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FOR IMMEDIATE RELEASE

NHED Approves Minimum Standards Overhaul

Concord, NH -- Today the NH State Board of Education voted to approve the NH Department of Education's proposed changes to the Minimum Standards for Public School Approval, also known as the ED 306s.

This vote marks the latest step in a four year process, led by Commissioner Frank Edelblut, that has been mired in significant public opposition, and could fundamentally change the way public schools in New Hampshire operate by loosening requirements, removing local control, and instituting changes that would conflict with existing laws.

Reaching Higher NH's analysis of the [proposal](#), the [legal review](#) completed by the New Hampshire Office of Legislative Services (OLS), and [public comment](#) submitted to the NHED has continued to identify [several significant concerns](#):

- **Weakening requirements for curriculum and programs:** The NHED proposed to remove requirements for curriculum and programs and would make them optional by shifting language from "shall" to "may".
- **Replacing "courses" with "learning opportunities":** The NHED proposed to remove "courses" throughout the document and replace the term with "learning opportunities," which is a vague term that could diminish the level rigor for students. While they did define "learning opportunities" to *include* courses, the removal of "courses" as a minimum standard for public schools may lead to confusion and inconsistent applications between school districts.
- **Class size requirements:** The NHED proposed to remove maximum class sizes, replacing it with a student-teacher ratio based on a certain number of students per teacher in the district. While it would mandate a certain number of teachers per student, it does not put a maximum number of students in each classroom. The state attorney flagged the removal of maximum class sizes as being "very broad," contrary to the state's obligation to offer a constitutionally adequate education, and noting that it would have fiscal implications, and could not be uniformly enforced.
- **Alternative courses of study:** The NHED proposed to change the definition of "alternative programs" to a more broad one and would require the school district to pay for the alternative if a student chose to pursue it. There are open questions about whether the definition would now be so broad that any "learning opportunity" that a student chose would have to be funded by the local school district.



- **Meeting instructional needs of students:** The NHED proposed removing the requirement for school boards to adopt policies requiring that schools meet the instructional needs of each individual student.

In addition, the latest proposal includes several new concepts for which the State Board of Education has not received public comment, including the establishment of state academic standards, making changes to the configurations of schools, and including “mastery” as an aspirational statement, rather than a requirement for a student’s academic progress.

“New Hampshire’s public schools have long been the pride of our communities and held to high standards that have resulted in rigorous, meaningful educational opportunities for all of our students,” said Nicole Heimarck, Executive Director at Reaching Higher NH. **“This proposal could put our public schools on a very different path, one with lower expectations for students and public schools. Granite State students, families, and educators deserve standards that reflect the very best of us, but there are a lot of open questions and concerns with this proposal that we’ll be watching as the rules go to the next phase of the process.”**

As a result of today’s vote, the rules will go to the Joint Legislative Committee on Administrative Rules (JLCAR), a state oversight committee, where a panel of lawmakers will review them to ensure that they comply with current laws. The rules would be expected to go before the oversight panel in September 2024, where they could approve them, send them back to the NHED for changes, or issue a preliminary objection, which would pause the process.

For more information about RHNH’s work and analysis on the minimum standards for public school approval, visit www.ReachingHigherNH.org/ed306 or contact Christina Pretorius, Policy Director, at christina@reachinghighernh.org

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