

NHSAA Review of Ed306 with Fred Bramante - Tuesday, February 21, 2023 at 3:00 PM

We appreciate the efforts of the committee to strive to update and modernize the minimum standards. We support the efforts to build on the nation-leading work here in New Hampshire regarding competency education.

However, taken on the whole, the changes are broad, messy, and unclear. As they have appeared in this side-by-side document, the revisions are difficult to follow. It is hard to guess what the intent was in many cases, and it is concerning to think through the practical implications for schools and communities. Applicability is integral to impact. What are the new practices envisioned by the State? How do these changes fit with state statutes, federal law, and local school board control? How are the additional costs for transition and implementation to be handled by the local communities to meet these state-mandated minimum standards?

We also need to acknowledge that New Hampshire does not properly fund education. Disparate funding means disparate implementation. NH districts want to realize the ideological vision for education articulated in the 306s but need the initiatives to be funded.

We have grouped our feedback as follows (hyperlinked for convenience):

- [School Climate and Culture](#)
- [Learning Levels](#)
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- [Course-Level Competencies, Standards, and Frameworks](#)
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School Climate and Culture

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306.06

Proposed Language

The school administration and staff shall develop a plan to address academic under-performance of individual students and the elimination of barriers to learning.

Current Language

The school administration and staff shall: (1) Review ways in which equity gaps in achievement can be reduced and barriers to learning can be eliminated; and (2) Work together to establish a fair and equitable code of discipline that is fairly and consistently implemented which supports students’ understanding of the importance of norms, rules, and expectations for behavior.”

Comments & Questions

- The revision eliminates the expectation that the schools have a “**fair and equitable code of discipline.**” We would guess the State does not want us to step back from those responsibilities, but it appears to no longer be required under these new rules.
- Eliminating this language gives the impression that it isn’t a priority for schools to address persistent equity gaps that students face.
- “**Equitable opportunities**” need to be defined.
- “**Elimination of barriers to learning**” needs to be defined.
- Some rural schools may have difficulty eliminating all barriers due to limited resources.
- What are the new/changed practices envisioned by the State regarding codes of discipline for students?
- How do these changes fit with state statutes, federal law, and local school board control for student due process rights?
- Is the only standard now academic under-performance rather than fairness and equity?

Recommendations

Reconsider this change and remain committed to every student, regardless of race, class, or sex.

Learning Levels

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306.17, 306.26

Proposed Language

(a) “Acknowledgement of achievement” means when a student has demonstrated achievement of competencies *at a proficient level associated with a program or*

	<p><i>course of study; [306.02(a)]</i></p> <p><i>(d) “Competency based assessment” means an assessment of student proficiency with regard to one or more competencies;</i></p> <p><i>(e) “Credit” means the record keeping system for acknowledging student demonstration of achieving competencies associated with a program or course of study;</i></p> <p><i>(g) The school board shall require that graduation be based on acknowledgment of competencies at a proficient level as demonstrated through the accumulation of credits as outlined in Table 306-3. Each high school shall ensure that completion of a classroom course, career and technical education courses, independent study, distance learning course, or extended learning opportunity can support student achievement and demonstration of competencies.</i></p> <p><i>(h) Credits shall be based on the demonstration of competencies and not on time spent achieving these competencies.</i></p> <p><i>(i) Students may receive acknowledgement of achievement for competencies through student demonstration of a defensible collection of work or other assessment evidence at a proficient level gained through learning activities.</i></p> <p><i>(j) The items in (c) above shall not limit opportunities to develop programs that meet the needs of each student.</i></p> <p><i>(k) The programs of studies in (c) above may be offered and coordinated individually or through interdisciplinary studies.</i></p> <p><i>(s) The 20 credits required for graduation shall be distributed as specified in Table 306-2. Attainment of 20 credits required for graduation, that are based on New Hampshire academic standards, shall ensure that students meet the following graduation competencies. Graduation competencies encompass a complete body of interrelated student accomplishment and should be considered as a whole, not as discrete silos. Graduation competencies shall align with appropriate high school academic content standards and require students to demonstrate their ability to apply and transfer their learning;</i></p>
<p>Current Language</p>	<p>(2) Include competency-based applied learning that contributes to the academic knowledge, higher order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills, and occupation specific skills, and knowledge of all aspects of an industry, including entrepreneurship, of an individual;</p> <p>(d) “Competencies” means student learning targets that represent key content-specific concepts, skills, and knowledge applied within or across content domains. Specific and required types of competencies include district competencies and graduation competencies;</p> <p>(e) “Credit” means the record keeping structure that is awarded to a student who demonstrated achievement of graduation competencies organized around the specific credit;</p> <p>(j) “Graduation competencies” means specific types of competencies that are common across the district and define learning expectations for each student for graduation from high school;</p> <p>(l) “Mastery” means a high level of demonstrated proficiency with regard to a</p>

	<p>competency;</p> <p>(26) Graduation competencies consistent with RSA 193-C:3 that students are expected to demonstrate for graduation no later than July 1, 2015, that encompass multiple content areas outlining the knowledge, skills and work-study practices necessary for success in colleges and careers.</p> <p>(g) The local school board shall require that graduation be based on mastery of required graduation competencies as demonstrated through the accumulation of credits as outlined in Table 306-3 and by a certified educator. Each high school shall determine how completion of a classroom course, career and technical education courses, independent study, distance learning course, or extended learning opportunity can support student achievement and demonstration of district or graduation competencies</p> <p>(h) Credits shall be based on the demonstration of district and or graduation competencies not on time spent achieving these competencies. The credit shall equate to the level of rigor and achievement necessary to master competencies that have been designed to demonstrate the knowledge and skills necessary to progress toward college level and career work.</p>
<p>Comments & Questions</p>	<ul style="list-style-type: none"> ● Accountability is a big push at the Department. Accountability involves grade level standards and reporting. Students are assigned a grade level based on entrance into school (for example an 11th grade student - <i>based on age</i> - without the accumulated credits to be considered a “junior” would still have to take the 11th grade standardized assessment - and that score, regardless of “learning level,” is used for accountability purposes). ● The shift to learning (levels, standards, etc.) is a useful shift and indicates a priority on what is learned versus what is taught. This is a foundational element of competency-based education and commendable. That said, a meaningful shift to an outcome focus would be better facilitated by a clear articulation of what those outcomes are. ● As this stands without additional definition, this language will be confusing to all stakeholders. Why do this? What will be gained? ● What is the definition of learning levels that will be adopted? ● There is a need for consistency in language - both learning levels vs. grade levels are used. Why is Kindergarten still called Kindergarten if the intent is to remove all other “grade levels”? ● The need for consistency is used as rationale to support other changes throughout the 306 document. Shouldn’t there be consistency across all Department rules? ● Can these needs be addressed, as they currently are, within the students’ classroom through enrichment or will schools need to adapt to allow for an ebb and flow of students between classrooms?

	<ul style="list-style-type: none"> ● School administration will be challenging with the potential fluidity/movement that “learning levels” would allow in a typical school year. The logistics of moving students within learning levels are unclear and require specific guidance.
Recommendations	<ul style="list-style-type: none"> ● Provide consistency of language throughout the document. ● Define learning levels to provide guidance for implementation

<h2>Personalized Learning Plans</h2> <p style="text-align: right;">return to first page</p>

306.04

Proposed Language	<p>(m) “Personalized learning” means a process which <i>encourages student curiosity by connecting</i> learning with learner’s interests, talents, passions, and aspirations including actively participating in the design and implementation of their learning;</p> <p>(n) <i>“Personalized learning plan” means a learner-centered plan, which employs strategies to connect learning with the interests, talents, passions, and aspirations of the learner, including the active participation in the design and implementation of the play by the learner;</i></p> <p>(17) A policy for how districts utilize personal learning plans, which include the process, if applicable, by which each student is assisted to develop and continually revise, as needed, their personal learning plan;</p>
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Comments & Questions	<ul style="list-style-type: none"> ● Personalized Learning Plans (PLPs) - This effort will require a well conceived, diversely informed, highly researched, and meticulously articulated plan. Slipping it into the 306 changes / rules misses an opportunity for meaningful and inclusive dialogue and guidance around an important learning tool. What can we learn in regard to PLP implementation from states like Vermont? ● There are local budget implications for the administration of PLPs, without additional state funding. How are the additional costs for developing and monitoring these plans to be handled by the local communities to meet these state mandated minimum standards? ● There is concern with creation, implementation, monitoring, and evaluation of personalized plans. Who, how, when will this take place? <ul style="list-style-type: none"> ○ What are the new processes envisioned by the State beyond the current work to help students monitor their progress toward graduation?
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	<ul style="list-style-type: none"> ○ How does a personal learning plan fit with individual education plans and local school board graduation requirements? ○ What is intended in section f “informing students of how to include summer activities in their PLPs”?
Recommendations	<p>While philosophically in support of personalized learning plans, we have significant concerns about implementation especially given current funding constraints. If funding issues are resolved, we recommend a plan that phases in PLP beginning with sixth graders, coupled with the full support of the NHED for logistics and professional development. If PLPs are a goal of the NHED, perhaps a task force to research and begin early conceptualization is a way to appropriately start this important work?</p>

<h2 style="margin: 0;">Competency Based Learning</h2> <p style="text-align: right;">return to first page</p>	
Comments & Questions	<ul style="list-style-type: none"> ● The changes articulated in the 2003 revision of the 306s supported the shift to competency based learning in NH. Those changes were the impetus for the important work that established NH as a leader in the competency-based movement. Partnering with the NH Department of Education, educators across the state collaborated to articulate competencies and develop performance assessments. There is not the same kind of uniting vision for NH education in this revision. It is unclear how the changes in this document will serve to move competency based education forward. ● It actually appears that this revision, as it stands, undermines the competency work that NH educators have been engaged in for the last 15 years. If these standards represented the next step of our work, they would clearly articulate a common understanding of career and college readiness and would codify all elements of competency based education. ● Competency-based education research reveals that “skills and dispositions” are an integral and essential characteristic of competency based learning. Instead of removing references to “skills and disposition,” as the updated 306s are designed to lead to further competency growth, we should be strategically included “skills and dispositions” as a priority area in the minimum standards. ● Instead, that definition was removed. The Aurora Institute (2019) definition of CBE includes many elements that are not included in this document. While “learning levels” and “personalized learning plans” will potentially create more choice and pathways, there is little to no language about assessment, support, or equity.

	<ul style="list-style-type: none"> • Ed 306.02 - definitions - How can the 306 group attempt to define “competencies”? Was research conducted? The lack of a definition for CBE (and competencies) has been long-standing and impactful in CBE efforts across disciplines. A simplistic and limiting definition will not help resolve this. The definition should be informed by research and connected to the essential and research-based characteristics of a CBE model. • Within the proposed document, the idea of mastery is replaced by “proficiency” and the term proficiency is not defined. Additionally the definition of competency no longer includes a reference to rigor or application of skill. The only reference of rigor occurs at the end of the document (306.27(s) It is notable that the current 306 document includes multiple references to rigor and mastery.
Recommendations	Seize the opportunity of the revision to fully articulate all elements of competency-based learning within the minimum standards.

Assessment

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306.02, 306.18, 306.24

Proposed Language	<p>(g) “Educator” means <i>administrators, educational specialists, instructional specialists, teachers, paraeducators, educational interpreter/translators, school nurses, and any other individuals credentialed by the state board of education;</i> (PREVIOUS: (h) “Educator” means any professional employee of any school district whose position requires certification by the state board pursuant to RSA 189:39. The term includes administrators, specialists, and teachers;)</p> <p>(e) “Credit” means the record keeping <i>system for acknowledging student demonstration of achieving competencies associated with a program or course of study;</i></p> <p>(g) The school board shall require that graduation be based on acknowledgment of competencies <i>at a proficient level</i> as demonstrated through the accumulation of credits as outlined in Table 306-3. Each high school shall ensure that completion of a classroom course, career and technical education courses, independent study, distance learning course, or extended learning opportunity can support student achievement and demonstration of competencies.</p> <p>(18) The policy by which credit is granted to students based upon demonstrated acknowledgement of competencies;</p> <p style="padding-left: 40px;">a. The policy shall include acknowledgement of achievement to students taking coursework in the seventh or eighth learning level toward high school</p>
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	<p>graduation, if the course demonstrates competencies consistent with related high school course(s) and the student demonstrates proficiency;</p> <p>b. The policy shall describe how a student demonstrates acknowledgment of competencies, including what would constitute defensible evidence collected towards acknowledgment of competencies;</p> <p>c. The policy shall include an affirmative statement as to the acceptance of earned Learn Everywhere credits when requested by the student;</p>
Current Language	<p>REMOVED: (g) The local school board shall require that graduation be based on mastery of required graduation competencies as demonstrated through the accumulation of credits as outlined in Table 306-3 and by a certified educator. Each high school shall determine how completion of a classroom course, career and technical education courses, independent study, distance learning course, or extended learning opportunity can support student achievement and demonstration of district or graduation competencies</p>
Comments & Questions	<ul style="list-style-type: none"> ● CBE assessments are supposed to have certain characteristics - varied, authentic, meaningful, transferrable - yet the new definition / standard for assessment within the updated 306s does not mention this. Here's a chance to really shift toward a CBE model (in language). Isn't that the stated intention of the 306 revisions? ● Change of language that references RSA193-C-3 removes the tie of assessment to the established goals outlined in RSA193-C. It removes the connection to the overarching purpose of why a student is required to learn the subjects outlined in academic standards. ● The expansive definition of "educator" coupled with a vague and loose definition of how competencies will be assessed and credits granted are problematic. Throughout the document, there is very little direction provided in regards to assessment, in fact the use of the term "acknowledgement" of achievement has replaced "assessment" of competencies in a number of places in the document. <ul style="list-style-type: none"> ○ Do educators provide instruction? Support? Assessment? ● It is unclear what "demonstrated acknowledgement of competencies" means. Who acknowledges the competencies? What does this mean in application? ● "Develop and demonstrate achievement of competencies" - what does that mean? ● 306.26.(4)(b)(5) (pg 57 of the side by side) - "5. Requires that credit shall be granted for any subject when a student is able to demonstrate proficiency in the required competencies that were approved by the school or a certified educator." Any certified educator can award credit <i>apart</i> from the school? The "or" is problematic in the proposed language, and may introduce an unintended option. ● With mastery removed, how will proficiency be defined and therefore met?

	<ul style="list-style-type: none"> ● Assessment definition leaves a lot of room for improvement / clarity - does assessment refer to standardized assessment and accountability, or does assessment in the 306s refer to competency-based assessment? These are very different. ● There is not enough detail in the proposed language to foster consistency in awarding credits from district to district.
Recommendations	<p>As assessment is an essential element of CBE, carefully define it within the document in a way that is aligned with research-based and essential CBE characteristics.</p> <p>Replace “Acknowledgement” with “Assessment” of competencies.</p>

Course-level Competencies, Standards, and Frameworks

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306.27

Comments & Questions	<ul style="list-style-type: none"> ● It appears that the lists by content area are not aligned with current state model competencies. In 306.27(t), state model course competencies are referenced. ● Are these sections meant to build on each other? If not, how will these be reconciled with each other? ● What are the new practices envisioned for state content standards? <ul style="list-style-type: none"> ○ Is there a plan to revise them all as a result? ● Will this affect the state assessment system? ● Is there a timeline for the transition? ● How do these changes fit with our state accountability plans with the federal government? ● How are the additional costs for transition and implementation to be handled by the local communities to align these new state mandated standards? ● Who at the NHED will complete this realignment? ● Science standards reference “grade level” and seem to have been very reduced. Should there be a reference to the approved science standards? NGSS? Other?
Recommendations	<p>Use the state model competencies in this section, and indicate that they are model competencies which would retain local control over competencies. This would also ensure that the state assessment system would still reflect instruction and align with accountability requirements.</p>

Work Study Practices

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306.21

Proposed Language

- (8) In open electives, an opportunity to demonstrate competency in:
- pursuing areas of personal interest that instill a passion for lifelong learning;
 - making connections between education and career paths;
- (9) In all programs and courses, the ability to demonstrate competency in:
- Communicating** effectively using multiple modalities, interpreting information using multiple senses, and demonstrating ownership of the work;
 - Thinking** originally and independently, taking risks, considering alternate perspectives, and incorporating diverse resources;
 - 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;
 - Persevering** in completing complex, challenging tasks, using self-reflection to influence work and goals, and engaging stakeholders to gain support;

Comments & Questions

- The proposed “**graduation competency**” section of the document included, in addition to discipline-specific graduation competencies, a reference about electives and what used to be work-study practices.
- Skills and dispositions are an important aspect of CBE. This is evident in all CBE research. Removing references to “problem solving skills” (for example) is counterintuitive to the research and goals of a well-developed CBE program
- It is interesting that “**soft skills**” and “**career pathways**” are added yet “**essential learning skills**” were removed on page 2.
 - “Soft skills” is outdated language. We already had work-study practices defined...why shift away from that?
 - Removing the connection to “**essential learning skills**” (4 C’s) and tie to “**college and career readiness**” removes the focus on employability skills that industry leaders have requested that we add into curriculum for years
 - “**College and career readiness**” [originally defined in 306.02(2)(c)] was removed, but is still part of the metric for identification of schools (TSI, CSI, ATSI) the the NHED accountability plan through at least 2026.

	<ul style="list-style-type: none"> ● What is the intention of the committee for how these standards will be realized in schools? ● Will we need to develop a competency around “passion for lifelong learning”? <ul style="list-style-type: none"> ○ Is that a graduation requirement? ○ What is the measurement proposed? ● Do attainment of work-study skills become a required element for students for graduation?
Recommendations	Clarification and addition of definitions

School Calendar / Instructional Hours	
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306.18 and 306.19	
Comments & Questions	<ul style="list-style-type: none"> ● Does this mean that schools will only be able to count hours and not days? ● 306.18 Section 4 will impact the school calendar. ● Does this mean that only a full day of school will count? Then how does this impact hours count? Is this another way of enforcing hours vs day count? ● 306.18 (6)(c) “The high school graduation date shall be set no more than 5 school days or 30 instructional hours before the end of the scheduled school year...”. This language has been removed. Does this mean that graduation cannot occur before the end of the school year, <u>or</u> that the five day rule for scheduling has just been removed? Either has implications for the calendar.
Recommendations	Clarification

Learning Opportunities	
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306.27	
Proposed Language	(4) School boards shall ensure that <i>courses</i> necessary to meet the requirements for attaining competencies as defined on Table 306-3 are offered to district students enrolled in high school at no additional cost to the student. <i>This shall not preclude offering courses through educational programming outside of the district resources, including but not limited to, Virtual Learning Academy Charter School (VLACS) programs, Learn Everywhere programs, or any other alternative program;</i>

<p>Comments & Questions</p>	<ul style="list-style-type: none"> ● The proposed standards include two explicit references to Learn Everywhere and VLACS. <ul style="list-style-type: none"> ○ VLACS is a state approved school and Learn Everywhere programs require state approval. It is redundant and seemingly political to include reference to either in this document. ○ In that same paragraph the phrase “any other alternative program” is used. Are these alternative programs approved? This vague and expansive language seems out of place in a standards document and would only serve to cause confusion if it remains. ● Page 62 (in the side-by-side document) - Does “at no additional cost to the student” extend to Learn Everywhere or other student proposed experiences? <ul style="list-style-type: none"> ○ If so, what is the budgetary consideration for the local school? ● “Extended learning” - shouldn’t that definition at least say through any “approved” means outside of the traditional classroom? ● If something is called a “learning opportunity” or an “experience” instead of a “course,” does that remove credentialing requirements? How would this impact accountability and i4see reporting? <ul style="list-style-type: none"> ○ Courses and credentialing are part of BOY, AOY, and EOY reporting in i4see, and are tied to national SCED course codes and certification codes for staff. ○ High school courses must be NCAA approved (for many students who wish to move on to college)...are “learning opportunities” NCAA approved? ○ Courses / “learning opportunities” that are credit-bearing and used for graduation purposes - especially in required courses - AND that are not NCAA eligible will often create the need for students to take remedial courses at college. The fact that students have to take these courses has been identified as a challenge. Why would we create a system through the 306 rules that potentially exacerbates this issue? ● 306.21 (2) (b) - alternative programs - “opt in” - what if the program has enrollment / personnel limitations? ● Concerns regarding the seeming disregard for alignment to academic standards and the requirement of a certified teacher in many of the ways in which a student can demonstrate mastery outside of public education.
<p>Recommendation</p>	<p>Replace specific references (to Learn Everywhere and VLACS) to “approved programs” which will cover and provide more flexibility and room for growth. Revisit and edit the use of “learning opportunities” instead of courses - while the intent (students should have flexibility / opportunity for personalized journeys) is</p>

	commendable, the applicability and potential conflict with reporting and accountability are problematic.
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Physical Activity	
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306.04, paragraph (17)	
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Current Language	“Recommending developmentally appropriate daily physical activity and exercise”
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Comments & Questions	<ul style="list-style-type: none"> ● It appears that the paragraph regarding daily physical activity has been removed completely, and the topic is not addressed in another area. Is daily physical activity no longer considered a standard expectation for schools? ● How does this interact with legislation at the state level regarding physical activity, wellness, and the regular required wellness plans? ● What impact would this change have on state eligibility for school lunches?
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Recommendations	Physical activity is an important part of student development and we advocate for it to remain explicitly within the document - it is an important part of student development.
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Overall Language	
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Comments & Questions	<ul style="list-style-type: none"> ● What is the rationale for removing the adjective “local” from every school board reference? What does this accomplish? ● 306.26 (2) (b) - “when applicable” → who decides that? Pp. 65 - 70 (side-by-side document) - need details and the phrase “where applicable” (p. 70) - who decides? ● i) “defensible collection of work” → We need a clear definition of what is defensible. ● Multiple references (side-by-side document) - pp. 80 - 82, 93, 94, 95, 98, 99, 103, 106, 111, 112, 114, 117 - 120, 122 have the phrase “may include” - who decides? Local decision? Department decision?
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Recommendations	Clarification
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Other Areas

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Comments & Questions

- 306.20 CTE cooperative agreements shall require sending and receiving school districts “*to coordinate calendars and schedules to maximize student access to CTE programming.*” This could be difficult to do with all of the receiving schools. If there are specifics referencing RSA language, that should be included.
- 306.21 “*Enables students to opt into the program at the request of the family*” Reference to RSA 193-C:3, III has been removed. What are the manifest hardship implications of this new language?
- 306.24 “*All such psychological services must comply with federal ESSA requirements, including informed written consent; and all such services must comply with state and federal student privacy laws and rules.*”
 - There will be times when a student doesn’t receive services when a parent doesn’t respond to multiple requests for meetings and schools go above and beyond a good faith effort.
- Parent rights have been added throughout the document, yet the Parental Bill of Rights was voted down. It seems like a statement of recognition of parental rights should stand apart from the minimum standards for schools other than perhaps an acknowledgement of those rights in general.
- 306.04 References to Safety policies have been removed. Is this covered somewhere else? Concern is in the areas of science labs, CTE classes, and Art classes where safety protocols are very important to adhere to.
- Ed 306.07 - Facilities language - Seems like a great deal has been revised in this section. This could be a huge unfunded mandate with a large financial impact.
- Curricular and learning materials made available to parents, consistent with copyright licensure of such materials. It will be burdensome to meet this expectation. This is already the case under multiple policies and RtK.
- What does Ed 306.08 (a) (2) (a) as revised accomplish?
- Many program/subject-specific sections are inconsistent in references to 306.24 assessment practices. Some skip the reference entirely.

Recommendations

- Definitions referenced throughout this document for additional inclusion to remove potential ambiguity or confusion:
 - College and career readiness
 - Elimination of barriers to learning (which barriers? Complete elimination?)
 - Defensible collection of work (defensible how and by whom?)
 - Demonstrated acknowledgement of competency (acknowledgement by whom? How? Demonstrated competency or just the acknowledgement thereof?)

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| | <ul style="list-style-type: none">○ When and where applicable (by what and whose definition does it apply?) |
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