HOUSE BILL  

1671-LOCAL

AN ACT relative to the content of an adequate education.


COMMITTEE: Education

ANALYSIS

This bill revises the requirements for the content, definition, and accountability for an adequate public education.

Explanation: Matter added to current law appears in **bold italics.**
Matter removed from current law appears [in brackets and struckthrough.]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.
AN ACT relative to the content of an adequate education.

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

1 Adequate Public Education; Substantive Educational Content. RSA 193-E:2-a, I-III are repealed and reenacted to read as follows:

   I. The New Hampshire legislature defines an adequate education as one which inculcates students with essential knowledge and learning. Such knowledge and learning derives from rigorous academic study. The goal is to improve students’ knowledge base and overall learning. Toward that end, the minimum standards for the opportunity for an adequate education shall be defined as rigorous academic study in the following core knowledge and learning domain areas fundamental for academic success:

   (a) English language arts.
   (b) Arithmetic and mathematics.
   (c) Natural and physical science.
   (d) Social studies, to include: history, geography, economics, civics, and government.

   II. Applied instruction, which deepens a student’s understanding of core knowledge, learning domains, and work-study skills required for an adequate education, shall further integrate the following areas of applied learning or additional areas of study as determined by a local school district:

   (a) World languages.
   (b) Logic and rhetoric.
   (c) Personal financial literacy.
   (d) Engineering and technologies.
   (e) Computer science and digital literacy.
   (f) Arts education.
   (g) Physical education, health, and wellness.

   III.(a) Instruction in core domains and learning shall be complimented with integrated instruction for the development of aptitudes including effective communication, analytic research, benevolence, public and private charity, industry and economy, honesty and punctuality, sincerity and self-control.

   (b) The knowledge and learning standards shall afford students learning progressions to acquire the substantive knowledge expected to be possessed by students necessary to earn a high school diploma and become productive New Hampshire citizens.
III-a. Public schools and private academies shall provide the adequate education defined in paragraph I.

2 Substantive Educational Content; Definition of Academic Standards. Amend RSA 193-E:2-a, VI(b) to read as follows:

(b) "Academic standards" means what a student should know and be able to do in a course, program, or at each grade level.

3 Delivery of an Adequate Education. RSA 193-E:3 is repealed and reenacted to read as follows:

193-E:3 Delivery of an Adequate Education.

I. Annually, each school district shall report data to the department of education at the school and district levels on the indicators set forth in this paragraph. The report shall not contain personally identifiable information including but not limited to name, gender, or social security number. The department of education shall develop a reasonable schedule to collect the reporting of data required by state and federal law. The requirements for data keeping and the form of the report shall be established in accordance with rules adopted by the state board of education. Indicators shall include the following areas:

(a) Attendance rates.

(b) Annual and cumulative drop-out rates of high school pupils and annual drop-out rates for pupils in grades 7 and 8.

(c) School environment indicators, such as safe-schools data.

(d) Number and percentage of graduating high school pupils going on to postsecondary education, military service, and an advanced placement participation.

(e) Performance on state tests administered pursuant to RSA 193-C and other standardized tests administered at local option.

(f) Teacher and administrative turnover rates at the school and district levels.

(g) Pupil course information.

II.(a) The department of education may implement and report data on any additional indicators deemed relevant to the purposes of this section.

(b) The department of education shall enter into an agreement with the board of trustees of the university system of New Hampshire or the community college system of New Hampshire, or both, if necessary, to determine additional indicators applicable to postsecondary institutions within their respective jurisdictions which are not required under paragraph VI.

III.(a) Annually, the department of education shall issue a public report on the condition of education statewide and on a district-by-district and school-by-school basis. This report shall be entitled "New Hampshire School District Profiles" and shall be made available at every school administrative unit for public review. It shall include demographic and pupil performance data reported in paragraph I and other relevant statistics as determined by the department of education. Comparisons with state averages shall be provided for all data reported. Comparisons of each
HB 1671-LOCAL - AS INTRODUCED
- Page 3 -
district and school to itself based on its own statewide improvement and assessment performance for
the prior school year and its most recent 3-year rolling averages shall be provided. Statewide
rankings of each district and school shall be provided, including a statewide ranking of each school
and school district based on the percentage increase of improvement as compared with the same
school district's performance in the previous year. The report shall be organized and presented in a
manner that is easily understood by the public and that assists each school district with the
identification of trends, strengths, and weaknesses and the development of its local school education
improvement plan.

IV. Data reported in paragraph I shall be disaggregated as required by federal law and shall
include numbers and percentages of pupils with disabilities, limited English proficient pupils, pupils
in advanced placement programs, economically disadvantaged pupils, and pupils of major ethnic,
racial, and multi-racial groups.

V. In order to reduce school districts' administrative time and costs, the department of
education shall develop and utilize user-friendly, computer forms and programs to collect the data
set forth in paragraphs I, VI, and VII.

VI.(a) Annually, each postsecondary institution as defined in RSA 193-E:4 shall submit a
report, which shall not include any personally identifiable information such as, but not limited to,
name, gender, or social security number, to the department of education containing information on
indicators in the following areas:

(1) Remedial education courses.
(2) Entry, withdrawal, and transfers.
(3) Degrees and certificates granted.

(b) The department of education shall integrate all data collected into the data
warehouse. The department of education shall have access to data solely to conduct studies, track
and report annual and longitudinal pupil outcomes, and improve postsecondary readiness, retention,
and articulation between educational institutions.

(c) The state board of education, in consultation with the university system of New
Hampshire board of trustees and the community college system of New Hampshire board of trustees
shall adopt rules, pursuant to RSA 541-A, for developing a form to be used for the report and to
establish requirements for data maintenance.

VII.(a) Annually, each early childhood program as defined in RSA 193-E:4 shall submit a
report, which shall not include any personally identifiable information such as, but not limited to,
name, gender, or social security number, to the department of education containing information on
indicators in the following areas:

(1) Program participation.
(2) Entry, exit, and type of program.
(3) Participant demographics as identified in RSA 193-E:3, IV.
(b) The department of education shall integrate all data collected into the data
warehouse. The department of education shall have access to data solely to conduct studies, track
and report annual and longitudinal pupil outcomes, and improve education programs.
(c) The state board of education, in consultation with the department of health and
human services, shall adopt rules, pursuant to RSA 541-A, for developing a form to be used for the
report and to establish requirements for data maintenance.

4 Accountability for the Opportunity for an Adequate Education. RSA 193-E:3-b is repealed and
reenacted to read as follows:

193-E:3-b Accountability for the Opportunity for an Adequate Education. Each public school
and public academy, shall demonstrate annually, that it provides the opportunity for an adequate
education under RSA 193-E:2-a, I by meeting the requirements of subparagraph I(b) or I(c). If the
commissioner determines that it is warranted, the commissioner may require a public school or
public academy to meet the requirements of subparagraph I(b).

I.(a) A school shall provide instructional opportunities as set forth in RSA 193-E:2-a, I.

(b)(1) A school shall provide to the commissioner, a narrative explanation detailing how
the school has complied with each of the standards in the opportunity for an adequate education
contained in RSA 193-E:3, I. The content of this report shall include at least the indicators
enumerated in RSA 193-E:3, I. In the submission, the school principal and school district
superintendent shall certify in writing that the responses submitted are accurate. The commissioner
shall develop a form which conforms to the provisions of this paragraph.

(2) The commissioner shall review the responses to each school's self-assessment
required under this section and shall verify that the responses comply with the standards included
in the opportunity for an adequate education specified under RSA 193-E:2-a, I.

(3) Schools that successfully demonstrate that they provide the opportunity for an
adequate education through the input-based school accountability system, shall be required by the
commissioner to resubmit the narrative explanations at least once every 3 years.

(4) Schools that are unable to demonstrate that they provide the opportunity for an
adequate education through the input-based school accountability system, shall be required by the
commissioner to resubmit the narrative explanations annually until such demonstration has been
made.

(5) The commissioner shall integrate, to the maximum extent practicable, the input-
based school accountability system to demonstrate the opportunity for an adequate education with
the school approval process pursuant to RSA 21-N:6, V.

(6) The department shall implement a risk-based process to annually conduct site
visits of schools statewide to assess the validity of the input-based school accountability system and
to determine whether those schools demonstrate the opportunity for an adequate education by
meeting the school standards identified in this paragraph. To the extent feasible, the commissioner
shall conduct these site visits together with other site visits conducted by the department for other purposes and programs. The commissioner may require more frequent visits at schools which have been unable to demonstrate that they provide the opportunity for an adequate education.

(c) A school that furnishes the commissioner with evidence that it has received full accreditation from the New England Association of Schools and Colleges (NEASC) shall be deemed to be in compliance with the provisions of subparagraphs (a) and (b). The school shall submit to the commissioner copies of documentation necessary during the school's accreditation process including, but not limited to, the accreditation self-study report, peer review reports, reports of any follow-up activities taken by the school in response to NEASC's recommendations for accreditation, and the annual school update report as required by NEASC each fall. In the fifth year of the 10-year accreditation, the school shall submit a progress report to the commissioner. A school accredited by NEASC shall meet or exceed NEASC's standards and shall use those standards to measure improvement.

II. A school shall demonstrate annually that it provides the opportunity for an adequate education through the performance-based school accountability system designed by the department to measure educational outcomes pursuant to RSA 193-E:3-c.

5 The Performance-Based Accountability System. RSA 193-E:3-c is repealed and reenacted to read as follows:

193-E:3-c The Performance-Based Accountability System.

I. The performance-based school accountability system shall serve as one of 2 required methods a school shall use to demonstrate by the end of the school year that it is providing the opportunity for an adequate education. At least every 5 years the commissioner shall review the performance-based accountability system and make recommendations to the house and senate standing committees with jurisdiction over education matters. The commissioner shall include in its report:

(a) Elements of the performance-based accountability system to be used by schools that will ensure that the opportunity for an adequate education is maintained.

(b) The identification of performance criteria and measurements.

(c) Establishing performance goals and the relative weights assigned to those goals.

(d) Establishing the basis, taking into account the totality of the performance measurements, for determining whether the opportunity for an adequate education exists, which may include the assignment of a value for performance on each measurement.

(e) Ensuring the integrity, accuracy, and validity of the performance methodology as a means of establishing that a school provided the opportunity for an adequate education as defined in RSA 193-E:2-a.

(f) A performance-based scoring system using only the best available data and indicators which are already provided to the department and/or performance measures that schools are already
required to provide the department under other state or federal law. In establishing the
performance-based system, the department may consider one or more of the following data and
indicators:

(1) Performance on state assessments administered pursuant to RSA 193-C and
performance on other school district assessments or standardized tests administered at local option
as part of the statewide education improvement and assessment program, in consultation with the
department pursuant to RSA 193-C:6, that are consistent with the state’s academic standards, upon
the prior approval of the department, other assessments administered at local option that are
consistent with the state’s academic standards.

(2) Number and percentage of pupils who successfully completed an advanced
placement or International Baccalaureate course.

(3) Number and percentage of graduating pupils going on to post-secondary
education, military service, and advanced placement program participation leading to a specific,
value-added skill certificate.

(4) Attendance rates.

(5) Annual cumulative drop-out rates of high school pupils, and annual drop out
rates for pupils in grades 7 and 8.

(6) School environment indicators, such as safe schools data.

(7) Expulsion and suspension rates, including in-school and out-of-school
suspensions, and out-of-state suspensions extending more than 10 days, which shall be reported for
each school year. This indicator shall be categorized by district, school, and grade level with each
category broken down by gender and eligibility for free and reduced-price meal programs.

(8) Number and percentage of classes taught by teachers rated as effective.

(9) Teacher and administrative turnover rates at the school and district levels.

(10) Number and percentage of students who earned a CTE industry-recognized
credential.

(11) Number and percentage of high school students who earned postsecondary
credit by successfully completing one or more concurrent or dual enrollment courses from an
accredited New Hampshire postsecondary college or university.

(12) Number of students that completed a New Hampshire scholars program of
study.

(13) Number of students that scored at least a level III on components of the ASVAB
that comprise the Armed Force Qualifying Test (AFQT).

(14) Number and percentage of New Hampshire scholars.

II. The department shall annually prepare a detailed report documenting the results of each
school on the performance-based school accountability system to be developed pursuant to paragraph
I of this section, and identifying all schools that can demonstrate the opportunity for an adequate
education through the performance-based methodology. The report shall be submitted no later than
January 15 annually to the house and senate standing committees with jurisdiction over education
matters, the speaker of the house of representatives, the senate president, the governor, the house
clerk, and the senate clerk.

6 Reference Changed; Verification Process. Amend RSA 193-E:3-d to read as follows:

193-E.3-d Performance-Based School Accountability System; Verification Process. Prior to the
submission of the final report pursuant to RSA 193-E:3-c,[IV] II the department shall undertake a
process to verify and test the integrity, accuracy, and validity of the performance-based
accountability system utilizing the best available data from one school from each of the counties in
the state. The commissioner shall ensure, to the greatest extent possible, that the verification
process utilizes the best available data from a balance of elementary and secondary schools
representing diverse socioeconomic conditions throughout the state. The commissioner shall work
with school officials and faculty from the selected schools to implement the performance-based school
accountability program and to develop a data collection system which will allow schools to easily
report results to the department for analysis and reporting.

7 Effective Date. This act shall take effect 60 days after its passage.