

CHAPTER 263
SB 48 – FINAL VERSION

03/07/13 0465s
5June2013... 1641h
06/26/13 2077CofC

2013 SESSION

13-0747
04/01

SENATE BILL **48**

AN ACT relative to school performance and accountability.

SPONSORS: Sen. Stiles, Dist 24; Sen. Bradley, Dist 3; Rep. Ladd, Graf 4; Rep. Shaw, Hills 16;
Rep. Pitre, Straf 2

COMMITTEE: Health, Education and Human Services

AMENDED ANALYSIS

This bill makes various changes to the statute on school performance and accountability. The bill also repeals the local education improvement fund established under the statewide assessment program and establishes definitions of “priority school” and “focus school.”

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to school performance and accountability.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 263:1 New Section; School Performance and Accountability; Purpose. Amend RSA 193-H by
2 inserting after section 1 the following new section:

3 193-H:1-a Purpose.

4 I. The purpose of this chapter is to create an accountability model that will best support
5 schools and educators as they work to enable all students to progress toward college and career
6 readiness with clearly defined learning outcomes.

7 II. New Hampshire's student assessment system should promote and measure knowledge and
8 skills that lead students to graduate from high schools ready for college and career.

9 III. Students best learn at their own pace as they master content and skills, allowing them
10 to advance when they demonstrate the desired level of mastery rather than progressing based on a
11 predetermined amount of seat time in a classroom will assure that students will reach college and
12 career readiness.

13 IV. New Hampshire's system of educator support should promote the capacity of educators
14 to deeply engage students in learning rigorous and meaningful knowledge, skills, and work-study
15 practices for success in college, career, and citizenship.

16 V. Competency-based strategies provide flexibility in the way that credit can be earned and
17 awarded and provide students with personalized learning, including those that are offered through
18 on-line, blended, and community based opportunities.

19 263:2 School Performance and Accountability; Definitions. Amend RSA 193-H:1 to read as
20 follows:

21 193-H:1 Definitions. In this chapter:

22 I. "Commissioner" means the commissioner of the department of education.

23 ***I-a. "Competencies" means student learning targets that represent key content-***
24 ***specific concepts, skills, and knowledge applied within or across content domains.***

25 II. "Department" means the department of education.

26 III. "~~Highly-qualified~~ ***Effective*** teacher" means a person who is certified by the local school
27 board ***and holds a valid teaching credential***, and who has demonstrated, through a process

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1 approved by the department of education, teaching skills in the core subjects of instruction.

2 IV. *“Focus school” means a low performing school that accepts federal funds from*
3 *Title I, Part A of the Elementary and Secondary Education Act, and that has the largest*
4 *within-school gaps between the highest achieving subgroup or subgroups of students and*
5 *the lowest-achieving subgroup or subgroups of students or, for a high school, has the*
6 *largest within-school gaps in graduation rates.*

7 V. *“Priority school” means:*

8 (a) *A school that accepts federal funds from Title I, Part A of the Elementary*
9 *and Secondary Education Act, and that is among the lowest performing 5 percent of*
10 *schools in the state based on the achievement of all students on the statewide assessment*
11 *pursuant to RSA 193-C and which, when measuring the achievement of all students, has*
12 *demonstrated a lack of progress on the statewide assessment over 3 years; or*

13 (b) *A high school with a graduation rate of less than 60 percent over 3*
14 *consecutive years.*

15 VI. “Statewide assessment” means the New Hampshire education improvement and
16 assessment program as established under RSA 193-C.

17 VII. *“Work-study practices” means those behaviors that enhance learning*
18 *achievement and promote a positive work ethic such as, but not limited to, listening and*
19 *following directions, accepting responsibility, staying on task, completing work accurately,*
20 *managing time wisely, showing initiative, and being cooperative.*

21 263:3 School Performance and Accountability; Statewide Performance Assessment and Targets.
22 Amend RSA 193-H:2 to read as follows:

23 193-H:2 Statewide Performance Targets.

24 I. On or before the 2013-2014 school year, schools shall ensure that all pupils are performing
25 at the basic level or above on the statewide assessment as established in RSA 193-C.

26 II. In addition to the requirements of paragraph I, schools shall meet statewide performance
27 targets as approved by the legislative oversight committee established in RSA 193-C and thereafter,
28 **as** established in rules adopted by the state board of education pursuant to RSA 541-A **which shall**
29 **include rules for:**

30 (a) *The statewide improvement and assessment program pursuant to RSA 193-*
31 *C.*

32 (b) *Attendance rates.*

33 (c) *The percentage of pupils who graduate with a diploma from an approved*
34 *high school.*

35 III. ~~[Schools shall meet statewide performance targets as approved by the legislative~~
36 ~~oversight committee established in RSA 193-C and thereafter, established in the rules adopted by~~

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1 ~~the state board of education pursuant to RSA 541-A, relative to the statewide assessment.~~

2 ~~IV. Schools shall meet statewide performance targets as approved by the legislative~~
3 ~~oversight committee established in RSA 193-C and thereafter, established in the rules adopted by~~
4 ~~the state board of education pursuant to RSA 541-A, relative to attendance rate.~~

5 ~~V. Schools shall meet statewide performance targets as approved by the legislative oversight~~
6 ~~committee established in RSA 193-C and thereafter, established in the rules adopted by the state~~
7 ~~board of education pursuant to RSA 541-A, relative to the percentage of pupils who graduate with a~~
8 ~~regular diploma from an approved high school.~~

9 ~~VI.]~~ Notwithstanding RSA 541-A, the state board of education shall receive approval from
10 the legislative oversight committee established in RSA 193-C prior to the submission of any rules to
11 the joint legislative committee on administrative rules relative to statewide performance targets
12 required under this section.

13 263:4 School Performance and Accountability; Identification and Public Disclosure. Amend
14 RSA 193-H:3 to read as follows:

15 193-H:3 Identification and Public Disclosure of *Priority Schools and Focus* Schools [~~in Need~~
16 ~~of Improvement~~].

17 I. The commissioner shall annually compile and disseminate to the governor and council, the
18 president of the senate, the speaker of the house of representatives, local school boards,
19 superintendents of schools, and the public, and shall make available on the department website, a
20 list of *priority schools and focus* schools [~~that are not meeting~~] **based on** the statewide
21 performance targets established in RSA 193-H:2.

22 II. A school or school district designated by the commissioner as [~~not meeting statewide~~
23 ~~performance targets~~] **a priority school or a focus school** shall have 30 days from the date of the
24 report to appeal such designation to the state board of education.

25 263:5 School Performance and Accountability; Local Education Improvement Plan. Amend
26 RSA 193-H:4, I to read as follows:

27 I.(a) A school or school district shall have one year from the date that a school or school
28 district has been designated as [~~in need of improvement~~] **a priority school or a focus school**
29 pursuant to RSA 193-H:3 to take action to remedy identified problems at the local level. The school
30 or school district shall create a plan that identifies actions that it intends to correct the areas of
31 concern. This plan shall be submitted to the state board within 90 days of the date that the school or
32 school district was designated as [~~in need of improvement~~] **a priority school or a focus school**. If
33 the plan does not sufficiently address the areas of concern, the state board shall disapprove the plan
34 within 30 days. If the state board disapproves the plan, the state board's designee shall work with
35 the school or school district to amend the plan so that it meets state board approval. One year
36 following the designation, if the school or school district is not making satisfactory progress in

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1 implementing its plan, the commissioner of education shall issue a notice to the school or school
2 district and shall initiate a process for providing assistance pursuant to paragraph II; or

3 (b) If a school or school district has been designated as [~~in need of improvement~~] **a**
4 **priority school or a focus school**, then the school or school district may request assistance from
5 the department of education. The department shall provide technical assistance to those schools that
6 request assistance under this section.

7 (c) On or before the one year anniversary of being designated as a [~~school or school~~
8 ~~district in need of improvement,~~] **priority school or a focus school**, the commissioner shall
9 designate a progress review team to evaluate the implementation of the improvement plans and the
10 progress toward state performance targets. The progress review team shall deliver a report to the
11 state board. This report shall include evidence of satisfactory implementation and progress towards
12 state performance targets or lack thereof and recommendations regarding future actions pursuant to
13 subparagraph II(b).

14 263:6 School Performance and Accountability; Local Education Improvement Plan. Amend
15 RSA 193-H:4, III(a) to read as follows:

16 (a) Identify the area in which the school [~~failed~~] **needs** to meet the annual statewide
17 performance targets established under RSA 193-H:2.

18 263:7 Repeal. The following are repealed:

19 I. RSA 193-C:1, V, relative to the local education improvement and assessment plan.

20 II. RSA 193-C:9, relative to the local education improvement fund.

21 263:8 Effective Date. This act shall take effect 60 days after its passage.

22 Approved: July 24, 2013

23 Effective Date: September 22, 2013