

Bill as Introduced

HB 321 - AS AMENDED BY THE HOUSE

8Apr2021... 0537h

2021 SESSION

21-0358

06/11

HOUSE BILL

321

AN ACT

requiring school districts to submit an annual report concerning gifted and talented students.

SPONSORS:

Rep. Moffett, Merr. 9; Rep. Pearl, Merr. 26; Rep. Lang, Belk. 4; Rep. Shaw, Hills. 16; Rep. Pitre, Straf. 2; Rep. Hobson, Rock. 35; Sen. Giuda, Dist 2; Sen. D'Allesandro, Dist 20

COMMITTEE:

Education

AMENDED ANALYSIS

This bill requires all public schools to submit annual reports to the department of education detailing the policies, programs, and procedures that are in place to identify and accommodate the needs of gifted and talented students.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT requiring school districts to submit an annual report concerning gifted and talented students.

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

1 1 New Section; Instruction of Pupils; Gifted and Talented Students; Report. Amend RSA 189 by
2 inserting after section 29-a the following new section:

3 189:29-b Identification and Accommodation of Gifted and Talented Students.

4 I. In this section, "gifted and talented student" means a student identified as having unique
5 academic, artistic, or athletic potential according to assessments selected and administered locally.

6 II. No later than August 1 of each year, every New Hampshire public school shall submit a
7 narrative report to the department of education detailing what policies, programs, and procedures
8 are in place to identify and accommodate the unique needs of gifted and talented students. The
9 format, length, and substance of the report shall be at the discretion of the local school. If no such
10 policies, programs, or procedures exist, then said report shall so state.

11 2 Effective Date. This act shall take effect 60 days after its passage.

HB 321- FISCAL NOTE
 AS AMENDED BY THE HOUSE (AMENDMENT #2021-0537h)

AN ACT requiring school districts to submit an annual report concerning gifted and talented students.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase.	Indeterminable Increase
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

LOCAL:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

The bill would require, on an annual basis, all public schools to submit a narrative report to the Department of Education explaining which policies, programs, and procedures are in place to identify and accommodate the unique needs of gifted and talented students. The Department anticipates additional staff time and effort may be required to collect reports and ensure all reports have been submitted from every school. If reports are allowed to be submitted electronically, additional IT support may be needed. At this time, the fiscal impact to the State is indeterminable. Likewise, the fiscal impact at the local level is also currently indeterminable as the impact will vary by district and be associated with school district staff time and effort to produce the reports intended by this bill.

AGENCIES CONTACTED:

Department of Education

LBA
21-0358
5/3/21

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Department of Education

HB 321 - AS AMENDED BY THE SENATE

8Apr2021... 0537h
05/20/2021 1396s

2021 SESSION

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HOUSE BILL **321**

AN ACT requiring school districts to submit an annual report concerning gifted and talented students.

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COMMITTEE: Education

AMENDED ANALYSIS

This bill requires all public schools to submit annual reports to the department of education detailing the policies, programs, and procedures that are in place to identify and accommodate the needs of gifted and talented students.

This bill also requires the department of education to develop a standardized format for reporting such information and to conduct an annual reassessment of such format to ensure that the information reported is useful.

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4 I. In this section, "gifted and talented student" means a student identified as having unique
5 academic, artistic, or athletic potential according to assessments selected and administered locally.

6 II. Beginning in the 2022-2023 school year, every New Hampshire public school shall submit
7 to the department of education, no later than August 1, an annual narrative report detailing the
8 policies, programs, and procedures that are in place to identify and accommodate the unique needs of
9 gifted and talented students. If no such policies, programs, or procedures exist, the report shall so
10 state.

11 III. The department shall develop a standardized format for the submission of such
12 information and shall reassess the format each year to ensure the required information is useful.
13 The department shall make the reports available on its public Internet website.

14 2 Effective Date. This act shall take effect upon its passage.

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LBA
21-0358
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AGENCIES CONTACTED:

Department of Education

CHAPTER 139
HB 321 - FINAL VERSION

8Apr2021... 0537h
05/20/2021 1396s

2021 SESSION

21-0358
06/11

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CHAPTER 139
HB 321 - FINAL VERSION

8Apr2021... 0537h
05/20/2021 1396s

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11 III. The department shall develop a standardized format for the submission of such
12 information and shall reassess the format each year to ensure the required information is useful.
13 The department shall make the reports available on its public Internet website.

14 139:2 Effective Date. This act shall take effect upon its passage.

Approved: July 23, 2021
Effective Date: July 23, 2021

CHAPTER 139
HB 321 - FINAL VERSION

Amendments

Sen. Hennessey, Dist 1
Sen. Kahn, Dist 10
May 10, 2021
2021-1382s
06/04

Amendment to HB 321

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

2

3 1 New Section; Instruction of Pupils; Gifted and Talented Students; Report Amend RSA 189 by
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14 information and shall reassess the format each year to ensure the required information is useful.
15 The department shall make the reports available on its public Internet website.

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UNAPPROVED

2021-1382s

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UNAPPROVED

Senate Education
May 11, 2021
2021-1396s
06/04

Amendment to HB 321

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

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14 information and shall reassess the format each year to ensure the required information is useful.
15 The department shall make the reports available on its public Internet website.

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2021-1396s

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Committee Minutes

SENATE CALENDAR NOTICE
Education

Sen Ruth Ward, Chair
Sen Erin Hennessey, Vice Chair
Sen Denise Ricciardi, Member
Sen Jay Kahn, Member
Sen Suzanne Prentiss, Member

Date: April 21, 2021

HEARINGS

Tuesday	04/27/2021	
(Day)	(Date)	
Education	REMOTE 000	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m.	HB 282	relative to a private school that is approved as a tuition program.
9:15 a.m.	HB 388	relative to changing a pupil's school or assignment because of a manifest educational hardship.
9:30 a.m.	HB 319	requiring students in the university and community college systems of New Hampshire to pass the United States Citizenship and Immigration Services civics naturalization test.
9:45 a.m.	HB 321	requiring school districts to submit an annual report concerning gifted and talented students.
10:00 a.m.	HB 464	relative to the commission to study school funding.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/92735479815>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: +13017158592,,92735479815# or +13126266799,,92735479815#
4. Webinar ID: **927 3547 9815**
5. To view/listen to this hearing on YouTube, use this link:
<https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link:
<http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call 603-271-6931..

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 282

Rep. Ladd
Rep. Osborne
Rep. Stapleton

Rep. McGuire
Rep. Baldasaro
Sen. Reagan

Rep. Cordelli
Rep. Allard
Sen. Ward

Rep. Boehm
Rep. Hill
Sen. Hennessey

HB 388

Rep. Ladd
Rep. Shaw

Rep. Cordelli

Rep. Pitre

Rep. Boehm

HB 319

Rep. Moffett
Rep. Shaw

Rep. Pearl
Rep. Hobson

Rep. Lang
Sen. Giuda

Rep. Rouillard

HB 321

Rep. Moffett
Rep. Pitre

Rep. Pearl
Rep. Hobson

Rep. Lang
Sen. Giuda

Rep. Shaw
Sen. D'Allesandro

HB 464

Rep. Cordelli
Rep. Osborne

Rep. Ladd
Rep. Baldasaro

Rep. Boehm
Rep. Rouillard

Rep. Weyler
Sen. Ward

Ava Hawkes 271-4151

Ruth Ward
Chairman

Senate Education Committee

Ava Hawkes 271-4151

HB 321, requiring school districts to submit an annual report concerning gifted and talented students.

Hearing Date: April 27, 2021

Time Opened: 11:06 a.m.

Time Closed: 11:22 a.m.

Members of the Committee Present: Senators Ward, Hennessey, Ricciardi, Kahn and Prentiss

Members of the Committee Absent : None

Bill Analysis: This bill requires all public schools to submit annual reports to the department of education detailing the policies, programs, and procedures that are in place to identify and accommodate the needs of gifted and talented students.

Sponsors:

Rep. Moffett

Rep. Pearl

Rep. Lang

Rep. Shaw

Rep. Pitre

Rep. Hobson

Sen. Giuda

Sen. D'Allesandro

Who supports the bill: Senator Bob Giuda, Representative Rick Ladd, Representative Erica Layon, Representative Michael Moffett, Representative Deborah Hobson, Kate Shea, Moira Ryan, Liz Tentarelli, Ann Marie Banfield

Who opposes the bill: Becky Wilson, Jerry Frew, Russell Holden, David Doherty

Who is neutral on the bill: Eric Pauer

Summary of testimony presented:

Representative Michael Moffett – Rockingham, District 9

- Representative Moffett introduced HB 321.
- This bill calls for a best practices folder, virtual or otherwise, for NHDOE and districts to share policies or initiatives that address the unique needs of talented or gifted students.
- There is no policy mandate or spending requirement.
- There is no expectation that anyone process information.
- It simply involves exchanging good ideas.

- He used to teach at a high school where there was a math club, this is a perfect example of an initiative that supports talented or gifted students.
- Localities will determine what they feel are talented or gifted students.
- This bill's requirement could be satisfied in a few minutes.
- As so few school districts currently have programs to identify gifted students, they would simply notify NHDOE of their non-existent programs.
- NH is ranked around 50th in the country for acknowledging talented and gifted students.
- Even Mississippi, who ranks 50th for overall education in the country, does more than NH in terms of acknowledging gifted and talented students.
- This is a long-neglected situation.
- As an advocate of public education, he sees this as increasing support for public education.
- Senator Prentiss asked Representative Moffett about the requirement for an annual report to NHDOE.
 - Representative Moffett said the bill simply asks that districts share what they do with NHDOE. Sharing this information could be done via email or an attachment.
 - In many cases, school districts don't do anything so they would just say that.

Representative Deborah Hobson – Rockingham, District 35

- Supports this bill.
- This bill is a starting point as we should be keeping track of students who excel to replicate best practices.
- We might see a decrease in behavioral issues in students by keeping a closer eye on this population.

Representative Erica Layon – Rockingham, District 6

- Supports this bill.
- Opportunities or programs for gifted students are very limited in NH and there is essentially no data on what we do offer.
- A school that recognizes underchallenged, bright students can show up as disruptive, discipline problems might implement policy where students are encouraged to take on an extra challenge, assuming their work quality stays the same or improves.
- For instance, a school might allow a policy where students could choose books from a more advanced section of the library or check out more books if they demonstrate a thirst for reading.
- Options are limitless.
- Knowing what we are doing with gifted students is very important.

- Some states are doing away with accelerated math and she does not want to see that happen in NH.
- Giftedness is not a matter of social or socioeconomic status.
- 6-10% of students are gifted no matter their background. Thus, 10,000-17,000 NH students are gifted.
- Gifted offerings are limited to some exceptional educators who go above and beyond.
- She runs a gifted Facebook page which is full of families who felt they had no choice but to leave the public school system.
- Low income and minority gifted students are the least likely to be appropriately challenged and they face barriers.
- Senator Kahn asked Representative Layon if she would believe that NHDOE does not have a staff member to cover this area.
 - Representative Layon said yes, she is aware and it is shocking.
 - There is also no information.
 - Once information becomes available, perhaps NHDOE could budget a part-time or full-time role.
 - They would be starting from scratch without a bill like this which would collect data.

Ann Marie Banfield

- Supports this bill.
- There is a new focus on educational equity. However, there is a difference between equity and equality as it relates to education reform.
- Looking for ways to elevate students who have been marginalized in the past, in an effort to make sure those opportunities are available, provides equality of opportunities.
- Compare this to eliminated gifted programs so that students are performing at the same level. This would deny marginalized students with opportunities but now there is equity in outcomes.
- The Massachusetts Miracle was a good step towards equality for all students, the marginalized included.
- MADOE focused on improving academic content and targeting marginalized students in order to improve their opportunities.
- Under the current model, where competency education is introduced, the focus is on closing the achievement gap.
- We see this played out by pulling the top down for all to be on the same level.
- We achieve equity by taking away opportunities for gifted children.
- The Massachusetts Miracle was nationally acknowledged for drafting the best academic standards in the country.
- There have been identified flaws with common core and states have moved away from this model.

- She plans to submit written testimony.
- Senator Prentiss asked about the annual reporting requirement as she understood Representative Moffett say this is simply a shared folder as a resource. She asked if we need a law for this.
 - Ms. Banfield said it sounds like Senator Prentiss is looking for more technical information that Representative Moffett may be able to provide.
 - Representative Moffett said this bill enforces an information requirement, not a policy requirement.
 - Schools already have to submit various, routine information requirements, for example, school populations, budgets, etc. This is not a policy requirement.

amh

Date Hearing Report completed: April 30, 2021

Speakers

Senate Remote Testify

Education Committee Testify List for Bill HB321 on 2021-04-27

Support: 9 Oppose: 4 Neutral: 1 Total to Testify: 4

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>5</u>
Moffett, Mike	mofmichael@aim.com	603.491.0553	An Elected Official	Myself	Support	Yes	4
Hobson, Deb	deborahhobson@gmail.com	603-968-5417	An Elected Official	Myself	Support	Yes	4
Banfield, Ann Marie	banfieldannmarie@gmail.com	603-714-5814	A Member of the Public	Myself	Support	Yes	4
Layon, Erica	erica.layon@leg.state.nh.us	603.479.9595	An Elected Official	Myself	Support	Yes	4
Holden, Russell	rholden@sunapeeschools.org	603.763.4627	A Member of the Public	Myself	Oppose	No	4
Ladd, Rick	Not Given	Not Given	An Elected Official	Rep Grafton 4 Haverhill	Support	No	4
Tentarelli, Liz	lwv@kenliz.net	603.763.9296	A Member of the Public	Myself	Support	No	4
Pauer, Eric	secretary@BrooklineGOP.org	603.732.8489	A Member of the Public	Myself	Neutral	No	4
Frew, Jerry	jerry@nhsaa.org	Not Given	A Lobbyist	NHSAA	Oppose	No	4
Doherty, David	ddoherty0845@gmail.com	16038480055	A Member of the Public	Myself	Oppose	No	4
Ryan, Moira	army51kilo@hotmail.com	Not Given	A Member of the Public	Myself	Support	No	4
Shea, Kate	klynshea4618@gmail.com	60333613534	A Member of the Public	Myself	Support	No	4
Giuda, Bob	bob.giuda@leg.state.nh.us	603-271-3042	An Elected Official	NH Senate District 2	Support	No	4
Wilson, Becky	bwilson@nhsba.org	(603) 340 29	A Lobbyist	NH School Boards Association	Oppose	No	4

Testimony

Ava Hawkes

From: Michael Moffett <mofmichael@aim.com>
Sent: Thursday, April 22, 2021 9:59 AM
To: Ava Hawkes
Subject: HB 319 and 321 (Civics and Gifted)

Good Morning Ava

Could you please help me get this message and draft testimony to Senate Education Committee members?

Thank you so much!

Sincerely,

-MIM

Michael I. Moffett (LtCol, USMCR)
Professor/Author/**N.H. State Representative**
144 Green View Drive
Loudon, N.H. 03307 603-491-0553 (cell)

"Nothing great in the world has ever been accomplished without passion." – Georg W. F. Hegel

HB319 Remarks (College Civics)

Thank you Madame Chair.

For the record, I'm Rep. Mike Moffett of Merrimack District 9 which includes the beautiful towns of Canterbury and Loudon.

HB 319 is a companion bill to HB320 - the high school civics bill which has already passed the House and Senate. Its very similar to HB320 except that it focuses on post-secondary as opposed to secondary students.

It simply requires that students pass the 128-question Naturalization Exam for which immigrants need to study.

Is it needed?

Absolutely.

A recent report called "America's Knowledge Crisis: A Survey on Civic Literacy" found shortfalls in Americans' knowledge of history and how their

country operates. A poll of over 1000 people, mostly college graduates, found that 63 percent of respondents did not know the term lengths of U.S. senators.

College graduates. I've taught in the University System, the Community College system, and for a private college. I was routinely disappointed if not horrified by the lack of civics knowledge that COLLEGE students display.

That's NOT OK with me, or many others. So why is it okay for some? That our college graduates don't have the tools necessary to be good citizens?

Requiring this assessment would increase the value of a college diploma and increase public support for our public institutions.

Several other states have already implemented this requirement. Most recently Florida and Missouri.

Educrats will dismiss the test as involving factoids that are quickly forgotten.

I disagree. Whether its multiplication tables, anatomy, or the name of one's state senator, many of us think college grads should actually learn and remember material—and be tested on it.

Why is it okay to teach about Climate Change but not the Constitution?

Some will say that a civics requirement is best satisfied by encouraging activism. Send students to a town meeting. But shouldn't they know what a warrant article is first? Or what a quorum is?

Some say this will be an odious requirement.

I say, really? The test can be taken on-line in one's pajamas. Students can take it as many times as they need to to pass. The questions are all out there in the public domain. Foreign students are exempted.

And with HB320 moving forward most of these college students will have already satisfied the civics knowledge requirement before even getting to college. No problemo!

HB319 passed the House by a smaller margin than did HB320. Some folks were concerned about the state getting involved with college curricula. But this is not a curriculum issue. Its a separate assessment issue. We as legislators should care about this. College graduates should be able to speak and write English and they should have a broad civics foundation. English Composition is a universal requirement. This bill will address the shortcomings in Civics.

It has bipartisan sponsorship and bipartisan support.

This Bill probably received more attention than any other bill from the recent three-day House sessions. Front page stories in Monitor and Union Leader. AP Wire service story.

So NH Journal did a poll as to whether we should have this college Civics requirement. 80% of respondents supported it. Most Granite Staters clearly are excited about this bill.

So I hope you keep this moving forward.

I'd be happy to take any questions.

HB321 Remarks (Gifted Students)

Thank you, Madame. This is a really cool bill with bipartisan support and bipartisan sponsorship, including reps and senators from both parties.

This measure simply calls for a best practices folder, or virtual folder, at Department of Education for districts to share policies or initiatives that address unique needs of so-called "gifted" students.

There is no policy mandate. There is no spending requirement. There is no expectation that anyone process information. It simply involves exchanging good ideas. Like I said, this is a cool bill.

It simply asks schools to share what they do for gifted students. That means mailing, or emailing a message about existing policies or initiatives concerning Gifted Students. It can be satisfied in a minute or so. And sadly, because so few districts do much in this area, the message would simply say, in too many cases: "We currently have no programs for Gifted Students."

After working with house researchers and others on this it became apparent that NH is somewhere around 50th in the nation in terms of what we do to identify and support gifted students. Even Mississippi is ahead of us, in doing some really cool stuff for gifted students. So with no policy requirements, no spending requirements and minimal administrative requirements, this bill *would* require discussion everywhere and raise awareness about how to better serve a long-neglected but very real student population.

And finally, as an advocate for public education, I see this as a measure that would increase support for public education.

Thank you Madame chair, and I'd be happy to take any questions.

Ava Hawkes

From: Erica Layon
Sent: Tuesday, April 27, 2021 1:35 PM
To: Ruth Ward; Erin Hennessey; Denise Ricciardi; Jay Kahn; Suzanne Prentiss
Cc: Ava Hawkes
Subject: HB321 Testimony

Dear Honorable Senate Education Committee,

Offerings for gifted students within our public schools are very limited in New Hampshire and there is essentially no data to review. This bill will have each school submit a narrative of their efforts for gifted students each year.

That's it. A school which recognizes that under-challenged bright students often show up as disruptive discipline problems might write about a policy where all disruptive students are encouraged to take on an extra challenge – say a more challenging book to read when bored, crossword or logic puzzles, or something else that distracts less from the classroom than their current behavior – on the condition that their work quality stays the same or improves.

Or a school may write about a policy to allow students to pick from the more advanced section of the library – or check out more books – if they demonstrate a thirst for reading.

It could also be an effort to build an in-house group for the math Olympiad, or a team that works together to field a very competitive spelling bee team.

Or a school could simply state that they don't have any special options for gifted students. Still, the options are limitless, and don't need to take away from what is already happening in the classroom.

This is even more important today, when we see other states doing away with accelerated math. That is the wrong direction, and not something I want to see happen in New Hampshire.

There is much talk of equity nowadays, and an incredibly cruel opinion that BIPOC students are harmed by the presence of accelerated academic options.

Giftedness is not a matter of racial, social or socioeconomic status. 6 to 10 percent of students are gifted, no matter their background. Ten to 17 thousand New Hampshire students are gifted, yet we can't say today what we do for them. As far as I can tell, our gifted offerings are limited to some exceptional educators who go above and beyond. I help run the Granite State Gifted

Facebook page, which is full of families that have felt no choice but to leave the public school system. Sadly low income and minority gifted students are the least likely to be appropriately challenged and face barriers to school choice. We need to offer an appropriate education to our gifted students from all background, and HB 321 will at least start the dialogue.

Sincerely,
Representative Erica Layon
House Education
Rockingham 6 (Derry)
(603) 479-9595

Ava Hawkes

From: Rebecca Wilson <bwilson@nhsba.org>
Sent: Tuesday, April 27, 2021 7:45 AM
To: Ava Hawkes
Subject: Testimony for this morning HB 321

Good morning, Ava,

I hope this email finds you well. Would you please forward this written testimony to the members of the Senate Education committee for me? I am out of town and will not be able to verbally testify, however, if I can be of any help or answer any questions upon my return on Friday, please let me know.

Thank you,
Becky Wilson

April 25, 2021

Dear Chairwoman Ward and members of the Senate Education Committee,

My name is Becky Wilson, and I serve as the Director of Governmental Relations for the New Hampshire School Boards Association. Due to a potential conflict which may affect our ability to testify verbally, we are offering this information to the committee in regards to HB 321: Requiring School Districts to Submit An Annual Report Concerning Gifted and Talented Students. NHSBA would like to thank the sponsors of this bill (Rep. Moffett, Rep. Pearl, Rep. Lang, Rep. Shaw, Rep. Pitre, Rep. Hobson, Sen. Giuda, Sen. D'Allesandro) for continuing to shine the light on the importance of ongoing formative assessment of students' needs, the ability to differentiate instruction to meet the needs of all learners, and the importance of districts having strong intervention programs for all.

School districts across New Hampshire have spent significant time, energy and resources on ongoing professional development in regards to assessment of student skill. This includes such initiatives as Universal Design for Learning (UDL), Differentiated Instruction (DI), Response to Intervention (RTI) and Multi-tiered Systems of Support (MTSS). While most often these systems are referenced when discussing students who may need additional supports, the reality is that these systems and approaches are designed to address the changing needs of ALL learners, including those with exceptional abilities in diverse areas, including those covered in the proposed language of HB 321 (unique academic, artistic, or athletic potential). However, these types of systems, approaches, pedagogy and interventions/enrichment opportunities do not lend themselves specifically to a policy.

The National Association for Gifted Children defines giftedness as "children demonstrating abilities significantly above average when compared against their peers. These abilities may be demonstrated in different areas ranging from leadership to intellect or artistic ability and includes talent, performance, and accomplishments." Sometimes, these gifted children manifest incredible aptitude in a specific area like math or science, or at times, these talents may relate to a particular area of interest, specific content, or focus of study. In the current amended version of HB 321, "gifted and talented" is defined as "a student identified as having unique academic, artistic, or athletic potential according to assessments selected and administered locally." Despite this definition, it is unclear who is determining what is considered "unique" and it is also

unclear how local assessments would measure the areas of academic, artistic or athletic “potential.” Most often, assessments are meant to measure proficiency, or aptitude, not necessarily “potential.”

In addition, it should be noted that gifted children sometimes underachieve, or have a coexisting disability. In addition, due to a variety of circumstances, students with talent who may be considered gifted, may be affected by circumstances which negatively impact performance. A prime example of how environment may sometimes negatively impact performance can be seen among underserved populations. For example, student populations may be hindered because their school lacks resources, teacher turnover is high, or because the environment is unsafe for one reason or another. This creates conditions in which it is hard for even the most talented of students to maximize their potential, and their performance may not suggest they are actually gifted. Creating equitable opportunities is key in providing these students with the ability to use their talents and skills. It is incumbent upon New Hampshire educators to continue to provide all students with the equitable opportunities for an adequate education, which includes responsive and flexible systems for identifying the needs and talents of students and finding ways of guiding them toward reaching their potential.

Districts are able to describe already, in detail, the processes, systems, interventions and enrichment opportunities available within their schools. However, HB 321 would require each district to supply an annual narrative report to the department of education detailing what policies, programs, and procedures are in place to identify and accommodate the unique needs of gifted and talented students. The format, length, and substance of the report shall be at the discretion of the local school. It is unclear why the Department of Education would need to house this information, as districts are not required to have these types of programs or procedures “approved” by the DOE, nor do they lend themselves to policy making.

Please do not hesitate to reach out with any further questions or if NHSBA can be of any further assistance.

Respectfully submitted,

Rebecca R. Wilson, NHSBA, Director of Governmental Relations

Voting Sheets

Senate Education Committee
EXECUTIVE SESSION RECORD
2020-2021 Session

Bill # HB 321-FN

Hearing date: 4/27/21

Executive Session date: 5/14/21

Motion of: OTP - Withdrawn Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: Reverer Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: CONSENT Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Hennessey

Notes: _____

Senate Education Committee
EXECUTIVE SESSION RECORD
 2020-2021 Session

Bill # HB 321-FN

Hearing date: 4/27/21

Executive Session date: 5/11/21

Motion of: Reconsider Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Amendment 1302s, OTP Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: OTP/A Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Prentiss

Notes: _____

Senate Education Committee
EXECUTIVE SESSION RECORD
2020-2021 Session

Bill # HB 321-FN

Hearing date: 4/27/21

Executive Session date: 5/11/21

Motion of: CONSENT Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Prentiss

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Wednesday, May 12, 2021

THE COMMITTEE ON Education

to which was referred **HB 321**

AN ACT

requiring school districts to submit an annual
report concerning gifted and talented students.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 1396s

Senator Suzanne Prentiss
For the Committee

This bill requires all public schools to submit annual reports to the department of education detailing the policies, programs, and procedures that are in place to identify and accommodate the needs of gifted and talented students. This bill would create a folder, virtual or otherwise, for school districts to access and share their efforts and best practices in supporting gifted and talented students. The committee amendment sought to define gifted and talented students, require the department of education to develop a standardized report submission format and make reports available online.

Ava Hawkes 271-4151

FOR THE CONSENT CALENDAR

EDUCATION

HB 321, requiring school districts to submit an annual report concerning gifted and talented students.

Ought to Pass with Amendment, Vote 5-0.

Senator Suzanne Prentiss for the committee.

This bill requires all public schools to submit annual reports to the department of education detailing the policies, programs, and procedures that are in place to identify and accommodate the needs of gifted and talented students. This bill would create a folder, virtual or otherwise, for school districts to access and share their efforts and best practices in supporting gifted and talented students. The committee amendment sought to define gifted and talented students, require the department of education to develop a standardized report submission format and make reports available online.

Docket of HB321

Bill Title: (New Title) requiring school districts to submit an annual report concerning gifted and talented students.

Official Docket of HB321.:

Date	Body	Description
1/9/2021	H	Introduced (in recess of) 01/06/2021 and referred to Education HJ 2 P. 43
2/23/2021	H	Public Hearing: 02/23/2021 01:15 pm Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/94382337363 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
3/24/2021	H	Majority Committee Report: Ought to Pass with Amendment #2021-0537h (Vote 12-8; RC) HC 18 P. 40
3/24/2021	H	Minority Committee Report: Ought to Pass with Amendment #2021-0960h
4/8/2021	H	Amendment #2021-0537h : AA VV 04/08/2021 HJ 6 P. 32
4/8/2021	H	Amendment #2021-0960h : AF DV 171-205 04/08/2021 HJ 6 P. 32
4/8/2021	H	Ought to Pass with Amendment 2021-0537h: MA VV 04/08/2021 HJ 6 P. 32
4/13/2021	S	Introduced 04/08/2021 and Referred to Education; SJ 12
4/22/2021	S	Remote Hearing : 04/27/2021, 09:45 am; Links to join the hearing can be found in the Senate Calendar; SC 21
5/12/2021	S	Committee Report: Ought to Pass with Amendment #2021-1396s , 05/20/2021; Vote 5-0; CC; SC 24
5/20/2021	S	Committee Amendment #2021-1396s , AA, VV; 05/20/2021; SJ 16
5/20/2021	S	Ought to Pass with Amendment 2021-1396s, MA, VV; OT3rdg; 05/20/2021; SJ 16
6/10/2021	H	House Concurs with Senate Amendment 2021-1396s (Rep. Ladd): MA DV 204-158 06/10/2021
7/12/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); SJ 20
7/12/2021	H	Enrolled (in recess of) 06/24/2021

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 321-FN

Senate Committee: Education

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

- Bill version as it came to the committee
- All Calendar Notices
- Hearing Sign-up sheet(s)
- Prepared testimony, presentations, & other submissions handed in at the public hearing
- Hearing Report
- Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

- amendment # 1302s _____ - amendment # _____
- amendment # 1396s _____ - amendment # _____
- Executive Session Sheet
- Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

- _____ - amendment # _____ _____ - amendment # _____
- _____ - amendment # _____ _____ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

- _____ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
- _____ Enrolled Bill Amendment(s)
- _____ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

- as amended by the senate _____ as amended by the house
- final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Committee Aide

Date

Senate Clerk's Office AK