

CHAPTER 109
HB 1236 - FINAL VERSION

15Mar2022... 0923h

2022 SESSION

22-2508
10/08

HOUSE BILL

1236

AN ACT relative to the legislative oversight committee for the education improvement and assessment program.

SPONSORS: Rep. Ladd, Graf. 4; Rep. Cordelli, Carr. 4

COMMITTEE: Education

ANALYSIS

This bill reestablishes the legislative oversight committee for the education improvement and assessment program.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Twenty Two

AN ACT relative to the legislative oversight committee for the education improvement and assessment program.

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

1 109:1 New Section; Education Improvement and Assessment; Legislative Oversight Committee.
2 Amend RSA 193-C by inserting after section 8 the following new section:

3 193-C:8-a Legislative Oversight Committee.

4 I.(a) It is the duty and policy of the state of New Hampshire that public elementary and secondary
5 education shall provide all students with the opportunity to acquire the knowledge and skills necessary to
6 prepare them for successful participation in the social, economic, scientific, technological, and political
7 systems of a free government, now and in the years to come, regardless of where the students live.

8 (b) Respecting New Hampshire's long tradition of community involvement, appropriate
9 means are established to provide an adequate education through an integrated system of shared
10 responsibility between state and local government. In this system, the state establishes minimum
11 standards for public school approval and academic standards for delivery of educational services at the
12 local level. School districts then have the responsibility and flexibility in implementing diverse educational
13 approaches to instruction and curriculum tailored to meet student needs.

14 (c) New Hampshire's long history of authorizing local governments in the form of local
15 districts, to develop and administer public schools pursuant to a set of minimum standards established by
16 the state has successfully achieved, on average across the state, high quality educational outcomes.

17 II. An oversight committee shall be established consisting of:

18 (a) Five members of the house of representatives, appointed by the speaker of the house of
19 representatives.

20 (b) One member of the senate, appointed by the senate president.

21 III. The first meeting of the oversight committee shall be at the call of the first named house
22 member. The first order of business shall be for the members to elect a chair. The members of the
23 committee shall receive mileage at the legislative rate when attending to duties of the committee.

24 IV. The legislative oversight committee shall:

25 (a) Review the development and implementation of the school performance and
26 accountability program set forth in RSA 193-H to ensure compliance with state and federal law.
27 Implementation of the program shall be in conjunction with the committee's review.

28 (b) Review the provisions of RSA 193-H and submit a report of such review annually to the
29 speaker of the house of representatives, the president of the senate, the governor, and the chairpersons
30 of the house and senate education committees.

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1 (c) Propose legislation that is needed as a result of the review of the progress and results of
2 the policies implemented under this chapter and under RSA 193-H, including any changes necessitated
3 by federal law.

4 (d) Confer with the commissioner and the state board of education to identify operational
5 principles which should guide the work of the department of education in supporting improved school
6 performance and accountability.

7 (e) Analyze existing department of education programs and initiatives which support
8 improved school performance and accountability.

9 (f) Receive reports from the commissioner regarding the status of public education in New
10 Hampshire, updates on the improvement made by local school districts toward achieving satisfactory
11 progress in statewide student performance under RSA 193-H:2 and status reports on the on-going issues
12 and implications of school accountability at the state and federal level. Reports by the commissioner shall
13 occur at least once annually or more frequently as needed, as determined by the committee and the
14 commissioner.

15 (g) Review and approve statewide performance targets required under RSA 193-H:2
16 developed by the department of education and recommended to the legislative oversight committee by
17 the state board of education.

18 (h) Receive reports from the state board of education including rules recommended by the
19 department to be adopted by the state board of education under RSA 541-A relative to statewide
20 performance targets required under RSA 193-H:2. The legislative oversight committee shall propose
21 legislation to be submitted to establish such statewide performance targets in state statute during the
22 legislative session following the approval of any recommendations which the state board of education is
23 required to make.

24 (i) Review the unique pupil identification system established in RSA 193-E:5 and propose
25 legislation needed as a result of the review.

26 (j) Review the implementation and results of the program relative to accountability for the
27 opportunity for an adequate education established in RSA 193-E, consult and receive reports on such
28 program, evaluate and review existing and emergent performance-based measurement tools, and
29 propose legislation for improvements to the accountability program, as necessary.

30 (k) Receive security breach reports from the department of education pursuant to RSA
31 189:66, consult with the commissioner of the department of information technology, and propose
32 legislation needed as a result of the review.

33 (l) Review and make recommendations relating to academic standards under consideration
34 by the state board of education pursuant to RSA 193-E:2-a, IV(c).

35 109:2 Performance-Based Accountability System; References Added. Amend RSA 193-E:3-c to
36 read as follows:

37 193-E:3-c Performance-Based Accountability System.

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I. At least every 4 years the commissioner shall review the performance-based accountability system and make recommendations for future legislation *to the legislative oversight committee established in RSA 193-C:8-a.*

II. The department shall have the following duties:

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

(b) Identify performance criteria and measurements.

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

(d) Establish 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) 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.

III. The performance-based accountability system shall be based on data and 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.

IV. The commissioner shall submit a report of its findings with recommendations for future legislation for the performance-based accountability system to the *legislative oversight committee established in RSA 193-C:8-a. After the report is approved by the legislative oversight committee, the commissioner shall submit the report 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.

V. 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 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 same individuals receiving the final report under paragraph IV.

109:3 New Subparagraph; Adequate Education; Minimum Standards; Review by Legislative Oversight Committee. Amend RSA 193-E:2-a, IV by inserting after subparagraph (b) the following new subparagraph:

(c) The state board shall not amend any existing academic standards and shall not approve any new academic standards without the prior review and recommendation of the legislative oversight committee established in RSA 193-C:8-a.

109:4 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 27, 2022
Effective Date: July 26, 2022