 2024, draft document, especially the section on competency-based assessments. Assessment is a key principle of the CBE Model. --Submitted by Christine Downing

The standards must protect local competencies, graduation requirements, and assessments to ensure public education meets the needs of individual communities and their students. --Submitted by Linda Terwilliger

- **Amended Ed 306.22 to include references to district and local competencies, graduation requirements, and local school district approval to reinforce that requirements are determined by the local school district, reestablished that each high school must offer a minimum of 43 courses**

Please adopt Ed 306 Minimum Standards for Public Approval that include a minimum number of high school courses that ensure all approved schools are required to offer NH's students with diverse choices in their academic journeys that provide them with new learning experiences, spark their personal passion for continuous learning, help shape and inform future plans, and provide the required course of study for a NH high school diploma. --Submitted by NHSSA, Daniel Smith, Marion Anastasia, Shelley Westenberg, John D'Entermont, Erin Chubb

Current draft removes references to local competencies, local graduation requirements, and local assessments. Minimum standards need to ensure that districts are the final arbiters of the role of educators, graduation requirements, and the assessment of competencies. -- Submitted by Manchester School Board

Leaving off local before competencies, local graduation requirements, and other areas around local control should be reinstated. Submitted by Karen Soule

It also removes local authority to define district competencies, courses, and credits that lead to graduation. (pg 31) Submitted by Sarah Robinson

I am concerned about draft changes that remove local decision-making to determine how courses, credits, and other elements lead to a diploma, instead "ensuring" that learning opportunities lead to graduation even if they lack rigor. --Submitted by Tina Kriebel, Brenda Cannon, Brenda Ann Mee, Doreen Desmarais, Brenda Diederich, Janice Kelble, Jennifer Leblanc, Ingrid Markman, Andrea Thorn, Just Stewart, Melissa St. Pierre, Ronald Brown, Bill Kingston, Shawn Yager, Michael Ginsberg, Barbara Fitzgerald, Robert Seavey, Timonthy Gearin, Wendy Berkely, Charles Rhoades, Leigh Prince, Denise Clark, Tiffany Gagnon, Sherri Averill, Erik Anderson, Gale Toale Taylor, Wiltrud Mott-Smith, Sandy Steel, Wendy Thomas, Debra Rodd

The removal of "district competencies" and "graduation competencies" from the document removes our ability and our community's ability to make decisions about what our graduates should know and do to be a productive citizen. --Submitted by Sarah Robinson on behalf of Granite State Progress

- **Amended Ed 306.23 to change language from "graduation expectations" to "graduation requirements," and rebalanced course requirements to enable electives**

Reducing student electives from 6 to 2.5 is a danger and detriment to students and educators -- Submitted by Cindi Hodgdon, Jessica Paeplow, Jocelyn Judge, Vanessa Moeschen, Eva Mohr

Concern about the reduction of electives from 6 credits to 2.5 credits for students - removal of student agency (choice and voice) -- Submitted by Christine Downing

"Required Courses of Study," under this section of rules a new "course of study" is proposed for the 20 credit high school diploma. Many students enrolled in CTE complete high school with the 20 credit diploma. As currently drafted, the new required course of study alters electives from 6 to 2.5. This change is dramatic for students. The impact on CTE will be felt across all centers. Students enrolled in CTE will no longer be able to graduate with a 20 credit diploma as a CTE pathway assumes more than 2.5 elective credits. The impact of this policy change could impact enrollments, student voice and choice, and more importantly deter students from pursuing programming aligned to their passions. --Submitted by Eric Frauwirth on behalf of NHCTA

The following citizens submitted public testimony either verbally, in writing, or both:

Name	City/Town
Betsey Phillips	Bethlehem
Kathy Hubert	Newport
Susan Moore	Franconia
Kate Harrington Segal	Franconia
Sean Parr	Manchester
Isabelle Grenier	Bedford
Sharon Giglio	Nashua
Mark MacLean	Concord
Kathleen Allen	Peterborough
Nate Jones	Brentwood
Catharine Hyson	Warner
Angela Broscoe	Bethlehem
Dorene Lengyel	Not disclosed
Erin Roark	Not disclosed
Kate Coon	Peterborough
Kimberly Sell	Temple
Lisa Beelle	Concord
Lisa Hawkins	Keene
Mary Goodell	Salem
Michael Hinesley	Chesterfield
Pam Boyer	Goffstown
Sara Lewis	Bartlett
Sarah Murray	Dunbarton
Liz Tentarelli	Newbury
Ken Page	Dublin
Bonnie Robinson	Lebanon
Cynthia Hodgdon	Amherst
Dan Caron	Gilford
Dan Smith	Keene
Maggie Forrestall	Stoddard
Marion Anastasia	Whitfield
Mary Shepardson	Monadnock
MaryEllen Reinsel	Enfield
Shelley Westenberg	Dunbarton
Cheryl Berman	Rye
Cheryl Houston	Not disclosed
Elizabeth Cardine	Keene
Emily Ginsberg	Goffstown
Erin Sweeney	Not disclosed
Evan Shangraw	Tamworth
Karen Dubois	Etna

Name	City/Town
Beth Page	Andover
Jessica Paeplow	Londonderry
Jocelyn Judge	Center Harbor
Vanessa Moeschen	Salem
Dean Cascadden	Meredith
Alicia Flammia	Walpole
Jessica Caron	Goffstown
Barry Bresinger	Manchester
Mary Feick Jenkins	Goffstown
Paul Jenkins	Goffstown
Catrina Annis	Berlin
Michelle Ramauro	Keene
Dorothea Vecchiotti	Peterborough
Deb Freibuger	Chester
Theresa Curtis	Goffstown
Cindy Grigorakakis	New Boston
Laura Adams	Goffstown
Linda Poulin	Berlin
Casey Leach	Goffstown
Siobhan Doherty-Rogers	Goffstown
Shannon Eaton	Winchester
Greg Eaton	Winchester
Dian McCarthy	Goffstown
Kelly Socia	New Boston
Andra Hall	Not disclosed
Bridey Bellemare	Not disclosed
Brooke D'Entermont	Lebanon
Bridget Deanglis	Bow
Nicole Demarest	Not disclosed
Maria Gendron	Bennington
Jennifer Beaudet	Goffstown
Dan Williams	Weare
Laura Couble	Not disclosed
Liz Ryan Cole	Not disclosed
Nancy Wright	Moultonborough
Andrew Shurman	Not disclosed
Barbara Koehler	Moultonborough
Robert Malay	Keene
Christine Downing	Goshen
Nicole Bump	Goffstown
Tia Winter	Lebanon
John D'Entremont	Not disclosed

Name	City/Town
Dr Jacob Bennet	Not disclosed
Karl Hubner	Hampstead
Janet Ward	Hopkinton
David Trumble	Weare
Elizabeth Correll	Concord
Fred Bramante	Exeter
Adam Osburne	Goffstown
Michaela Demeter	Dover
Megan Tuttle	Concord
Brian Balken	Goffstown
George Leonard	Not disclosed
Deb Howes	Not disclosed
Sydney Leggett	Plainfield-Cornish
Sarah Robinson	Concord
Eric Frauwirth	Hudson
Marge White	Not disclosed
Jillian Pelletier	Goffstown
Matthew Dassatti	Laconia
Rich Popovic	Nelson
Sean Goodwin	Winnisquam
Michelle Springer	Not disclosed
Amanda Johnson	Not disclosed
Nancy Graves	Keene
Karen Bowman Cox	Concord
Nancy Crawford	Keene
Martin Warren	Plainfield
Rachel Roper	Cornish
Jacqueline Coe	Bow
Wilson Garcia	Plymouth
Kevin Powell	Westmoreland
Christian Terry	West Lebanon
Charlene Puzzo	Meredith
Rachel Petillo	Salem
Claudia Damon	Concord
Seth Andrews	Walpole
Michael Boucher	Atkinson
Erin Chubb	Canterbury
Michael Pelosi	Rockingham County
Ritu Budakoti	Keene
Susan Holcombe	Hanover
Caroline Storrs	Cornish
Karen Soule	Manchester
Bonnie Schrag	Greenland
Emily Walker	Newmarket

Name	City/Town
Kara Sullivan	Exeter
Rachel Bendroth	Exeter
Samantha Duk	Newmarket
Kristi Lockhart	Newmarket
Barbara & Richard Pacelli	Concord
Melissa Hinebauch	Concord
Eva Mohr	Strafford County
Julie Turner	Manchester
Jessica Spillers	Manchester
Jim O'Connell	Manchester
Jason Bonilla	Manchester
Chris Prost	Crayden
David Trumble	Weare
Jen Glen (?)	Manchester
Andrea Campbell	Bedford
Mary Wikles	Concord
Sean Parr	Manchester
Patricia Eno	Salem
Linda Jones	Manchester
Adrien Yule	Wolfeboro
Kate Scheer	Derry
Rob Nadeau	Hopkinton
Irv Richardson	Concord
Christine Downing	Goshen
Jessica Murray	New Boston
Mary Cad	Not disclosed
Margaret Jernstedt	Hanover
Martha Burtis	Plymouth
Ann Podlipny	Chester
Marth Torrey	Louden
Joyce Craig	Manchester
Tina Kreibel	Peterborough
Barbara Ann Mee	Londonderry
Doreen Desmarais	Northwood
Brenda Diederich	Bristol
Janice Kelble	Not disclosed
Jennifer LeBlanc	Lebanon
Ingrid Markman	Hollis
Andrea Thorn	Newmarket
Just Stewart	Northfield
Melissa St. Pierre	Warner
Bill Kingston	New Castle
Michael Ginsberg	Amherst
Barbara Fitzgerald	Sunapee

<b>Name</b>	<b>City/Town</b>
Robert Seavey	Newport
Timothy Gearin	Milford
Wendy Berkeley	Somersworth
Charles Rhoades	Dover
Leigh Prince	Lyme
Denise Clark	Milford
Tiffany Gagnon	Londonderry
Sheri Averill	Plaistow
Erik Anderson	Harrisville
Gale Toale Taylor	Concord
Wiltrud Mott-Smith	Louden
Sandy Steel	Plainfield
Wendy/William Thomas	Auburn
Debra Rodd	Amherst
Brenda Cannon	Amherst
Ronald Brown	Wilton
Shawn Yager	Keene
Lauren Martone	Merrimack
Richard/Harriet Demark	Meredith
Sean Cox	Laconia
Whitney Zweeres	Not disclosed
Kim Marie Fudge	Conway
Linda Wilkinson	Not disclosed
Catherine Hyson	Warner
Beverly Boggess	Not disclosed
Suzanne Brown	Not disclosed
Kent Hackermann	Andover
Alicia McNichols	Nashua
Michael/Jane Taupier	Meriden
Laurie Wunder	Milan
Kim Frye	Not disclosed
Ellen Lewis	Enfield
Deborah Bacon Nelson	Hanover
Linda Terwilliger	Gilford



PART Ed 306 MINIMUM STANDARDS FOR PUBLIC SCHOOL APPROVAL

**Readopt with amendment Ed 306.01, effective 3-27-14 (Document #10556), to read as follows:**

Ed 306.01 Applicability.

(a) Public schools and public academies shall meet the applicable criteria established in these standards to be an approved school.

~~— (b) Except as provided in (c) below, a public school shall be approved as an elementary school if it contains kindergarten through 8 and meets the rules applicable to all schools and to each elementary school.~~

~~(be) As determined by vote of the local school board, any combination of the public schools composed of grades K4 through 98 may be organized as a public middle school, and so approved if it meets the rules applicable to all middle schools consistent with RSA 189:25 as follows:-~~

~~(1) Elementary school, which offers groupings of grades beginning with kindergarten and no grade higher than 8<sup>th</sup>;~~

~~(2) Middle school, which offers any grouping of grades beginning with 4<sup>th</sup> grade and no grade higher than 8<sup>th</sup>; and~~

~~(3) Junior high school, which consists of grades 7 through 9 or any grouping of these grades.~~

~~(c) A public school as organized in (b) above shall be approved if it meets the requirements applicable to all schools and applicable to the grouping of grades as outlined in Ed 306.20 and Ed 306.21.~~

(d) A public school or a public academy shall be approved as a high school if it contains any of the grades 9 through 12 and meets the rules applicable to all schools and to each high school as outlined in Ed 306.21 and Ed 306.22.

(e) Public schools and public academies shall provide all students an education consistent with the minimum standards in these rules and in the areas enumerated in RSA 193-E:2-a, I. Notwithstanding these rules, schools may require students achieve more rigorous standards than the minimum standards, and schools should aspire for students to achieve mastery.

**Adopt Ed 306.02, previously effective 7-1-05 (Document #8354), as amended effective 12-17-11 (Document #10047), and expired 7-1-13 in paragraphs (a)-(d) and expired 12-17-19 in Ed 306.02 intro. and paragraphs (e)-(h), to read as follows:**

Ed 306.02 Definitions. Except where the context makes another meaning manifest, the following words have the meanings indicated when used in this chapter:

(a) “Academic standards” means “academic standards” as defined in RSA 193-E:2-a, VI(b);

(b) “Achievement of competencies” means a student has demonstrated competencies at a proficient level through a collection of evidence;

(c) “Career and technical education ~~or (CTE)~~” means “career and technical education or CTE” as defined in RSA 188-E:2, III;

(d) “Cocurricular” means “cocurricular” as described in RSA 193:1-c, I. The term also includes “cocurricular program”;

(~~ed~~) “Competencies” means “competencies” as defined in RSA 193-H:1, IIthe knowledge and skills a student will be able apply as a result of a specific set of learning opportunities;

(~~fe~~) “Competency-based ~~education~~” means an educational approach ~~in which student progress is measured by the student’s ability to demonstrate proficiency in required competenciesthat includes the following tenets;~~

- (1) Competencies are explicitly stated and measured;
- (2) Assessment practices are varied, authentic, transferable, and meaningful;
- (3) Students advance to new learning opportunities upon proficiency;
- (4) Students are offered timely interventions in response to their learning; and
- (5) Attention to work study practices;

(~~gf~~) “Course of study” means a progression of related competencies leading to graduationcredit;

(~~hg~~) “Credit” means the official record that a student has achieved competencies associated with learning opportunities;

(~~ih~~) “Curriculum” means “curriculum” as defined in RSA 193-E:2-a, VI(c);

(~~ji~~) “Department” means the New Hampshire department of education;

(~~k~~) “Developmentally appropriate” means activities, materials, and environments that are suitable for a person’s age, level of maturity, and stage of development including cognitive, emotional, social, and physical abilities;

(~~lj~~) “Differentiation” means the adjustments made to learning opportunities for groups of learners based on similar learning needs;

(~~mk~~) “Educator” means administrators, educational specialists, instructional specialists, teachers, paraeducators, educational interpreter and transliterators, school nurses, and any other individuals credentialed by the state board;

(~~nl~~) “EquitableEquity” means the ~~practice of designing programming, distribution ofing~~ resources, and implementing policies to individuals ~~delivery of programs, and implementation of policies~~ based on individuals’ or groupings of individuals’~~their~~ identified needs ~~in order~~ to adjust for nonachievement of competencies or other barriers to success. The term also includes “equityequitable”;

(~~om~~) “Extended learning opportunities (ELOs)” means ~~athe~~ personalized learning process that allows for achievement of competencies through means outside of the classroom;

(~~pn~~) “Individualization” means adjustments made to learning opportunities based on specific needs of individual learners;

(~~qe~~) “Instruction” means deliberate and strategic approaches to facilitate student learning ~~the act or practice of teaching~~;

(~~rp~~) “Instructional time” means the period of time during which instruction is offered;

(~~sq~~) “Learning level” means a student’s identified readiness to receive instruction in a competency;

(~~tr~~) “Learning opportunities” means educational experiences, including but not limited to in-person, online, blended, and self-guided classes, ELOs, work-based learning, and alternative learning plans that lead to achievement of competencies. The term also includes “course”;

(~~us~~) “Local school board” means the local school board of a district under RSA 189:1-a;

(~~v~~) “Mastery” means a high level of demonstrated proficiency with regard to a competency;

(~~vt~~) “Personalized learning” means crafting adjustments made to learning opportunities responsive to the learner’s interests, talents, passions, and aspirations. The term also includes “personalized learning”;

(~~w~~) “Plan” means a written document that outlines specific goals, objectives, or desired outcomes;

(~~xu~~) “Proficiency” means the minimum student performance required to satisfy the achievement of a competency. The term also includes “proficient”;

(~~y~~) “Program” means a grouping of interrelated activities, opportunities, and resources designed to implement a particular goal;

(~~v~~) “Rigor” means the depth with which students are expected to demonstrate, communicate, and apply knowledge and skills aligned to competencies;

(~~zw~~) “State board” means the state board of education established in RSA 21-N:10; and

(~~aa\*~~) “Work—study practices” means “work-study practices” as defined in RSA 193-H:1, VIII collaboration, creativity, and applied learning, logic, and rhetoric as defined by RSA 193-E:2 a, VI(d) (f).

**Readopt with amendment Ed 306.03, effective 3-27-14 (Document #10556), to read as follows:**

Ed 306.03 Statutory and Policy Requirements. For a school to be an approved school under these rules, the school board shall comply with all applicable state laws and rules.

**Readopt with amendment Ed 306.04, effective 3-27-14 (Document #10556), as amended effective 8-9-19 (Document #12845), to read as follows:**

Ed 306.04 Policy Development.

(a) The individual(s) responsible for superintendent services or their designee shall keep students, parents, educators, and all other personnel informed about school policy. Such information shall be readily available, including on the school website.

(b) ~~In accordance with Ed 303.01, t~~The local school board shall adopt and implement written policies and procedures, which shall be available on each school’s website, relative to:

(1) Absenteeism and attendance, which shall:

a. Include procedures for the accountability and supervision of students;

b. Not penalize students who miss class or a required school event because of a school scheduling conflict; and

c. Implement a cooperative approach that clearly explains the parents’ or guardians’ responsibilities for notification when a student is tardy, absent, or dismissed, as well as the school’s responsibility;

(2) Promoting school safety:

- a. On school property as defined in RSA 193-D:1, V and RSA 193-F:3, V;
- b. During authorized school activities, including but not limited to online and hybrid learning;
- c. Relative to bullying, cyberbullying, and the use of social media platforms;
- d. In managing the behavior of students;
- e. Relative to the use of restraint and seclusion pursuant to RSA 126-U;
- f. Relative to emergency care consistent with RSA 200:40;
- g. By including safety instruction in all applicable programs offered by the school; and
- h. By requiring educators to know and implement safety practices and procedures relative to their area of responsibility;

(3) Discipline, including behavior management and intervention for students. Such policy shall:

- a. Include provisions regarding student rights and responsibilities, rules of conduct, and penalties for misbehavior;
- b. Include provisions regarding suspension and expulsion of pupils pursuant to RSA 193:13 and Ed 317;
- c. Be written in age-appropriate language;
- d. Be disseminated to parents and guardians; and
- e. Be ~~available in written or oral form for~~accessible to students, parents, and guardians, be ADA compliant, and offer a verbal option when needed for whom English is a second language, whenever necessary;

(4) Records retention, including electronic files, requiring:

- a. Complete and accurate records of students' attendance and scholarship which shall be permanently kept and safely stored in a fire-resistant file, vault, or safe;
- b. A schedule for the retention and disposition of original records and information which shall be established in accordance with RSA 189:29-a; and
- c. Access to all student records and information which shall be controlled by written procedures designed to protect individual rights and to preserve the confidential nature of the various types of records in compliance with applicable federal and state laws;

(5) Character and citizenship, which shall incorporate and encourage:

~~a. Include the elements to be incorporated~~

a. Character and citizenship in courses of study;

~~or instilled by example in a~~

b. A caring educational environment by demonstration of character and citizenship by example; , not limited to the following:

~~1. Self-discipline, self-respect, and self-control;~~

~~c. 2.—Principles of Hhumanity and general, benevolence, public and private charity, industry and economy, and truth and honesty with self and others, pursuant to Part 2, Article 83 of the New Hampshire Constitution;~~

~~d3. Fairness, integrity, and justice;~~

~~e4. Civility, respect, courtesy, and human worth;~~

~~f5. Responsibility to oneself and others;~~

~~g6. Community service; and~~

~~h7. The rights and responsibilities of citizenship; and~~

~~b. Be developed in consultation with school staff, administration, parents, and other representatives of the community;~~

(6) Student hazing;

(7) Student harassment, including bullying and cyberbullying, as required by RSA 193-F:4, II;

(8) Sexual harassment, ~~as detailed in Ed 303.01(j);~~

(9) Reporting of suspected abuse or neglect;

(10) The administration of non-academic surveys or questionnaires to students, as required by RSA 186:11, IX-d;

(11) Promotion of a school environment that is conducive to learning and supports strong family and community partnerships, including:

a. Engagement opportunities for parents and family members of students of all ages and learning levels;

b. Parent activities throughout the school year to help parents support their children's learning;

c. Curricular and learning materials made available to parents, consistent with copyright licensure of such materials;

d. Frequent communication of school performance, student progress, and learning plans, using both print and online formats;

e. Initiating community-based developmental activities that prepare students for school and promote ongoing achievement;

f. Promoting collaboration among parents, schools, and community on school improvement and student achievement projects;

g. Development of a sustained plan to harness relevant community resources, including but not limited to organizations, businesses, talented individuals, natural resources, and technology, to engage each student in achieving necessary skills and knowledge; and

h. Development of business partnerships to assist students in the successful transition to employment or further education;

~~(1214)~~ Remote learning as provided in Ed 306.18;

~~(1312)~~ Providing alternative means of demonstrating proficiency of competencies resulting in the award of credit for a high school diploma or equivalent;

~~(1413)~~ Homeless students;

~~(1514)~~ Supporting the physical and emotional health needs of students and providing appropriate interventions;

~~(1615)~~ Supporting the availability and distribution of healthy foods and beverages in all schools, including standards for nutrient dense foods and beverages as identified and defined by 7 CFR Part 210.10;

~~(1716)~~ Air quality in school buildings as required by RSA 200:48;

~~(1817)~~ Promoting students from one learning level or grade to another based on achievement of competencies in alignment with the district's academic standards as approved consistent with RSA 192-E:2-a, IV RSA-193-C:3;

~~(1918)~~ How high school credit is awarded to students based upon achievement demonstrated proficiency of competencies:

- a. Regardless of age or enrollment status; and
- b. Pursuant to the requirements enumerated in Ed 306.224;

~~(2019)~~ How students can graduate early, which outlines:

- a. The requirement of parental or guardian involvement for students under the age of 18;
- b. The approval process by the high school principal if it is determined that all state and local graduation requirements will be met; and
- c. How, upon meeting local graduation requirements, the student is awarded a high school diploma;

~~(2120)~~ Basic learning standards, including:

- a. Homework, including how it is accessed and assessed;
- b. Promoting students from one learning level or grade to another based on achievement of competencies;
- c. Digital literacy;
- d. How students can pursue various learning opportunities, including:
  1. Advanced placement (AP) courses;
  2. Career-related credentials and certifications;
  3. Dual and concurrent enrollment in college courses; and

4. Virtual Learning Academy Charter School (VLACS) and Learn Everywhere programs;~~and~~

e. How students can pursue ELOs and career readiness activities, addressing:

1. The administration and supervision of the programs;
2. How ~~licensed~~certified school personnel oversee an individual student's curriculum;
3. The requirement that each ELO aligns to competencies;
4. Access to ELOs by middle school students;
5. How high school credit is awarded through ELOs; and
6. How students can include summer activities;

f. For schools with grades K-8, the offering of one or more world languages, including:

1. The extent of the world language instruction; and
2. The students to whom the world language(s) is offered; and

g. No later than the 2025-2026 academic year for schools with grades K-5, the offering of a computer science program, including:

1. The extent of the computer science courses offered; and
2. The students to whom the classes are offered;

~~(2221)~~ Exploration of career pathways in a developmentally appropriate manner, no later than the 2025-2026 academic year; and

~~(2322)~~ Developmentally appropriate daily physical activity pursuant to Ed 310.7. The policy shall be in addition to and shall not replace the physical education program requirement.

**Readopt with amendment Ed 306.05 through Ed 306.08, effective 3-27-14 (Document #10556), to read as follows:**

Ed 306.05 School Philosophy, Goals, and Objectives. The local school board shall direct each school in its district to adopt a written philosophy and a statement of goals and objectives consistent with the rules of the state board. Provisions shall be made for the review of the philosophy, goals, and objectives at least every 5 years.

Ed 306.06 Culture and Climate.

(a) The local school board shall adopt policies that address:

- (1) Respect for differences, and affording all students equitable opportunities;
- (2) Shared responsibility for the school culture and climate among students, their families, school administration and staff, and the community;
- (3) Student leadership through involvement in decision-making; and
- (4) Civil, nondiscriminatory, and respectful use of language and behavior.

(b) The school administration and staff shall:

- (1) Review ways in which gaps in equity-~~gaps~~ can be reduced, and develop and implement a plan to address academic under-performance of individual students to eliminate barriers to learning; and
- (2) Establish a fair and equitable code of discipline that is fairly and consistently implemented and which supports students' understanding of the importance of norms, rules, and expectations for behavior.

(c) The school administration shall provide professional development opportunities directed at understanding the policies and reporting requirements that support an equitable, safe, and healthy school environment.

Ed 306.07 School Facilities. The local school board shall require that the facilities operated by the school district for K-12 educational purposes are approved to operate or are conditionally approved to operate in accordance with Ed 320.

Ed 306.08 Learning and Instructional Resources. The local school board shall require that each school:

(a) Provides a developmentally appropriate collection of resources aligned to all learning and grade levels, including online and print materials, equipment, and technologies that shall be necessary to support the curriculum as well as the learning needs of all students;

(b) Provides that ~~learning~~ resources are, as appropriate:

- (1) Organized and accessible to students, staff, and parents; and
- (2) Managed through circulation policies and procedures that are designed to maximize the use of the resources;

(c) Integrates the following ~~learning opportunities~~ across curricular areas when appropriate:

- (1) Accessing information efficiently and effectively;
- (2) Evaluating information and sources critically and competently;
- (3) Citing sources and not plagiarizing;
- (4) Using information accurately and creatively;
- (5) Pursuing information related to personal interests;
- (6) Appreciating literature and other creative expressions of information;
- (7) Striving for excellence in information-seeking and knowledge generation;
- (8) Recognizing the importance of information to a democratic society;
- (9) Practicing ethical behavior in regard to information and information technology;
- (10) Participating effectively in groups to pursue and generate information; and
- (11) Activities to promote the development of reading, viewing, and listening skills; and



(d) Implements a plan approved by district administration for ongoing development, organization, acquisition, maintenance, replacement, and updating of curriculum and learning resources necessary to support the needs of students.

**Repeal Ed 306.09, effective 3-27-14 (Document #10556), as follows:**

~~Ed 306.09 Custodial and Maintenance Services.~~

~~— (a) The local school board shall provide for each school such custodial services as are necessary to ensure a clean, sanitary, and safe physical plant and grounds. The school plant shall be cleaned on a daily basis when school is in session. School repairs and maintenance shall be performed on a regular basis.~~

~~— (b) All school staff, including custodians, maintenance workers, food service workers, educators, support staff, and administrators shall receive training on their roles in maintaining clean, healthy school facilities and the importance of quality indoor air; and~~

~~— (c) Schools shall minimize the use of toxic chemicals for cleaning and pest control. Staff shall not be permitted to bring cleaning products or pesticides into a school without approval from the school administration.~~

**Readopt with amendment and renumber Ed 306.10 and Ed 306.11, effective 3-27-14 (Document #10556), as Ed 306.09 and Ed 306.10 to read as follows:**

Ed 306.09 Administrative Support Services. The local school board shall ensure that all school records ~~shall be~~ maintained in accordance with local policy, state laws and rules, and federal laws and regulations.

Ed 306.10 Food and Nutrition Services.

(a) For the purposes of this rule, students under the jurisdiction of a school shall include all students enrolled in preschool or kindergarten within a building controlled by the school district.

(b) The local school board or local board of directors of a public school district shall:

(1) Require that each school makes a meal available during school hours to every student under its jurisdiction, in accordance with RSA 189:11-a, I-II;

(c) Preschool-aged students receiving limited special education services under an IEP that does not overlap with a scheduled mealtime of the school shall be exempt from the meal requirements in (b) above.

(d) A school district may request a waiver from the requirements set forth in (b) above to the state board for an entire school or for any educational program provided within the school district.

(e) Such request for a waiver shall include:

(1) The school and grades for which the school board is seeking the waiver;

(2) The reason(s) the waiver is being requested;

(3) The length of the requested waiver;

(4) Steps that the local school board or board of directors will take to ensure compliance with the requirements of RSA 189:11-a, I-II and these rules; and

(5) The date when the waiver is likely to no longer be required.

(f) A waiver shall be approved if the state board determines that the school district has reasonable basis not inconsistent with the purpose of RSA 189:11-a and this section, after reviewing the information from the waiver request provided in (e) above, for not being able to satisfy the requirements of RSA 189:11-a, I-II and in (b) above.

(g) The state board shall not approve a waiver to exceed one year from the date of the approval of the waiver request.

(h) Nothing contained in these rules shall prohibit any school district from seeking a waiver request in a subsequent year if the requirements set forth in RSA 189:11-a, I-II and (b) above were not satisfied during the approved waiver period.

(i2) The local school board shall provide a qualified individual(s) to:

(1)a. Oversee the operation of school meals;

(2)b. Maintain proper resources that meet state and federal regulations; and

(3)e. Maintain state health requirements for each school site within the district;~~;~~~~and~~

~~(3) Require that each newly constructed school or renovated kitchen or cafeteria provide space for the preparation and consumption of meals in compliance with Ed 321.12(d).~~

(j)b All food service employees shall, within their first year of employment, obtain a certificate of completion for an approved sanitation course.

(k)e Students shall be provided with an adequate time to consume meals in each elementary, middle, and high school in accordance with the federal Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265).

(l)d If a waiver is granted pursuant to ~~(fa)(1)~~ above due to inadequate space, the school district shall make provisions in the next school physical plant expansion provisions to house a food service preparation and consumption area that is in compliance with Ed 321.03(r)12(d).

(m)e Any school choosing a standard for foods available at school which is not consistent with the USDA standard for Child Nutrition Programs, shall request a waiver from the department. The department shall evaluate the alternative standards and shall grant the waiver if the alternative standards are determined to be equivalent to the nutrition standards of 7 CFR Part 210.

**Readopt with amendment and renumber Ed 306.12, effective 11-14-17 (Document #12418), as Ed 306.11 to read as follows:**

Ed 306.11 School Health Services.

(a) In accordance with federal and state law, including, but not limited to, the Family Educational Rights and Privacy Act (FERPA), Section 504 of the Rehabilitation Act of 1973, RSA 141-C, RSA 169-C, RSA 200:26-41, and RSA 326-B, the local school board shall require that each school provides qualified personnel to carry out appropriate school health-related activities.

(b) Each registered nurse, licensed practical nurse, or licensed nursing assistant employed by a school district shall hold such current license under RSA 326-B.

(c) If a school nurse or licensed practical nurse is not available to a school for any reason, at least one other person who has a current first aid and cardiopulmonary resuscitation ~~-certification~~ (CPR) certification shall be available.

**Repeal Ed 306.14, effective 8-9-19 (Document #12845), as follows:**

~~Ed 306.13 RESERVED~~

~~Ed 306.14 Basic Instructional Standards.~~

~~(a) The local school board shall require that each school has an instructional program which includes the following:~~

- ~~(1) A policy on homework, including its relationship to the grading system;~~
- ~~(2) An organized plan for recording student progress in meeting district and graduation competencies in alignment with RSA 193-C:3;~~
- ~~(3) A policy for promoting students from one learning level to another based on achievement of district competencies in alignment with RSA 193-C:3;~~
- ~~(4) Instructional materials and resources matched to the appropriate skill levels of students;~~
- ~~(5) A policy that outlines how digital literacy will be integrated in a developmentally appropriate manner across grades 1-12 instruction, and how the district or graduation competencies associated with digital literacy will be assessed either alone or in combination with other district or graduation competencies and assessments;~~
- ~~(6) A policy outlining how students will demonstrate achievement of district and graduation competencies including the awarding of credit for required subjects and open electives;~~
- ~~(7) A policy encouraging students to pursue and demonstrate advanced course work, including advanced placement courses in high school, dual enrollment in college courses; and~~
- ~~(8) A policy encouraging students to have a plan for summer activities that support student learning.~~

~~(b) The instructional program shall enable students to demonstrate achievement of graduation competencies in alignment with RSA 193-C:3.~~

**Readopt with amendment and renumber Ed 306.15, effective 3-27-14 (Document #12845), as amended effective 8-9-19 (Document #12845), as Ed 306.12 to read as follows:**

Ed 306.12 Provision of Staff and Staff Qualifications.

(a) To carry out the educational program ~~established by these rules and local school board policy~~, the local school board shall require that each school provides:

- (1) The services of a licensed principal, ~~a licensed library media specialist~~, and a licensed school counselor(s);
- (2) Professional staff members licensed by the department in accordance with Ed 500 and Ed 600;
- ~~(3)~~ For the hiring and training of educators licensed under Ed 500 to facilitate learning in their credentialed content area or as assigned by the superintendent pursuant to (b) below;
- (4) The number of educators sufficient to satisfy the student-educator ratios in Ed 306.14;

~~(53)~~ In each elementary school, the services of a licensed reading specialist and library media specialist to facilitate the delivery of language arts and reading curriculum; and

~~(64)~~ In each middle and high school, the services of a library media specialist to support the management of the learning and instructional resources requirements of Ed 306.08; ~~and~~

~~(5) Educators in accordance with class size requirements in Ed 306.14.~~

(b) An educator with sufficient content knowledge, as determined by the superintendent, may be assigned to teach in a content area in which they are not credentialed, so long as the total minor assignment(s) is less than 50 percent of the individual’s weekly hours of instruction.

(c) In carrying out the school counseling program, the local school board shall require that:

(1) The counseling load in each elementary school shall not exceed the equivalent of one full-time licensed school counselor per 500 students enrolled;

(2) The counseling load in each middle school and each high school shall not exceed the equivalent of one full-time licensed school counselor per 300 students enrolled;

~~(32)~~ High schools with more than 4 school counselors shall provide a high school level licensed director of school counseling to coordinate the implementation of the school counseling program plan and policy, unless (4) below applies; and

~~(43)~~ District level licensed directors of school counseling to coordinate K-12 implementation of the school counseling program plan and policy shall be provided in districts where the number of school counselors across all schools exceeds 10.

~~(de)~~ The local school board shall require that each school with an enrollment of 500 or more students provides the services of an assistant principal or 2 or more persons with administrative licensure under Ed 506 who together act as a full-time equivalent to carry out administrative duties assigned by the superintendent in accordance with local school board policy.

~~(ed)~~ The local school board may provide for each school the services of additional staff to facilitate the use of the learning and instructional resources described in Ed 306.08 and the technological resources needed to facilitate the digital literacy program described in Ed 306.36.

~~(e) Pursuant to RSA 189:24, and in accordance with Ed 500 and Ed 600, the local school board shall require that each professional staff member is licensed for assignment by the department.~~

**Readopt with amendment and renumber Ed 306.16 and Ed 306.17, effective 3-27-14 (Document #10556), as Ed 306.13 and Ed 306.14 to read as follows:**

Ed 306.13 Professional Development.

(a) The local school board shall require that schools ~~shall~~ comply with the professional development requirements enumerated in Ed 513.

(b) The school administration shall require that:

(1) Each licensed educator’s individual professional development plan required under Ed 513.03 is aligned with the professional development master plan; and

(2) The professional development activities included in the professional development master plan are designed to improve professional knowledge, as measured in its success in meeting students' needs and improving students' learning.

Ed 306.14 Student-Educator Ratios.

(a) The local school board shall establish student-educator ratios that promote student learning—~~as appropriate~~ for each learning opportunity and learning level based upon school safety policies, content, instructional method, and the characteristics of learners, and the following:

(1) Kindergarten – grade 2, 25 students or fewer per educator, provided that each school shall strive to achieve the class size of 20 students or fewer per educator;

(2) Grades 3-5, 30 students or fewer per educator, provided that each school shall strive to achieve the class size of 25 students or fewer per educator; and

(3) Middle school and high school, 30 students or fewer per educator.

(b) Student-educator ratios may be exceeded for study halls, band and chorus, and other types of large group instruction, including but not limited to lectures and showing of educational television and films.

(c) In the interest of safety, the maximum number of students in laboratory classes in such areas as science and CTE shall be determined by the number of workstations and the size and design of the area.

**Readopt with amendment and renumber Ed 306.18, effective 2-19-22 (Document #13356), as Ed 306.15 to read as follows:**

Ed 306.15 School Year.

(a) Each school shall maintain a school calendar which provides for 180 days of instruction or the required number of instructional hours, which may result in fewer than 180 days.

(b) Each school district shall maintain a school year as provided below, which shall identify the total instructional hours offered and recognize that students advance upon achievement of competencies, not based on seat time, pursuant to Ed 306.22+(j):

(1) At least 450 hours of instructional time in kindergarten;

(2) At least 945 hours of instructional time in elementary school grades 1-6; and

(3) At least 990 hours of instructional time in each year grades 7-12.

(c) The instructional school day of an individual student shall not exceed 5.75 hours of instructional time in elementary schools and 6 hours of instructional time in middle and high schools.

(d) Schools shall use additional hours to reschedule lost instructional time before requesting a waiver of the amount of instructional time under RSA 189:2.

(e) There shall be no requirement to reschedule instructional time for kindergarten if morning or afternoon kindergarten sessions are cancelled due to delayed opening or early release for students in grade 1 or higher.

(f) Remote learning conducted in accordance with Ed 306.18(c) shall count toward the required amount of instructional time.

(g) Advisory periods in middle and high schools shall be counted as instructional time.

(h) Lunch time, home room periods, passing time, and breaks shall not be counted toward the required amount of instructional time. Elementary schools may count recess as instructional time for pupils in kindergarten through grade 6.

~~(i) The high school graduation date shall be set no earlier than the completion of the required 990 hours of instructional time.~~

**Repeal Ed 306.19, effective 3-27-14 (Document #10556), to read as follows:**

~~Ed 306.19 School Calendar. Each school shall maintain a school calendar.~~

**Readopt with amendment and renumber Ed 306.20-Ed 306.21, effective 3-27-14 (Document #10556), as Ed 306.16-Ed 306.17 to read as follows:**

Ed 306.16 CTE Programs.

(a) CTE programs, as defined in Ed 306.02(c), shall be available to meet specific educational, district, and graduation requirements, as outlined below:

(1) Every public high school shall be identified within a CTE region as established in accordance with RSA 188-E and Ed 1302 and be included in the regional agreement established pursuant to Ed 1304.02; and

(2) Every public high school shall make all students aware of programs available at the regional CTE center.

(b) Receiving districts shall make every effort to offer opportunities to every qualified student in the region who desires to participate in a program at the CTE center, in accordance with the formula for participation prescribed in the respective regional agreement.

(c) CTE cooperative agreements shall require the sending and the receiving school districts to coordinate calendars and schedules to maximize students access to CTE programming pursuant to Ed 1304.02.

(d) Every public high school student shall have access to programs at the regional CTE center subject to attainment of prerequisites and space availability within the program in a CTE center and the sending school budget restrictions.

(e) Prerequisites shall be directly related to a student's ability to successfully complete the CTE program of core technical competencies vetted by business and industry and postsecondary institutions.

(f) Each CTE center shall report aggregate data to all sending schools regarding student performance disaggregated by each CTE program.

(g) An approved CTE program shall be one that:

(1) Delivers multi-level career and technical education, as defined in Ed 306.02(c), in sequential fashion, based on curriculum-specific competencies endorsed by CTE and business leaders;

(2) Uses competencies aligned with national industry standards that have been vetted through both business and industry and postsecondary education;

(3) Offers students a career pathway plan of study that establishes an educational progression from secondary through postsecondary, which culminates in:

- a. A postsecondary educational degree or credential in the student’s chosen career field; or
  - b. Opportunities in the student’s identified career field in a supportive capacity for students with disabilities whose IEP teams have determined that the student, even with accommodations or modifications, is unable to meet licensure or certification requirements;
- (4) Implements third-party assessments as recognized and designated by the department;
- (5) Offers approved CTE programs in a safe environment for students that:
- a. Meet safety standards established by national associations and adopted as administrative rules by New Hampshire licensing boards for that career; and
  - b. Adheres to class sizes pursuant to Ed 306.14;
- (6) Coordinates with postsecondary or apprenticeship programs, or both; and
- (7) Coordinates with business and industry-based programs.

Ed 306.17 Alternative ProgramsCourse of Study.

(a) “Alternative Programcourse of study” means the delivery of a student’s learning opportunities through individualization, personalization, and differentiated methods designed to address the needs of individual students or groups of students that might be different from the learning opportunities used by the schools of the district for the student population.

(b) An alternative programcourse of study may be housed in the same facility as a school or at a different location.

(c) An alternative programcourse of study shall be:

- (1) Designed to address the personalized and differentiated needs of students; and
- (2) Approved by the local school board in a plan that:
  - a. States the goals of the course of studyprogram and curriculum to be provided;
  - b. Enables students to opt into the program at the request of the students’ parent or guardian;
  - c. Specifies the procedures for assessing and implementing the course of studyprogram consistent with RSA 193-C:3, III;
  - d. Specifies when the course of studyprogram would be offered, which may be at a time other than during the regular school day;
  - e. Demonstrates how the alternative course of studyprogram will enable the participating students to achieve the same district competencies and graduation requirements outlined for all students ~~and consistent with RSA 193 C:3~~; and
  - f. Details how ELOs, remote learning pursuant to Ed 306.18, and other learning opportunities will be incorporated as a learning option for all students.

(d) Alternative courses of studyprograms for students with disabilities shall meet the requirements of confidentiality of information pursuant to Ed 1119.

(e) Annually, a school administrative unit (SAU) that implements an alternative ~~course of study~~program shall report the program to the department.

(f) Each student participating in an alternative ~~program~~course of study shall participate in the state assessment exam, when applicable.

(g) Assignment of students to an alternative ~~program~~course of study shall be voluntary and require written approval from the parent or guardian.

(h) Staff assigned to an alternative ~~program~~course of study shall meet the same licensure requirements as staff assigned to schools in accordance with Ed 306.12.

(i) Students in an alternative ~~program~~course of study shall be provided student services equivalent to those provided in schools including, but not limited to:

(1) Food and nutrition services under Ed 306.10;

(2) Health services under Ed 306.11; and

(3) Counseling services.

(j) The school year for alternative ~~programs~~courses of study shall meet the requirements of Ed 306.15.

(k) Alternative ~~programs~~courses of study which result in the awarding of a high school diploma shall meet the requirements of Ed 306.232~~(de)~~.

(l) Alternative ~~programs~~courses of study which are supervised by the principal of a school shall be considered part of that school for reporting and assessment purposes, and for school approval under Ed 306.243.

(m) Alternative ~~programs~~courses of study which are supervised by a district level administrator shall be considered a separate school of the district for reporting and assessment purposes, and for school approval under Ed 306.243.

**Readopt with amendment and renumber Ed 306.22, effective 2-19-22 (Document #13356), as Ed 306.18 to read as follows:**

Ed 306.18 Remote Learning.

(a) All students shall have access to full-year, full-day instruction, in-person as required in RSA 189:1 and RSA 189:24. Remote learning shall satisfy the requirement for in-person instruction when conducted in accordance with (c) below.

(b) Remote learning opportunities may include, but not be limited to, blended or hybrid online and in-person, completely online, video-based, internet-based courses of study~~5~~, or any combination thereof.

(c) Remote learning shall satisfy the requirements of RSA 189:1 and RSA 189:24 under the following conditions:

(1) When inclement weather makes it unsafe to safely transport students to or from in-person instruction;

(2) As an option for a parent or guardian making a request for remote learning; or

(3) As articulated in a parent-approved alternative ~~program~~course of study approved by the local school board pursuant to Ed 306.17(c).



(d) When the district offers remote learning, the school board shall be responsible for the development of a policy for the governance and administration of remote learning.

(e) If a student participating in remote learning is not making educational progress, as determined by the district's educational assessments, the option to participate in remote learning may be rescinded by the district.

(f) A parent or guardian may appeal a district determination that a student is not making educational progress pursuant to the district's educational assessments to the state board under Ed 200.

(g) A student shall remain in remote learning until the conclusion of the appeal in (f) above. If the state board upholds the district's conclusion that the student is not making educational progress pursuant to the district's educational assessments, the student shall immediately be disqualified from continued participation in the district's remote learning opportunity.

(h) School districts may cooperate to share delivery of remote learning opportunities.

**Repeal Ed 306.23, effective 3-27-14 (Document #10056), as follows:**

~~Ed 306.23 Statistical Reports; Accountability.~~

~~(a) Each school district shall establish a local education accountability system in order to collect data needed for evaluation of the district's compliance with state and federal laws on school accountability. The department shall integrate its accountability system with local accountability systems so as to allow for comparison and analysis of such data.~~

~~(b) Each district shall file statistical reports with the department as required under RSA 189:28. A request from a district to the department for statistical data needed by a district for filing a statistical report shall be submitted to the department at least 60 days before the district's report is due.~~

~~(c) Each school district required under RSA 193 H:4 to create a local education improvement plan shall file such a plan with the department within 90 days of being found to be in need of improvement under RSA 193 H:3. The plan shall be aligned to meet state goals and student performance indicators.~~

**Readopt with amendment and renumber Ed 306.24, effective 3-27-14 (Document #10056), as Ed 306.19 to read as follows:**

Ed 306.1924 Local Assessment and Accountability.

(a) Each school district shall establish a local education accountability system which may integrate with the department's accountability system to allow for comparison and analysis of such data.

(b) Each school district shall file statistical reports with the department as required under RSA 189:28. Should a district need statistical data from the department for filing a statistical report, the district shall submit a request to the department at least 60 days before the district's report is due.

(ca) The local school board shall require that each school:

(1) Provides for the ongoing assessment of district competencies and graduation requirementseompeteneies through the use of local assessments that are aligned with state and district content and performanceelocal standards as provided in (b) below;

~~(2) Participates in the state-wide education improvement and assessment program as provided in (e) below;~~

~~(3) Participates in the New Hampshire performance assessments;~~

~~(4) When selected by the United States Department of Education, National Center for Education Statistics participates in the National Assessment of Education Progress (NAEP); and~~

~~(5) Supports student development of individual student digital portfolios.~~

~~(b) The following elements shall be used as evidence by the department in determining whether a school complies with the requirements of (a) above:~~

~~(21) The school has a process for the selection, use, and interpretation of local assessment instruments;~~

~~(32) The school supports the authentic assessment of student learning outcomes through multiple formative and summative assessment instruments, including, but not limited to:~~

~~a. Educator observation of project-based learning, including off-site learning projects;~~

~~b. Competency-based assessments; ~~or~~~~

~~c. pPerformance-based assessments;~~

~~e. Educator observations of student performance; and~~

~~d. Project evaluation rubrics used to evaluate program proficiencies applied to integrated curriculum assignments, ELOextended learning opportunities, CTEcareer and technical education opportunities, and out of school learning environments; and~~

~~(3) The school provides professional development for educators in the use of diagnostic tools to adjust instruction to meet personalized needs of students and to monitor progress; and~~

~~(4) The school has a systematic process for collecting and analyzing assessment data to:~~

~~a. Identify needs for improvement; and~~

~~b. Determine the effectiveness of educational programs in meeting student performance goals.~~

~~(c) Each school shall maintain the following as evidence of participation in the state-wide education improvement and assessment program established under RSA 193-C:~~

~~(1) Written guidelines for the inclusion of and accommodations for student participation, including, but not limited to, inclusion of and accommodations for:~~

~~a. Students in major racial and ethnic groups;~~

~~b. Students with disabilities;~~

~~c. Economically disadvantaged students; and~~

~~d. Students with limited English proficiency;~~

~~(2) Procedures for test security and the accurate inclusion of student data; and~~

~~(3) Procedures by which assessment results are communicated to:~~

~~a. Parents;~~

-

~~b. Faculty; and~~

-

~~c. The community.~~

(d) For programs at all K-12 levels, schools shall report the academic performance of all students on a regular basis by providing the following:

(1) A summary of individual student performance to parents at least 3 times each year; and

(2) The opportunity for parents to meet individually with each of their students' teachers about their students' performance at least once during each school year.

**Readopt with amendment and renumber Ed 306.25, effective 3-27-14 (Document #10556), as Ed 306.20, to read as follows:**

Ed 306.~~2019~~ School Psychological Services.

(a) If a district employs a school psychologist as an optional service pursuant to RSA 189:49, IV, the standards in (b)-(e), in addition to the requirements below, shall apply:

(1) Nothing in this section shall prevent a school district from contracting services with a qualified school psychologist;

(2) All such psychological services ~~shall~~must comply with federal Every Student Succeeds Act (ESSA) requirements, including informed written consent; and

(3) All such services ~~shall~~must comply with state and federal student privacy laws and rules, including parental notification and consent requirements.

(b) Employing school districts shall require that school psychological services are provided by certified school psychologists in a coordinated, organized fashion, and are deployed in a manner that results in the provision of a comprehensive continuum of services.

(c) School psychologists shall use assessment findings to diagnose educational and behavioral disorders and to facilitate educational treatment planning.

(d) Employing school districts shall ensure that an effective program of supervision and evaluation of school psychological services exists.

(e) School psychologists in cooperation with their employing districts or agencies shall be responsible for the overall development, implementation, and professional supervision of school psychological service programs.

(f) Employing school districts shall ensure that parental consent and student information are protected as required under applicable state and federal law.

**Readopt with amendment and renumber Ed 306.26, effective 6-10-22 (Document #13394), as Ed 306.21 to read as follows:**

Ed 306.2~~10~~ Kindergarten Through Grade 8 School Curriculum.

(a) The local school board shall require that in each school there is an elementary school curriculum aligned to state academic standards that outlines district competencies for the grades 1-8 and includes:

- (1) Procedures for identifying personalized learner needs and interests;
- (2) Methods and strategies for facilitating learning, including but not limited to personalization, individualization, and differentiation;
- (3) Techniques for the evaluation of student outcomes, including performance assessment of competencies; and
- (4) Opportunities for students to receive timely, personalized, and differentiated support based on their individual learning needs.

(b) The local school board shall adopt ~~where applicable~~, for each school offering kindergarten, a kindergarten curriculum in compliance with RSA 193-E:2-a, II-a that supports:

- (1) Unstructured time built into the school day for the discovery of, and methods and strategies for the fostering of, each child's individual talents, abilities, and needs;
- (2) Child development and learning in all domains, including, but not limited to:
  - a. Physical;
  - b. Social;
  - c. Cognitive; and
  - d. Language;
- (3) Child-directed experiences based on play-based learning that comprise:
  - a. Movement;
  - b. Creative expression;
  - c. Exploration;
  - d. Socialization; and
  - e. Music; and
- (4) A reading curriculum that includes, but is not limited to, phonemic awareness, phonics, vocabulary, fluency, and comprehension.

(c) The local school board shall distribute instructional time to allow each student to make progression towards ~~competency~~ proficiency in competencies in the following areas:

- (1) For the elementary grades 1-8, where no middle school has been established by vote of the local school board:
  - a. Arts education, including music and visual arts;
  - b. English language arts, and reading, writing, speaking, and listening, to include:
    1. Instruction in cursive handwriting by the end of grade 5;
    2. No later than July 1, 2027, measurable, evidence-based literacy instruction for all students through grade 5 to include:



i. Social studies, including:

1. Civics, government, economics, geography, and history; and

2. Holocaust and genocide education, starting no later than grade 8 pursuant to Ed 306.46;

j. Engineering and technology including technology applications~~Technology and engineering;~~and

~~k. Holocaust and genocide education; and~~

l. An optional world language, if offered, as enumerated in Ed 306.04(b)(21)f.

(d) If co-curricular programs are offered, they shall consist of those activities that are designed to supplement and enrich regular academic instruction, provide opportunities for social development, and encourage participation in clubs, athletics, performing groups, and service to school and community. As outlined in Ed 306.22~~4~~(~~cg~~)(5), achievement of competencies through co-curricular activities shall be counted towards graduation credit.

(e) If a district chooses to offer ELOs in a middle school or a student requests an ELO and the district has the available resources, the ELOs shall:

(1) Consist of activities designed to:

a. Allow a student to demonstrate achievement of competencies or supplement learning opportunities; and

b. Promote the schools' and individual students' educational goals and objectives;

(2) Be governed by the ELO policy as outlined in Ed 306.04(b)(21~~0~~)e.;

(3) Incorporate student participation in selecting, organizing, and carrying out ELOs; and

(4) Be available to all students.

**Readopt with amendment and renumber Ed 306.27, effective 6-10-22 (Document #13394), as amended effective 1-15-21 (Document #13159), as Ed 306.22 and Ed 306.23 to read as follows:**

Ed 306.22~~4~~ High School Curriculum, Credits, and Co-curricular Programs.

(a) The local school board shall require that the curriculum content and learning opportunities developed for each high school outlines district competencies leading to graduation.

(b) School districts shall develop district~~course~~ competencies, based on state New Hampshire academic standards where applicable, for all courses of study. School districts may use state model ~~course~~ competencies to develop minimum district~~course~~ competencies.

(c) The required locally approved curriculum content shall comply with the following:

(1) The program of studies shall include those learning opportunities in which students demonstrate achievement of competencies as outlined in table 306-1 or table 306-2 when applicable;

(2) Learning opportunities, including ELOs, shall be planned for the achievement of competencies leading to high school graduation;

(3) ~~The~~ Learning opportunities shall include:

- a. Procedures for identifying learner needs and interests;
- b. Methods and strategies for facilitating learning, including but not limited to personalization, individualization, and differentiation;
- c. Techniques for the evaluation of student outcomes, including performance assessment of competencies; and
- d. Opportunities for students to receive timely, personalized, and differentiated support based on their individual learning needs; and

(4) ELOs shall:

a. Consist of activities designed to:

1. Allow a student to demonstrate achievement of competencies or supplement learning opportunities; and
2. Promote the schools' and individual students' educational goals and objectives;

ba. Be governed by a policy adopted by the local school board as outlined in Ed 306.04(b)(~~21~~)e.

cb. Incorporate student participation in selecting, organizing, and carrying out ~~extended learning activities~~ ELOs; and

de. Be available to all students; and

~~(5) "Co-curricular program" means an opportunity for students to participate in activities designed to meet their needs and interests, including activities that:~~

- ~~a. Supplement, enrich, and make regular academic courses accessible;~~
- ~~b. Provide opportunities for social development;~~
- ~~c. Encourage participation in the arts, athletics, and other cooperative groups;~~
- ~~d. Encourage service to school and community; and~~

~~e. Cocurricular programs shall offer students the opportunity to demonstrate Earn credit leading to graduation through achievement of competencies that earn credit leading to graduation.~~

(d) Each local high school shall provide reasonable accommodations for cocurricular activities as appropriate in order to allow for full access and participation by students with a disability~~ies, as defined in RSA 186-C:2, I.~~

(e) The local school board shall require a program of studies with learning opportunities offered to high school students ~~to demonstrate proficiency of competencies~~ in the following areas:

- (1) Arts education, including music and visual arts;
- (2) Business education;

- (3) CTE;
- (4) English language arts and reading;
- ~~(5) Family and consumer science;~~
- (56) Health and wellness education;
- ~~(67) Physical education;~~
- ~~(78) Digital literacy;~~
- ~~(89) Mathematics;~~
- ~~(940) Computer science;~~
- ~~(1044) Logic and rhetoric;~~
- ~~(1142) Science;~~
- ~~(1243) Social studies, including civics, government, economics, geography, history, and Holocaust and genocide education;~~
- ~~(1314) Technology and eEngineering and technologies, including technology applications;~~
- ~~(1445) World languages;~~
- ~~(16) Holocaust and genocide education;~~
- (157) ELOs; and
- (168) Personal finance ~~and financial~~ literacy.

(f) Each high school shall offer maximum student learning opportunities, in and out of the classroom, while at the same time specifying a basic number of courses that each high school shall offer.

(g) Students shall be awarded credit leading to graduation by ~~demonstration of proficiency~~ demonstrating achievement of competencies by completion of:

- (1) A ~~competency based assessment that supports a collection of a defensible body of evidence in how students demonstrating a student's achievement~~ proficiency of competencies;
- (2) An assessment demonstrating achievement of competencies approved by the local school district for a particular course; or
- (3) An assessment approved by the department demonstrating achievement of competencies if the local school district has not developed an assessment.

(h) The local school board shall require that graduation be based on demonstrated ~~achievement~~ proficiency of competencies through the accumulation of credits outlined in ~~Table 306-1 or table 306-2 when applicable~~, and certified by the school principal or designee.

(i) Each high school shall ensure that learning opportunities support student's achievement of competencies and lead to meeting local graduation requirements.



(j) Credits shall be awarded for achievement of competencies. Credits shall not be awarded based on time spent achieving these competencies.

(k) Students may demonstrate achievement of competencies and be awarded credit through student demonstration of a defensible collection of evidence or other assessment evidence at a proficient level gained through prior learning opportunities.

(l) The items in (e) above shall not limit opportunities to develop learning opportunities that meet the needs of each student.

(m) The programs of studies in (e) above may be offered and coordinated individually or through interdisciplinary studies.

(n) Competency in a subject area may be earned through interdisciplinary learning.

(o) Students shall engage with and apply English language arts, and mathematics competencies during every year they are enrolled in high school even if all required competencies for English language arts, and mathematics have been demonstrated. Such engagement may occur through integration of these competencies in learning opportunities focused on content areas other than English language arts, or mathematics. Nothing contained in this section shall preclude a school or district from offering learning opportunities in addition to the minimum outlined in this chapter.

(p) There shall be a minimum of 20 credits for a regular high school diploma, unless the local school board has set a requirement of more than 20 credits for a regular high school diploma, in which case the local credit requirement shall apply. The local school board shall require that each high school offers courses or learning opportunities as specified in (e) above.

(q) The following shall apply relative to the required program of studies:

(1) The local school board shall verify in writing to the commissioner that each high school offers a total of at least 43 courses learning opportunities in each across the required program areas as outlined in (5) below when the school seeks approval or renewal of approval under Ed 306.2~~43~~;

(2) Each high school may use any relevant title to identify a particular course of study;

(3) Local school boards may propose innovative ways to meet or exceed the requirements in ~~(e)~~ above, pursuant to Ed 306.2~~54~~;

(4) Local school boards shall ensure that courses necessary to meet the requirements for achievement of competencies as defined in (5) below are offered to district students enrolled in high school at no additional cost to the students and does not preclude offering learning opportunities outside of the district resources;

(5) The following required courses in program areas shall be offered by each high school:

a. Arts education, including music and visual art;

b. Business education;

~~c. Family and consumer science;~~

c. Physical education;

d. Digital literacy;

- e. Personal finance literacy;
- f. World languages;
- g. Health and wellness education;
- h. Engineering and technologies, including Ttechnology applicationeducation;
- i. English;
- j. Mathematics;
- k. Science;
- l. Logic and rhetoric;
- m. Social studies, including civics, government, economics, geography, history, and Holocaust and genocide education; and
- n. Computer science;

(6) Course requirements under (5) above may be met through school identified and sanctioned remote learning under Ed 306.18 subject to the following:

- a. Students shall be provided learning opportunities that enable them to demonstrate achievement of competencies in courses required for graduation;
- b. Students shall not be required to take these courses to demonstrate achievement of competencies leading to graduation. Duplicate, equivalent, or additional courses in those learning opportunity areas may be offered through remote learning, ELOs, or other alternative programscourses of study;
- c. Remote learning opportunities or other alternative courses or programs to be counted toward the 43 courses required in (5) above shall be identified in the school's program of studies;
- d. The school shall provide, where necessary, all equipment, software, and internet connectivity necessary to participate in district-based remote learning or alternative programscourses of study or learning opportunities that are to be counted toward the 43 courses required in (5) above;
- e. In the cases where the school has determined that there is no other way to provide a required course, the costs of registration shall be borne by the school district for courses or alternative programscourses of study to be counted toward the 43 courses required in (5) above; and
- f. At least one staff member shall be identified and available to assist students having difficulty with remote learning and other alternative programscourses of study;

(7) Courses offered at regional CTE centers and available to all high school students may be counted toward the 43 courses required in (5) above to be offered at each host or sending high school in the region and be identified in the school's program of studies;

(8) Students demonstrating achievement of competencies acquired through CTE courses shall be awarded credit leading to graduation;

(9) Nothing in this section shall prevent a high school from offering classroom learning opportunities, remote learning, independent study programs, CTE courses, or ELOs in addition to the courses required in (5) above, and schools shall not be required to pay for student registration or similar fees for additional courses or programs; and

(10) Nothing in this section shall prevent a student from demonstrating achievement of competencies through classroom learning opportunities, CTE courses, remote learning, independent study, or ELOs to meet the graduation requirements of Ed 306.2~~32~~(fg) consistent with local district policies.

Ed 306.2~~32~~ Graduation Requirements.

(a) The local school board of each high school shall award a regular high school diploma to those students who demonstrate achievement of competencies as encompassed in at least 20 credits included in table 306-1 or table 306-2 when applicable.

~~(b) Each student, as a prerequisite to receiving a high school diploma from a public school, shall fulfill the requirements of RSA 193:26 a, relative to the Free Application for Federal Student Aid (FAFSA). A model waiver shall be made available to school districts by the state board.~~

~~(be)~~ The local school board of each high school shall award a regular high school diploma to all students, with and without disabilities, who have achieved and demonstrated their local high school's competencies aligned to graduation requirements.

~~(cd)~~ The local school board of a district which does not operate a high school may award a high school diploma if the following are met:

(1) The district has contracted with a public academy, as defined in RSA 19~~43~~:23, II, to be the high school for the district, as authorized by RSA 194:22; and

(2) Students have attended a school other than the public academy.

~~(de)~~ The awarding of different types of diplomas shall be governed by the following:

(1) A school shall award a regular diploma for achievement and demonstration of the competencies that meet graduation requirements;

(2) A school may award a special diploma that recognizes academic achievement;

(3) Competencies achieved in adult education, including but not limited to night school, may be used to earn a regular diploma; and

(4) Students may earn certificates of completion or equivalency diplomas, but these shall not be equal to a regular high school diploma.

~~(ef)~~ The 20 credits required for graduation shall be distributed as specified in table 306-1 or table 306-2 when applicable. Attainment of 20 credits required for graduation that are based on the ~~state~~New Hampshire academic standards shall ensure that students meet the graduation requirements outlined in ~~(fg)~~ below.:-

~~(fg)~~ Graduation ~~requirements~~expectations shall:

(1) Encompass a complete body of interrelated student accomplishment and be considered as a whole, not as discrete silos; and

(2) Align with ~~applicable~~appropriate high school academic ~~content~~ standards; and

(3) ~~Require students to demonstrate~~ and apply competencies ~~their ability to apply and transfer their learning~~ in the following learning areas:

a. In the arts, ~~the ability to demonstrate competency in:~~

1. Creating, presenting, and performing artistic works; and
2. Responding and connecting to artistic works;

b. In digital literacy, the ability to use diverse technology tools and media to ~~demonstrate competency in:~~

1. Building new knowledge by inquiring, thinking critically, identifying, and solving problems;
2. Communicating clearly and creatively;
3. Working effectively with others in ways that are safe, legal, and ethical; and
4. Locating and critically assessing digital content to construct knowledge, produce creative artifacts, and make meaningful learning experiences for themselves and others;

c. In English, ~~the ability to demonstrate competency in:~~

1. Listening and speaking thoughtfully and purposefully to understand others and convey meaning;
2. Comprehending, analyzing, and critiquing a variety of literary and informational texts;
3. Creating written explanations, narratives, and logical arguments that effectively convey ideas, analyses, and critiques encompassing broad topics suitable for a variety of audiences; and
4. Correctly using the conventions of standard English such as grammar, punctuation, spelling, capitalization, and word usage in all written work;

d. In mathematics, ~~the ability to demonstrate competency in:~~

1. Understanding number systems and number sense, including computation concepts, strategies, and procedures;
2. Understanding numerical and graphical representations of data and the underlying logical and relational statements represented by those data;
3. Understanding geometric relationships and representations and underlying mathematical principles; and
4. Reasoning mathematically in the development of argument and logic;

e. In science, ~~the ability to demonstrate competency in:~~

1. Understanding foundational principles of physical and life sciences;

2. Designing and carrying out investigations to explore biological, chemical, and physical phenomena;
3. Analyzing and interpreting data to engage in argument from evidence; and
4. Recognizing, interpreting, modeling, and explaining evidence such as pattern, scale, proportion and quantity, cause and effect, and other cross-cutting concepts related to observable and non-observable phenomena;

f. In social studies, which includes United States and New Hampshire history, government and civics, economics, personal finance, and world history, ~~the ability to demonstrate competency in:~~

1. Understanding the history of the United States through multiple perspectives, including founding principles and the on-going struggle to realize those principles;
2. Understanding the governance and functioning of local, state, and federal government in a constitutional republic through multiple perspectives;
3. Understanding processes of civic engagement in a democratic society, including tolerance and well-mannered engagement across differences of perspective, philosophy, culture, race, and heritage;
4. Understanding important events marking world history and how those events have shaped cultural, political, and other aspects of civilization through multiple perspectives;
5. Recognizing local, state, national, and global geography, and understanding how geography has influenced humanity through multiple perspectives;
6. Understanding economic systems and their effect on individuals and society;
7. Effective planning and management of personal financial resources; and
8. Researching, inquiring, analyzing, and explaining historical, civic, government, geographic, and economic developments including interaction and interdependence through multiple perspectives;

g. In health and wellness and physical education, ~~the ability to demonstrate competency in:~~

1. Researching and comprehending concepts related to health promotion and disease prevention; and
2. Setting goals, advocating for, and pursuing positive health outcomes for oneself and others;

h. In logic and rhetoric:

1. Reasoning skill in analyzing problems and developing solutions;
2. Understanding the principle of cause and effect;
3. Developing critical thinking skills to better identify fact from unverified information; and
4. The skill of speaking and writing as a means of communication or persuasion;

ih. In open electives, ~~an opportunity to demonstrate competency in:~~

1. Pursuing areas of personal interest that instill a passion for lifelong learning; and
2. Making connections between education and career paths; and

ji. In all programs and courses, ~~the ability to demonstrate competency in:~~

1. Communicating effectively using multiple modalities, interpreting information using multiple senses, and demonstrating ownership of the work;
2. Thinking originally and independently, taking risks, considering alternate perspectives, and incorporating diverse resources;
3. Contributing respectfully, listening and sharing resources and ideas, accepting and fulfilling roles, and exercising flexibility and a willingness to compromise in both an academic and a career setting; and
4. Persevering in completing complex, challenging tasks, using self-reflection to influence work and goals, and engaging stakeholders to gain support.

(g) The 20 credits required for graduation shall be distributed as specified:

Table 306-1 Required Subjects and Credits for High School Graduation

<u>Required Subjects</u>	<u>Credit(s)</u>
<u>Arts education</u>	<u>½ credit</u>
<u>Digital literacy</u>	<u>½ credit</u>
<u>English</u>	<u>4 credits</u>
<u>Mathematics</u>	<u>3 credits, including algebra credit that can be earned through a sequential, integrated, or applied program</u>
<u>Physical sciences</u>	<u>1 credit</u>
<u>Biological sciences</u>	<u>1 credit</u>
<u>US and NH history</u>	<u>1 credit</u>
<u>US and NH government/civics</u>	<u>½ credit</u>
<u>Economics, including personal finance</u>	<u>½ credit</u>
<u>World history, global studies, or geography</u>	<u>½ credit</u>
<u>Health education</u>	<u>½ credit</u>
<u>Physical education</u>	<u>1 credit</u>
<u>Open electives</u>	<u>6 credits</u>
<u>Totals</u>	<u>20 credits</u>

(h) Beginning in the 2026-2027 school year for those students entering high school, the following credits shall be the minimum required for high school graduation:

Table 306-21 Required ~~Courses of Study and~~ Credits for High School Graduation

<del>Content Area</del>	<del>Required Courses of Study</del>	Credit(s)
Arts education		½ credit
Digital literacy		½ credit
English		<del>4.5</del> credits, <u>to include ½ credit in writing</u>
Mathematics		<del>3.5</del> credits, including algebraic <u>concepts</u> and at least ½ credit in statistics or data analysis
Physical sciences		1 credit
Biological sciences		1 credit
US History		<del>1</del> ½ credit
NH history		½ credit
Logic and Rhetoric		½ credit
Civics		½ credit
History, government and constitution of US and NH		1 credit
Economics		½ credit
Financial literacy		½ credit
World history, global studies, or geography		1 credit
Health <u>and wellness</u> education		½ credit
Physical education		1 credit
Open electives, <u>to include an option for career connected learning</u>		<del>4.5</del> credits
Totals		20 credits

(i~~h~~) In each high school, the minimum yearly course load for a student shall be at least the equivalent of 3 credits, except that this requirement may be modified for:

- (1) Students with an individualized education program (IEP) that has been developed in accordance with Ed 1109;
- (2) Students for whom early graduation has been approved as provided in Ed 306.04(b)(~~2019~~); or
- (3) Those individuals in special or unusual circumstances as provided by local school board policy.

(i~~j~~) The principal shall evaluate the transcripts of students who transfer into a secondary school from another educational program, or state, to determine previous educational experiences toward meeting competencies.

**Readopt with amendment and renumber Ed 306.28, effective 3-27-14 (Document #10556) and amended effective 8-9-19 (Document #12845), as Ed 306.24 to read as follows:**

Ed 306.2~~43~~ Approval Process.

- (a) Pursuant to RSA 186:8, II, and RSA 21-N:6, V, the department shall administer Ed 306.
- (b) The following school approval categories shall apply to the administration of Ed 306:

(1) Approved for a 5-year period provided that a school meets and continues to meet all requirements of Ed 306;

(2) Conditionally approved; and

(3) Unapproved.

(c) A school which does not meet all of the applicable requirements of Ed 306 shall be designated as conditionally approved, provided that:

(1) All identified deficiencies and a timetable for their correction shall be incorporated into the approval designation; and

(2) The department shall work with the school officials and the local school board toward correcting all deficiencies.

(d) A conditionally approved school which fails to meet the requirements of an approved school within 3 consecutive school years shall be designated as unapproved ~~unless approved for delay in full compliance under Ed 306.24.~~

(e) One year prior to the expiration of a school's approval, the chairperson of the local school board and the superintendent of the respective district shall provide documentation of compliance with all applicable standards.

(f) By October 1, the superintendent of schools shall electronically certify that the schools in the SAU meet all requirements of Ed 306 through the online Education Statistics System (ESS) school approval checklist; ~~and~~ at <https://my.doe.nh.gov/myNHDOE/Login/Login.aspx>.

(g) Pursuant to Ed 306.07, all facilities operated by the school district for K-12 educational purposes shall be approved to operate or conditionally approved to operate in accordance with Ed 320.

(h) A school not meeting the requirements of (g) above shall be designated as unapproved.

(i) If compliance with any other requirement of Ed 306 is in question, the school board chairperson and superintendent shall provide the commissioner with an alternative approval proposal as provided in Ed 306.25.4. If approved, the alternative approval proposal shall be made publicly available by the school district.

(j) The department shall designate qualified professionals to visit schools to conduct school monitoring visits to verify that a school complies with Ed 306.

(k) Each year the department shall provide an approval designation, as identified in (b) above, for each public school and public academy with an expiring approval status.

(l) The department shall notify in writing the chairperson of the local school board and the superintendent of each school's final approval designation.

(m) If the school board disagrees with the approval designation, the district may appeal the approval designation to the state board.

(n) An appeal to the state board shall be filed within 30 days after delivery of the approval designation.

(o) The appeal shall be filed, in writing, by giving notice to the chair of the state board.



(p) The district shall provide all evidence rebutting the approval designation with the appeal. Evidence presented to the state board shall be limited to evidence available to the department at the time of the department's monitoring of the district pursuant to (j) above.

(q) The state board shall hear the district's appeal at the next regularly scheduled state board meeting.

(r) Should the district wish to present oral argument to the state board, they shall file a separate request for oral argument at the time of the appeal. If the district requests oral argument, the department shall also have the opportunity may to provide oral argument to the state board if they so choose.

(s) It shall be the responsibility of the superintendent to notify the department of any change in conditions which affects a school's compliance with these rules.

**Readopt and renumber with amendment Ed 306.29, effective 3-27-14 (Document #10556), as Ed 306.25 to read as follows:**

Ed 306.2~~5~~<sup>4</sup> Alternative Approval.

(a) In order to meet the provisions of these rules and encourage innovation to achieve high standards for students, a local school board may request approval of an alternative method of compliance with the relevant rule or rules.

(b) To apply for alternative approval, the local school board shall submit a written request to the commissioner that includes:

- (1) The name(s) of school(s), district, or both;
- (2) The SAU number;
- (3) The contact person and telephone number;
- (4) The grades covered by the request;
- (5) The number of students affected;
- (6) Identification of the rule(s) for which the alternative plan is being submitted;
- (7) The local school board chairperson's signature;
- (8) A clear and concise written justification of the request; and
- (9) A plan which describes:
  - a. The alternative and consists of a statement of intent;
  - b. Method of implementation;
  - c. Evaluation procedures;
  - d. Timetable for development and implementation; and
  - e. An explanation of how the alternative is consistent with the statement(s) of philosophy, goals, and objectives adopted pursuant to Ed 306.05.

(c) The commissioner shall grant approval of the alternative for that period of time consistent with the school(s) approval designation, issued pursuant to Ed 306.2~~4~~<sup>3</sup>, if the request meets the following criteria:

- (1) The information provided is thorough and complete;
- (2) The school district has demonstrated that it is able to implement the alternative; and
- (3) The alternative is educationally sound and is consistent with the intent of the rule(s).

(d) The commissioner shall notify the local school board chairperson and the superintendent in writing of the decision.

(e) If the commissioner denies the request, the chairperson of the local school board or designee may appeal the decision and request a state board hearing.

(f) The appeal shall be filed, in writing, with the state board.

(g) The state board shall hear the district's appeal at the next regularly scheduled state board meeting.

(h) Should the district wish to present oral argument to the state board, the district shall file a separate request for oral argument at the time of the appeal. If the district requests oral argument, the department may provide oral argument.

**Repeal Ed 306.30, effective 3-27-14 (Document #10556), as follows:**

~~Ed 306.30 Delay in Full Compliance.~~

~~— (a) Notwithstanding any other provision of these rules and in accordance with the provisions of RSA 194:23 b, the state board shall approve, for a period of one year, a school, although it does not fully meet the requirements for an approved school, as established in these rules, if any of the conditions listed in (d)(1)-(5) below justify delay in full compliance.~~

~~— (b) A request for delay in full compliance shall be submitted in writing by the chairperson of the local school board to the commissioner.~~

~~(c) Each request shall specify the standard(s) to be delayed and provide written evidence to justify delay in full compliance, including the reason(s) for the request and a local plan and timetable for bringing the school, district, or both into full compliance.~~

~~— (d) Upon review of the request, the state board shall grant a delay in full compliance and approve the school for a period of one year if any of the following conditions exists at a level that has a significant or material impact:~~

~~(1) Reduction in local tax base;~~

~~(2) Closing of a major industry;~~

~~(3) Sudden influx of school-age population;~~

~~(4) Emergency beyond the control of the school district, such as a fire or natural disaster; or~~

~~(5) The district has made progress toward meeting the standards, but more time is required to implement the district's plan for corrective action.~~

~~— (e) The commissioner shall notify the local school board chairperson and the superintendent of the state board's decision.~~

~~(f) If the state board denies the request, the chairperson of the local school board or designee may request a reconsideration of the state board's decision, filed in writing with the office of legislation and hearings within 20 days of receipt of the decision.~~

~~(g) The office of legislation and hearings shall schedule a reconsideration in accordance with timelines and procedures established in Ed 213.~~

**Adopt Ed 306.26 to read as follows:**

Ed 306.26 State Board Establishment of State Academic Standards.

(a) The state board shall establish state academic standards for the purpose of inclusion and delivery of education services at the local level.

(b) The academic standards approved by the state board shall set forth the knowledge and skills that students are expected to obtain for each of the content areas set forth in RSA 193-E:2-a, I.

(c) Prior to the state board's establishment of any academic standards, the state board shall conduct at least one public hearing regarding the proposed academic standards at which comment from the general public shall be solicited for evaluation and consideration by a quorum of the board.

(d) Notice of the public hearing shall be posted to the website of the state board and shall be transmitted to all credentialed educators in the state, via electronic communication, at least 20 days prior to the public hearing date.

(e) The state board may accept both live testimony at the noticed public hearing and written public testimony to be considered in evaluating the academic standards. The hearing process and public participation shall conform with the procedures set forth in Ed 214.05 and Ed 214.06.

(f) Nothing in these rules shall prohibit the board from giving greater notice than the minimum set out in this part, nor providing more than one public hearing regarding academic standards for any content area.

(g) The state board shall consider the following criteria when establishing academic standards in each content area:

- (1) The standards set out clear academic expectations for what students will know and be able to do at each grade level or learning level;
- (2) The standards are developmentally appropriate and provide a progression of standards that build upon previous learning;
- (3) The standards promote academic rigor, critical thinking, problem solving, and deep understanding of subject matter;
- (4) The standards are clear, specific, and measurable.

(h) Academic standards shall be established by the state board upon an affirmative vote of at least the majority of the members of the state board.

(i) No school shall be required to implement the common core standards developed jointly by the National Governors Association and the Council of Chief State School Officers for any of the content areas set forth in RSA 193-E:2-a, I.

(j) If a local school board determines not to implement the academic standards established by the state board, a local school board shall determine, approve, and implement alternative academic standards that meet at least the level of rigor of the academic standards adopted by the state board.

(k) The state board shall review the academic standard for each content area every 10 years to determine if they standards are in need of revision, or any time the board deems that an existing academic standard should be revised.

**Appendix I**

<b>Rule</b>	<b>State or Federal Statute or Federal Regulation Rule Implements</b>
Ed 306.01	RSA 189:1-a, II; RSA 189:24; RSA 189:25; RSA 193-E:2-a, I-III; RSA 194:23
Ed 306.02(b)	RSA 193-H:1, II
Ed 306.02(d)-(f)	RSA 193-H:1-a
Ed 306.02(g)	RSA 193-E:2-a, II
Ed. 306.02 (i)	RSA 21-N:2
Ed 306.02 (j)	RSA 189:1-a, II
Ed 306.02(k)	RSA 189:39
Ed 306.02(l)	RSA 193-H:1-a, III
Ed 306.02(m)	RSA 193-E:3, VIII
Ed 306.02(n)	RSA 193-H:1-a, III
Ed 306.02(o)	RSA 189:1-a, II
Ed. 306.02(p)	RSA 189:1
Ed 306.02(q)	RSA 192-E:2-a, II
Ed 306.02(r)	RSA 189:1-a; RSA 193-E:1, I; RSA 193-E:3-b, I
Ed 306.02(t)	RSA 193-H:1-a, III
Ed 306.02(u)	RSA 193-E:1
Ed 306.02(v)	RSA 189:1-a, II
Ed 306.03	RSA 189:24; RSA 189:25, RSA 194:23-b; RSA 193-E:2-a
Ed 306.04(a)	RSA 194-C:4
Ed 306.04(b)(1)	RSA 189:15; RSA 189:34, II; RSA 193:1, I
Ed 306.04(b)(2)	RSA 189:6-a; RSA 189:64; RSA 189:70, II; RSA 193-F:4, II, RSA 193-F:8;
Ed 306.04(b)(3)	RSA 189:15; RSA 193:13, XI-XII
Ed 306.04(b)(4)	RSA 189:27-b
Ed 306.04(b)(5)	RSA 186:5; RSA 189:15
Ed 306.04(b)(6)	RSA 189:15; RSA 631:7
Ed 306.04(b)(8)	RSA 189:13-a; RSA 194-C:4, II(d)
Ed 306.04(b)(9)	RSA 169-C:29
Ed 306.04(b)(10)	34 C.F.R. § 99.5; 20 U.S.C §1232h, (c)(1)(C); Section 1112 (e)(1)(B)(i); RSA 189:66, IV; RSA 193:13; RSA 194-C:4, II(j)
Ed 306.04(b)(11)	RSA 189:1-a, II
Ed 306.04(b)(12)	RSA 193:1, I(h); 193-E:3, VIII
Ed 306.04(b)(13)	RSA 193:12, VIII

Ed 306.04(b)(14)	RSA 193:13, XI(a); RSA 200
Ed 306.04(b)(15)	RSA 189:11-a, VIII
Ed 306.04(b)(17)-(21)	RSA 188-E:28; RSA 189:1-a, II
Ed 306.04(b)(22)	RSA 189:11-a, V
Ed 306.05	RSA 194-C:4, I; RSA 194-C:4, II(c)-(f)
Ed 306.06	RSA 189:1-c; RSA 189:15; RSA 189:74; RSA 194:23-f; RSA 194-C:4, II(c)-(f)
Ed 306.07	RSA 155-A:2; RSA 189:24
Ed 306.08	RSA 189:1-a, II; RSA 189:24; RSA 193-E:2, VII; RSA 194-C:4, II(c)
Ed 306.09 (repealed)	RSA 189:24
Ed 306.09 (formerly Ed 306.10)	RSA 189:27-b; RSA 189:29-a
Ed 306.10 (formerly Ed 306.11)	RSA 189:11-a, I-II
Ed 306.11 (formerly Ed 306.12)	RSA 189:24; RSA 189:49; RSA 200:27-40-c; 20 U.S.C. § 1232g; 29 U.S.C. § 794
Ed 306.12 (formerly Ed 306.15)	RSA 21-N:9; RSA 189:49; RSA 194-C:4, II(b)
Ed 306.13 (formerly Ed 306.16)	RSA 21-N:9, II(z); RSA 186:8, V
Ed 306.14 (repealed)	RSA 189:1-a, II
Ed 306.14 (formerly Ed 306.17)	RSA 189:1-a, I-II
Ed 306.15 (formerly Ed 306.18)	RSA 189:1; RSA 189:24
Ed 306.16 (formerly Ed 306.20)	RSA 188-E:5
Ed 306.17 (formerly Ed 306.21)	RSA 189:1-a, II; RSA 193:1, I(h); RSA 193-E:2-a, V(b)
Ed 306.18 (formerly Ed 306.22)	RSA 189:1; RSA 189:1-a, II; RSA 189:24
Ed 306.19 (repealed)	RSA 189:1
Ed 306.19 (formerly Ed 306.24)	RSA 189:28; RSA 193-C:3; RSA 193-C:6; RSA 193-E:3-b; RSA 193-E:3-c; RSA 193-E:3-d
Ed 306.20 (formerly Ed 306.25)	RSA 189:49, IV
Ed 306.21 (formerly Ed 306.26)	RSA 189:1-a; RSA 189:25; RSA 193-E:2; RSA 193-E:2-a, II-II-a
Ed 306.22 (formerly Ed 306.27)	RSA 188-E:5; RSA 189:1-a; RSA 189:10, II-III; RSA 189:11; RSA 189:20; RSA 193:1(f); RSA 193-E:2; RSA 193-E:2-a, II; RSA 193-E:2-a, V(a); RSA 194:23
Ed 306.23 (formerly Ed 306.27)	RSA 186-C:9; RSA 189:1-a; RSA 189:10, II-III; RSA 189:11; RSA 193:1(f); RSA 193-E:2; RSA 193-E:2-a, IV(b); RSA 194:23; RSA 194:23-b
Ed 306.23 (repealed)	RSA 189:28; RSA 193-E:3-b; 193-H:2; RSA 193-H:4
Ed 306.24 (formerly Ed 306.28)	RSA 21-N:11, III; RSA 189:24; RSA 189:28, I-II; RSA 193-E:2-a; RSA 193-E:3-b; RSA 194:23; RSA 194-C:4, II(d)
Ed 306.25 (formerly Ed 306.29)	RSA 21-N:1, II; RSA 21-N:6, V; RSA 21-N:11, III; RSA 198:48-a, I-V
Ed 306.26	RSA 21-N:10-a; RSA 21-N:11, I; RSA 193-E:2-a, IV(b); RSA 193-E:2-a, V(a)
Ed 306.30 (repealed)	RSA 21-N:11, III; RSA 189:3; RSA 194:23-c