CONSENT CALENDAR

May 14, 2024

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Education to which was referred SB 378,

AN ACT relative to the performance-based school accountability system task force. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Rick Ladd

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**Education**
Bill Number:	**SB 378**
Title:	**relative to the performance-based school accountability system task force.**
Date:	**May 14, 2024**
Consent Calendar:	**CONSENT**
Recommendation:	**OUGHT TO PASS WITH AMENDMENT 2024-1898h**

STATEMENT OF INTENT

This bill, as amended, creates a task force to develop and review the performance-based accountability system (PBAS) that serves to demonstrate that a school is providing the opportunity for an adequate education. In accordance with law, the Commissioner of the Department of Education has the responsibility and shall review the PBAS and make recommendations to the Legislative Oversight Committee. This legislation has been developed with support of the department and directs the department to appoint a task force after consultation with professional education organizations and stakeholder groups with relevant assessment and accountability expertise to review, make findings, and present recommendations for future legislation no later than June 30, 2026. As amended, the task force has specific and clearly defined duties such as, but not limited to: identifying performance criteria and measurements, establishing goals and the relative weights assigned to goals, and ensuring that PBAS performance criteria are aligned with academic standards and with the scope and sequence of skill and knowledge development at various learning levels.

Vote 18-1.

Rep. Rick Ladd
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Education

SB 378, relative to the performance-based school accountability system task force. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. This bill, as amended, creates a task force to develop and review the performance-based accountability system (PBAS) that serves to demonstrate that a school is providing the opportunity for an adequate education. In accordance with law, the Commissioner of the Department of Education has the responsibility and shall review the PBAS and make recommendations to the Legislative Oversight Committee. This legislation has been developed with support of the department and directs the department to appoint a task force after consultation with professional education organizations and stakeholder groups with relevant assessment and accountability expertise to review, make findings, and present recommendations for future legislation no later than June 30, 2026. As amended, the task force has specific and clearly defined duties such as, but not limited to: identifying performance criteria and measurements, establishing goals and the relative weights assigned to goals, and ensuring that PBAS performance criteria are aligned with academic standards and with the scope and sequence of skill and knowledge development at various learning levels. **Vote 18-1.**

Original: House Clerk
Cc: Committee Bill File

Rep. Ladd, Graf. 5
May 13, 2024
2024-1898h
02/05

Amendment to SB 378

Amend the bill by replacing all after the enacting clause with the following:

1 Adequate Public Education; Performance-Based Accountability System. RSA 193-E:3-c is repealed and reenacted to read as follows:

193-E:3-c Development, Implementation, and Review of the Performance-Based Accountability System.

I. There is hereby established a task force to develop and review the performance-based accountability system (PBAS) that will serve to demonstrate that a school is providing the opportunity for an adequate education as defined in RSA 193-E:2-a.

II. The task force shall be composed of no fewer than 10 and no more than 15 members and shall consist of:

(a) Six or more individuals who hold a current New Hampshire certification of superintendent, assistant superintendent, or curriculum administrator. There shall be at least one representative of each of the 5 New Hampshire School Administrators Association administrative regions and one statewide at large representative.

(b) Two individuals who hold a current New Hampshire certification of principal.

(c) Two individuals who hold a current New Hampshire experienced educator license as classroom teachers, one elementary and one secondary, who are familiar with performance-based accountability and work in the role of classroom teacher in a school.

(d) Other educational experts whose understanding of performance-based accountability and expertise will be of benefit to the task force's duties.

III. The department of education shall:

(a) Appoint task force members after consultation with professional education organizations and stakeholder groups with relevant assessment and accountability expertise.

(b) Advise, facilitate, and provide technical support to the task force as needed.

(c) Set the schedule and call meetings of the task force as needed to meet the deliverables of this section.

(d) Support the chairperson in posting notice and minutes of task force meetings as needed to meet the deliverables of this section.

(e) Solicit public comment and host listening sessions relative to PBAS proposals in collaboration with the task force.

IV. The task force shall have the following duties:

(a) Elect a chairperson.

(b) Define the performance-based accountability system to be used by schools that will ensure that the opportunity for an adequate education as defined in RSA 193-E:2-a is provided.

(c) Identify performance criteria and measurements.

(d) Establish performance goals and the relative weights assigned to those goals.

(e) Ensure that PBAS performance criteria are aligned with academic standards and with the scope and sequence of skill and knowledge development at various learning levels.

(f) Develop a process of continuous review and improvement to the PBAS.

(g) Review and make recommendations of the applicability and application of the PBAS for chartered public schools established pursuant to RSA 194-B and alternative schools.

(h) Advise the department on the initial and ongoing implementation of PBAS, including developing deadlines and data collection and reporting methodologies.

V. The department may provide stipends, mileage, and expense reimbursement to members of the task force established in this section, as well as make expenditures of other costs associated with administration of the task force as determined to be appropriate by the department.

VI. Any unexpended funds for the biennium ending June 30, 2025, and each biennium thereafter in accounts 06-56-560040-3043-612 and 06-56-567010-7064-612, shall not lapse and shall be made available to the department of education for the purpose of providing reimbursements of expenses related to this section.

VII. The task force shall develop a performance-based scoring system, which shall be based on 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 laws. In establishing the performance-based system, the task force may consider one or more of the following data and indicators:

(a) Performance on state assessments pursuant to RSA 193-C.

(b) Indicators identified in RSA 193-E:3, I.

(c) College and career readiness indicators aligned to the New Hampshire consolidated state plan, as required by the Elementary and Secondary Education Act, 20 U.S.C. section 6301 et seq. as amended.

(d) Other metrics as determined by the task force.

VIII. The task force shall provide a report of its findings and make recommendations for future legislation for the performance-based accountability system to the state board of education and the legislative oversight committee established in RSA 193-C:8-a no later than June 30, 2026.

2 Performance-Based School Accountability System; 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,~~] ***RSA 193-E:3-c, VIII,*** 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. The commissioner shall review and make recommendations regarding the performance-based accountability system to ensure that the system adequately measures the goals and indicators associated with student academic achievement and growth.

3 Effective Date. This act shall take effect June 30, 2024.

Rep. Ladd, Graf. 5
April 29, 2024
2024-1679h
02/05

Amendment to SB 378

Amend the bill by replacing all after the enacting clause with the following:

1 Adequate Public Education; Performance-Based Accountability System. RSA 193-E:3-c is repealed and reenacted to read as follows:

193-E:3-c Development, Implementation, and Review of the Performance-Based Accountability System.

I. There is hereby established a task force to develop and review the performance-based school accountability system (PBAS) that will serve to demonstrate that a school is providing the opportunity for an adequate education as defined in RSA 193-E:2-a.

II. The commissioner shall appoint no fewer than 9 and no more than 15 members to the task force which shall consist of:

(a) The commissioner, or designee, who shall select the chairman of the task force.

(b) Six or more individuals who hold a current New Hampshire certification of superintendent, assistant superintendent, or curriculum administrator. There shall be at least one representative of each of the 5 regions and one statewide at large representative.

(c) Two individuals who hold a current New Hampshire certification of principal.

(d) One current school board member.

(e) One individual who holds a current New Hampshire experienced educator license of curriculum director who works closely with the school principal and teachers within a school or school district to determine the academic performance level of the students and to make and implement plans for improving that performance.

(f) Two individuals who hold a current New Hampshire experienced educator license as classroom teachers (one elementary and one secondary) that are familiar with performance-based accountability and work in the role of classroom teacher in a school.

(g) Other educational experts whose understanding of performance-based accountability and expertise will be of benefit to the task force's duties.

II-a. The department personnel shall advise, facilitate, and provide technical support to the task force as needed.

III. The task force shall have the following duties:

(a) Define the performance-based accountability system to be used by schools that will ensure that the opportunity for an adequate education as defined in RSA 193-E:2-a is provided.

(b) Identify performance criteria and measurements.

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

(d) Ensure that PBAS performance criteria are aligned with academic standards and with the scope and sequence of skill and knowledge development at various learning levels.

(e) Develop a process of continuous review and improvement to the PBAS.

(f) Advise the department on the implementation of PBAS, including developing deadlines and data collection and reporting methodologies.

IV. The department may provide stipends, mileage, and expense reimbursement to members of the task force established in this section, as well as make expenditures of other costs associated with administration of the task force as determined to be appropriate by the department.

V. Any unexpended funds for the biennium ending June 30, 2025, in account 06-56-560040-3043-612, shall not lapse and shall be made available to the department of education for the purpose of providing reimbursements of expenses related to this section.

VI. The task force shall develop a performance-based scoring system, using only the best available accountability system, which shall be based on 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 laws. In establishing the performance-based system, the task force may consider one or more of the following data and indicators:

(a) Performance on state assessments pursuant to RSA 193-C.

(b) Indicators identified in RSA 193-E:3, I.

(c) College and career readiness indicators aligned to the New Hampshire consolidated state plan, as required by the Elementary and Secondary Education Act, 20 U.S.C. section 6301 et seq. as amended.

(d) Other metrics as determined by the task force.

VII. The task force shall provide a report of findings and recommendations for future legislation for the performance-based accountability system to the state board of education and the legislative oversight committee established in RSA 193-C:8-a no later than September 30, 2025.

VIII. The department shall implement the PBAS, and ensure 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. The department shall also advise the legislative oversight committee established in RSA 193-C:8-a on an annual basis, or more frequently as needed, on the implementation and the need for future legislation regarding the PBAS.

IX. The department shall prepare a detailed report documenting the results of each school's results on the performance-based school accountability, demonstrating the opportunity for an adequate education has been provided through the performance-based methodology. The report shall be submitted annually by July 1 to the task force, board of education, and oversight committee established in RSA 193-C:8-a, and to the chairpersons of the house and senate education committees,

the speaker of the house of representatives, the senate president, the governor, the house clerk, and the senate clerk.

2 Effective Date. This act shall take effect July 1, 2024.

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on SB 378

BILL TITLE: relative to the performance-based school accountability system task force.

DATE: May 14, 2024

LOB ROOM: 205-207

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. Ladd	Seconded by Rep. Myler	AM Vote: 18-1

Amendment # 2024-1898h

Moved by Rep. Ladd	Seconded by Rep. Myler	Vote: 18-1

☐ **WITHOUT RECOMMENDATION**

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Arlene Quaratiello
Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

4/18/2024 10:44:49 AM
Roll Call Committee Registers Report

2024 SESSION

Education

Bill #: 378 **Motion:** adopt **AM #:** 2024h 1898h **Exec Session Date:** 5/14/24

Members	YEAS	Nays	NV
Ladd, Rick M. Chairman	18		
Cordelli, Glenn Vice Chairman	1		
Lekas, Alicia D.	2		
Belcher, Mike S		1	
Drye, Margaret M.	3		
McDonnell, Valerie E	4		
Noble, Kristin	5		
Peternel, Katy	6		
Quaratiello, Arlene Clerk	7		
Terry, Paul A	8		
Myler, Mel	9		
Cornell, Patricia	10		
~~Tanner, Linda L.~~ ~~Heath~~, Howard	11		
Luneau, David J.	12		
Woodcock, Stephen L.	13		
Hall, Muriel C.	14		
Balboni, Peggy	15		
Cascadden, Corinne E	16		
Damon, Hope	17		
Heath, Mary			—
TOTAL VOTE:	18	1	

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

4/18/2024 10:44:49 AM
Roll Call Committee Registers Report

2024 SESSION

Education

Bill #: 378 **Motion:** OTP/A **AM #:** 2024-1898h **Exec Session Date:** 5/14/24

Members	YEAS	Nays	NV
Ladd, Rick M. Chairman	18		
Cordelli, Glenn Vice Chairman	1		
Lekas, Alicia D.	2		
Belcher, Mike S		1	
Drye, Margaret M.	3		
McDonnell, Valerie E	4		
Noble, Kristin	5		
Peternel, Katy	6		
Quaratiello, Arlene Clerk	7		
Terry, Paul A	8		
Myler, Mel	9		
Cornell, Patricia	10		
Tanner, Linda L.	11		
Luneau, David J.	12		
Woodcock, Stephen L.	13		
Hall, Muriel C.	14		
Balboni, Peggy	15		
Cascadden, Corinne E	16		
Damon, Hope	17		
Heath, Mary			
TOTAL VOTE:	18	1	—

HOUSE COMMITTEE ON EDUCATION

SUBCOMMITTEE WORK SESSION on SB 378

BILL TITLE: relative to the performance-based school accountability system task force.

DATE: April 30, 2024

Subcommittee Members: Reps. Ladd, Peternel, Drye, Myler, Luneau and Cascadden

Comments and Recommendations: The subcommittee met and reviewed a draft amendment from Rep. Ladd and heard input from Nate Greene and Caitlyn Davis from the Department of Education. The subcommittee agreed to consider several proposals of changes to the make-up of the task force, and the timeline of the task force's work. An updated amendment will be prepared and reviewed by the full committee on May 14th.

Respectfully submitted,

Rep. Margaret Drye
Subcommittee Clerk

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON SB 378

BILL TITLE: **relative to the performance-based school accountability system task force.**

DATE: **March 26, 2024**

LOB ROOM: **205-207** **Time Public Hearing Called to Order:** **1:05 p.m.**

Time Adjourned: **1:45 p.m.**

Committee Members: Reps. Ladd, Cordelli, A. Lekas, Belcher, Drye, McDonnell, Noble, Terry, Myler, Cornell, Tanner, Woodcock, Balboni, Hall, Cascadden and Damon

Bill Sponsors:
Sen. Ward **Sen. Lang**

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

- **Senator Ruth Ward** -- (Prime Sponsor)
  - This bill is a request of the Department of Education
  - The Department is interested in re-establishing this task fore to review the Performance-Based Accountability System (PBAS)

- **Nate Greene and Caitlyn Davis**, NH Department of Education -- (Supports)
  - This bill will look at PBAS to determine an adequate education
  - The goal is implementation of a system that will demonstrate that a school is providing the opportunity for an adequate education

Respectfully submitted,

Rep. Margaret Drye
Acting Clerk

SIGN UP SHEET

Register Your Opinion If Not Testifying

House Education Committee:

Bill #: SB 378

Date: March 26, 2024

****Please Print All Information****

Name	Address	Phone	Representing	Pro	Con

House Remote Testify

Education Committee Testify List for Bill SB378 on 2024-03-26

Support: 2 Oppose: 2 Neutral: 0 Total to Testify: 0

Export to Excel

Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane	Signed Up
Lang, Senator Tim	Sanbornton, NH kathryn.cummings@leg.state.nh.us	An Elected Official	Senate District 2	Support	No	No	3/20/2024 3:37 PM
Lucas, Janet	Campton, NH janluca1953@gmail.com	A Member of the Public	Myself	Oppose	No	No	3/24/2024 6:46 AM
Richardson, Daniel	Nashua, NH daniel6_22@comcast	A Member of the Public	Myself	Support	No	No	3/24/2024 9:32 PM
Davis, Tod	Nashua, NH todc.18@gmail.com	A Member of the Public	Myself	Oppose	No	No	3/25/2024 8:52 AM

SB 378 - AS INTRODUCED

2024 SESSION

24-3029
02/05

SENATE BILL ***378***

AN ACT relative to the performance-based school accountability system task force.

SPONSORS: Sen. Ward, Dist 8; Sen. Lang, Dist 2

COMMITTEE: Education

ANALYSIS

This bill creates a task force to develop and review the performance-based accountability system to review whether schools are providing the opportunity for an adequate 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.

24-3029
02/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to the performance-based school accountability system task force.

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

1 Adequate Public Education; Performance-Based Accountability System. RSA 193-E:3-c is repealed and reenacted to read as follows:

193-E:3-c Development, Implementation, and Review of the Performance-Based Accountability System.

I. There is hereby established a task force to develop and review the performance-based school accountability system (PBAS) that will serve to demonstrate that a school is providing the opportunity for an adequate education as defined in RSA 193-E:2-a.

II. The commissioner, in consultation with the legislative oversight committee established in RSA 193-C:8-a and governor, shall appoint no fewer than 9 and no more than 15 members to the task force which shall consist of:

(a) Six or more individuals who hold a current New Hampshire certification of superintendent, assistant superintendent, or curriculum administrator. There shall be at least one representative of each of the 5 regions and one statewide at large representative.

(b) Two individuals who hold a current New Hampshire certification of principal.

(c) One current school board member.

(d) Educational experts, parents, or guardians of a current public school pupil, members of a public interest group concerned with education, other individuals with information or expertise of benefit to the task force's duties.

(e) Department personnel shall advise, facilitate, and support the task force as needed and directed by the chairperson of the task force.

III. The task force shall have the following duties:

(a) Define the performance-based accountability system to be used by schools that will ensure that the opportunity for an adequate education as defined in RSA 193-E:2-a is provided.

(b) Identify performance criteria and measurements.

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

(d) Develop a process of continuous review and improvement to the PBAS.

(e) Advise the department on the implementation of PBAS, including developing deadlines and data collection and reporting methodologies.

IV. The task force shall develop a performance-based scoring system, using only the best available accountability system, which shall be based on 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 laws. In establishing the performance-based system, the task force may consider one or more of the following data and indicators:

(a) Performance on state assessments pursuant to RSA 193-C.

(b) Number and percentage of graduating pupils going on to post-secondary education and military service.

(c) College and career readiness indicators aligned to the New Hampshire consolidated state plan, as required by the Elementary and Secondary Education Act, 20 U.S.C. section 6301 et seq. as amended by the Every Student Succeeds Act.

(d) Attendance rates.

(e) Annual cumulative drop-out rates of high school pupils.

(f) Four- and five-year graduation and completion rates.

(g) Expulsion and out-of-school suspension rates.

(h) Other metrics as determined by the task force.

V. The task force shall submit its initial report of its findings with recommendations for future legislation for the performance-based accountability system to the board of education and the oversight committee established in RSA 193-C:8-a no later than September 30, 2025.

VI. The department shall implement the PBAS, and ensure 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. The department shall also advise the legislative oversight committee established in RSA 193-C:8-a on an ongoing basis on the implementation and the need for future legislation.

VII. The department shall prepare a detailed report documenting the results of each school's results on the performance-based school accountability, demonstrating the opportunity for an adequate education has been provided through the performance-based methodology. The report shall be submitted annually by July 1 to the task force, board of education and oversight committee established in RSA 193-C:8-a, and to the chairpersons of the house and senate education committees, the speaker of the house of representatives, the senate president, the governor, the house clerk, and the senate clerk.

2 Effective Date. This act shall take effect July 1, 2024.