

APPENDIX II-G

COVER SHEET FOR FINAL PROPOSAL

Notice Number	2021-124	Rule Number	Ed 306.26, Ed 306.27, Ed 306.46, and Ed 306.49
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<p>1. Agency Name & Address:</p> <p>State Board of Education c/o Department of Education 101 Pleasant Street Concord, NH 03301</p>	<p>2. RSA Authority: RSA 21-N:9, I</p> <p>3. Federal Authority:</p> <p>4. Type of Action:</p> <p><input checked="" type="checkbox"/> Adopt</p> <p><input type="checkbox"/> Amendment</p> <p><input type="checkbox"/> Repeal</p> <p><input type="checkbox"/> Readoption</p> <p><input checked="" type="checkbox"/> Readoption w/amendment</p>
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5. Short Title: **Holocaust and Genocide Education**

6. Contact person for copies and questions:

Name:	Amanda Phelps	Title:	Administrative Rules Coordinator
Address:	Department of Education 101 Pleasant Street Concord, NH 03301	Phone #:	(603) 271-2718

7. Yes ☐ No ☒ Agency requests review by Committee legal staff in the Office of Legislative Services and delayed Committee review pursuant to RSA 541-A:12, I-a.

8. The rulemaking notice appeared in the Rulemaking Register on

**SEE THE INSTRUCTIONS--PLEASE SUBMIT ONE COPY OF THIS COVER SHEET
AND ONE COPY OF THE FOLLOWING:
(optional to number correspondingly)**

9. The "Final Proposal-Fixed Text," including the cross-reference table required by RSA 541-A:3-a, II as an appendix.

10. Yes ☐ N/A ☒ Incorporation by Reference Statement(s) because this rule incorporates a document or Internet content by reference for which an Incorporation by Reference Statement is required pursuant to RSA 541-A:12, III.

11. Yes ☒ N/A ☐ The "Final Proposal-Annotated Text," indicating how the proposed rule was changed because the text of the rule changed from the Initial Proposal pursuant to RSA 541-A:12, II(d).

12. Yes ☐ N/A ☒ The amended fiscal impact statement because the change to the text of the Initial Proposal affects the original fiscal impact statement (FIS) pursuant to RSA 541-A:5, VI.

Notice Number **2021-124**

Rule Number **Ed 306.26, Ed 306.27, Ed
306.46, and Ed 306.49**

1. Agency Name & Address:

**State Board of Education
c/o Department of Education
101 Pleasant St.
Concord, NH 03301**

2. RSA Authority: **RSA 21-N:9, I**

3. Federal Authority: _____

4. Type of Action:

Adoption **X**

Repeal _____

Readoption _____

Readoption w/amendment **X**

5. Short Title: **Holocaust and Genocide Education**

6. (a) Summary of what the rule says and of any proposed amendments:

Ed 306.26 regarding the kindergarten through grade 8 school curriculum and Ed 306.27 regarding the high school curriculum, credits, graduation requirements, and cocurricular program are proposed for readoption with amendment to require local school boards to establish a Holocaust and genocide education program. Ed 306.46 regarding the social studies program is proposed for readoption with amendment to add Holocaust and genocide education as a required component in a social studies program. Ed 306.49 regarding the Holocaust and genocide education program is proposed for adoption and contains the minimum standards for the program. This proposal has been filed pursuant to 2020, 29:16, effective 9-21-20, which required the Board of Education to initiate rulemaking pursuant to RSA 541-A relative to recommendations of the Commission on Holocaust and Genocide Education, established in RSA 193-E:2-f, pursuant to 2020, 29:17.

6. (b) Brief description of the groups affected:

School districts, staff, students, and parents of students are affected by these rules.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	State or Federal Statute or Federal Regulation Implemented
Ed 306.26	RSA 189:1-a; RSA 189:24
Ed 306.27	RSA 189:1-a; RSA 194:23
Ed 306.46	RSA 186:5; RSA 193-E:2-a
Ed 306.49	RSA 189:11; RSA 193-E:2

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Amanda Phelps**

Title: **Administrative Rules
Coordinator**

Address: **Department of Education

101 Pleasant St.

Concord, NH 03301**

Phone #: **(603) 931-9133**

Fax#: _____

E-mail: **Amanda.j.phelps@doe.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **January 18, 2022**

☐ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **January 10, 2022 @ 10:00 a.m.**

Place: **Department of Education, Walker Building, 21 South Fruit Street,
Concord, NH 03301, Room 100**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 21:129, dated 11/24/2021

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in cost when comparing the proposed rules to the existing rules. Not applicable to Ed 306.49, as this is a new rule.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

Any costs associated to the new rule Ed 306.49 is attributable to RSA 189:11 and RSA 193-E:2, both recently amended by HB 1135 (2020).

A. To State general or State special funds:

None.

B. To State citizens and political subdivisions:

None.

C. To independently owned businesses:

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

This proposal does not mandate any new, expanded, or modified programs or responsibilities to any political subdivision in such a way as to necessitate additional local expenditures by the political subdivisions, and therefore does not violate Part I, Article 28-a of the New Hampshire Constitution.

Readopt with amendment Ed 306.26, effective 8-9-19 (Document #12845), to read as follows:

Ed 306.26 Kindergarten Through Grade 8 School Curriculum.

(a) The local school board shall require that in each school there is:

- (1) A broad and well-balanced elementary school curriculum that outlines district competencies for the grade 1-8 program in compliance with RSA 193-C:3, III; and
- (2) An instructional program that includes:
 - a. Procedures for diagnosing learner needs, learning styles, and interests;
 - b. Methods and strategies for teaching students;
 - c. Research-based learning opportunities;
 - d. Techniques for the evaluation of student outcomes, including performance assessment of district competencies; and
 - e. Provision of differentiated instruction for students based on learning styles, needs, and interests.

(b) The local school board shall adopt, for each school, a broad and well-balanced kindergarten school curriculum that outlines a play-based kindergarten program in compliance with RSA 193-E:2-a, II-a that supports:

- (1) Unstructured time built into the school day for the discovery of, and methods and strategies for the fostering of, each child's individual talents, abilities, and needs;
- (2) Child development and learning in all domains, including, but not limited to:
 - a. Physical;
 - b. Social;
 - c. Cognitive; and
 - d. Language;
- (3) Child-directed experiences based upon the district's identified early childhood best teaching practices and play-based learning that comprise:
 - a. Movement;
 - b. Creative expression;
 - c. Exploration;
 - d. Socialization; and
 - e. Music; and

(4) A guided-reading literacy program.

(c) The local school board shall adopt, for each school, a local time schedule which specifies the distribution of instructional time among the following learning areas to be taught in grades 1-8 at all learning levels in the school:

(1) For the elementary grades 1-8, where no middle school has been established by vote of the local school board:

- a. Ed 306.31, relative to an arts education;
- b. Ed 306.37, relative to an English/language arts and reading program;
- c. Ed 306.40, relative to a health education program;
- d. Ed 306.41, relative to a physical education program;
- e. Ed 306.42, relative to digital literacy program;
- f. Ed 306.43, relative to a mathematics program;
- g. Ed 306.45, relative to a science education; and
- h. Ed 306.46, relative to a social studies program; and

(2) For middle school:

- a. Ed 306.31, relative to an arts education;
- b. Ed 306.37, relative to an English/language arts and reading program;
- c. Ed 306.40, relative to a health education program;
- d. Ed 306.41, relative to a physical education program;
- e. Ed 306.38, relative to a family and consumer science education;
- f. Ed 306.42, relative to digital literacy program;
- g. Ed 306.43, relative to a mathematics program;
- h. Ed 306.45, relative to a science education;
- i. Ed 306.46, relative to a social studies program; and
- j. Ed 306.47, relative to a technology and engineering education.

Edit: "or"

(d) If the local school board determines that one or more world languages might be offered at a middle school in the district, the local school board shall develop a policy for each middle school relative to providing supplemental instruction in one or more world languages, including the extent of this instruction and the students to whom it is offered.

(e) If a co-curricular program is offered, it shall consist of those activities that are designed to supplement and enrich regular academic instruction, provide opportunities for social development, and encourage participation in clubs, athletics, performing groups, and service to school and community.

(f) The local school board shall develop a policy that grants acknowledgement of achievement to students taking coursework in the seventh or eighth grade toward high school graduation, if the course demonstrates district or graduation competencies consistent with related high school course(s) and the student achieves satisfactory standards of performance.

(g) If a district chooses to offer extended learning opportunities in a middle school, the extended learning opportunities shall:

(1) Consist of activities designed to:

- a. Provide credit or supplement regular academic courses; and
- b. Promote the schools and individual students' educational goals and objectives;

(2) Be governed by a policy adopted by the local school board that:

- a. Provides for the administration and supervision of the program;
- b. Outlines how certified school personnel oversee an individual student's program;
- c. Requires that each extended learning proposal meet rigorous measurable standards and be approved by the school prior to its beginning;
- d. Specifies whether or not credit can be granted for extended learning activities, including, but not limited to, independent study, private instruction, team sports, performing groups, internships, community service, and work study; and
- e. Requires that acknowledgement of achievement for an extended learning activity be approved by a certified educator;

(3) Incorporate student participation in selecting, organizing, and carrying out extended learning activities;

(4) Provide opportunities for students to acquire knowledge and skill development comparable to knowledge and skill development in courses offered at the high school; and

(5) Be available to all students.

(h) The local school board shall require, and each district shall establish, and provide instruction in, Holocaust and genocide education as described in Ed 306.49, implemented no later than 8th grade as a component of a course in social studies. Nothing in this paragraph shall be construed to prevent developmentally appropriate instruction in Holocaust and genocide studies prior to 8th grade or as a component of other learning areas.

Readopt with amendment Ed 306.27, effective 3-27-14 (Document #10556), as amended effective 8-9-19 (Document #12845), and as amended effective 1-15-21 (Document #13159), to read as follows:

Ed 306.27 High School Curriculum, Credits, Graduation Requirements, and Cocurricular Program.

(a) The local school board shall require that the curriculum content developed for each high school outlines district and graduation competencies and is consistent with RSA 193-C:3, III.

(b) The required curriculum content shall comply with the following:

(1) The program of studies shall include those courses in which students demonstrate achievement as well as other educational experiences and instructional activities required by Ed 306;

(2) Courses shall be planned for the attainment of specific educational district and graduation competencies leading to the high school diploma;

(3) The instructional program shall include:

- a. Procedures for diagnosing learner needs;
- b. Methods and strategies for teaching that incorporate learner needs;
- c. Resource-based learning opportunities;
- d. Techniques for the evaluation of student outcomes, including performance assessment of district competencies; and
- e. The provision of remedial instruction as needed.

(4) Districts shall develop local policies that identify how the district shall engage students in creating and supporting extended learning opportunities that occur outside of the physical school building and outside of the usual school day in which students demonstrate achievement as well as other educational experiences and instructional activities required by Ed 306;

(5) The extended learning opportunities in (4) above shall:

- a. Consist of activities designed to:
 1. Provide acknowledgement of achievement or supplement regular academic courses; and
 2. Promote the school's and individual students' educational goals and objectives;
- b. Be governed by a policy adopted by the local school board that:
 1. Provides for the administration and supervision of the program;
 2. Outlines how certified school personnel will oversee, although not necessarily lead, facilitate, or coordinate, an individual student's program;

3. Requires that each extended learning proposal be aligned with district and graduation competencies consistent with RSA 193-C:3 that students are expected to demonstrate for graduation, and be approved by the school prior to its beginning;

4. Specifies that students will be able to attain acknowledgement of achievement through mastery of district or graduation competencies for extended learning activities, including, but not limited to, independent study, private instruction, team sports, performing groups, internships, community service, and work study; and

5. Requires that acknowledgement of achievement shall be based on a student's demonstration of district or graduation competencies, as approved by a certified educator;

c. Incorporate student participation in selecting, organizing, and carrying out extended learning activities; and

d. Be available to all students; and

(6) A co-curricular program shall be offered that provides opportunities for all students to participate in activities designed to meet their needs and interests, including, but not limited to:

a. Intramural and interscholastic athletics;

b. Performing groups;

c. Academic clubs and societies;

d. Student government;

e. Activities and services that afford students with disabilities an equal opportunity to participate; and

f. Any other activities that:

1. Supplement and enrich regular academic courses;

2. Provide opportunities for social development;

3. Encourage participation in the arts, athletics, and other cooperative groups; and

4. Encourage service to school and community.

(c) The local school board shall require that a program of studies shall be offered for each high school that enables each student to engage in and demonstrate achievement outlined for graduation as well as other educational experiences and instructional activities as follows:

(1) Ed 306.31, relative to an arts education;

(2) Ed 306.33, relative to a business education;

- (3) Ed 306.34, relative to a career and technical education;
 - (4) Ed 306.35, relative to a career education;
 - (5) Ed 306.37, relative to an English/language arts and reading program;
 - (6) Ed 306.38, relative to a family and consumer science education;
 - (7) Ed 306.39, relative to a school counseling program;
 - (8) Ed 306.40, relative to a health education program;
 - (9) Ed 306.41, relative to a physical education program;
 - (10) Ed 306.42, relative to digital literacy program;
 - (11) Ed 306.43, relative to a mathematics program;
 - (12) Ed 306.44, relative to a computer science education;
 - (13) Ed 306.45, relative to a science education;
 - (14) Ed 306.46, relative to a social studies program;
 - (15) Ed 306.47, relative to a technology and engineering education;
 - (16) Ed 306.48, relative to a world languages program; and
 - (17) Ed 306.27(b)(4), relative to extended learning opportunities.
- (d) Each high school shall offer maximum student opportunities, in and out of the classroom, while at the same time specifying a basic number of courses that each high school shall offer.
- (e) A student shall receive acknowledgement of achievement of the competencies contained within the course, shall be awarded course credit, and shall be eligible to take another course when the following is met:
- (1) The student demonstrates knowledge and skills on an assessment approved by the local school district for a particular course; or
 - (2) The student demonstrates knowledge and skills on an assessment approved by the department if the local school district has not developed an assessment.
- (f) Department approved assessments shall include assessments that measure achievement of the competencies contained within the course.
- (g) The local school board shall require that graduation be based on mastery of required graduation competencies as demonstrated through the accumulation of credits as outlined in Table 306-3 and by a certified educator. Each high school shall determine how completion of a classroom course, career and technical education courses, independent study, distance learning course, or extended learning opportunity can support student achievement and demonstration of district or graduation competencies.
- (h) Credits shall be based on the demonstration of district and or graduation competencies not on time spent achieving these competencies. The credit shall equate to the level of rigor and achievement

Edit: Intro language should include just one requirement. For example: "A student shall receive acknowledgment of achievement of the competencies contained within the course, be awarded course credit, and be eligible to take another course when the following is met:"

necessary to master competencies that have been designed to demonstrate the knowledge and skills necessary to progress toward college level and career work.

(i) Students may receive acknowledgement of achievement for graduation competencies through student demonstration of a collection of work or other assessment evidence gained through prior learning activities.

(j) The items in (c) above shall not limit opportunities to develop programs that meet the needs of each student.

(k) The programs of studies in (c) above may be offered and coordinated individually or through interdisciplinary studies.

(l) Students shall engage with and apply English and mathematics graduation competencies during every year they are enrolled in high school even if graduation competencies for English and mathematics have been demonstrated. Such engagement may occur through integration of these graduation competencies in courses focused on content areas other than English or mathematics. Such engagement shall support students to be college and career ready in mathematics and English/language arts. Nothing contained in this section shall preclude a school or district from offering courses and other learning opportunities in addition to the minimum outlined in Ed 306.

(m) There shall be a minimum of 20 credits for a regular high school diploma, unless the local school board has set a requirement of more than 20 credits for a regular high school diploma, in which case the local credit requirement shall apply. The local school board shall require that each high school offers courses or learning opportunities as specified in (c) above.

Edit: "set"

(n) The following shall apply relative to the required program of studies:

(1) Consistent with Ed 306, the local school board shall verify in writing to the commissioner that each high school shall offer a total of at least 43 courses distributed as shown in Table 306-1 when the school seeks approval or renewal of approval under Ed 306.28;

(2) Each high school may use any relevant title to identify a particular course;

(3) Local school boards may propose innovative ways to meet or exceed the requirements in Table 306-1, pursuant to Ed 306.29;

Edit: "specified in"

(4) Local school boards shall ensure that courses necessary to meet the requirements for attaining graduation competencies as defined on Table 306-3 are offered to district students enrolled in high school at no additional cost to the student;

(5) The required courses in program areas offered by each high school shall be distributed as specified in Table 306-1 below:

Edit: Underline table name.

Table 306-1 Required Program Areas and Courses

Required Program Areas	Courses
Arts education	3 courses
Business education	3 courses
Family and consumer science	3 courses
Digital literacy	½ course or demonstrated proficiency
World languages	5 courses

Health education	½ course
Physical education	2 courses
Technology education	4 courses
English	6 courses
Mathematics	6 courses
Science	5 courses
Social studies	5 courses
Computer science	2 courses

(6) Course requirements under Ed 306.27(1)(5) may be met through school identified and sanctioned distance education programs under Ed 306.22 subject to the following:

- a. Students shall be provided courses in a classroom setting that will enable them to demonstrate achievement of graduation competencies. Students shall not be required to take these courses in order to demonstrate achievement of graduation competencies but may engage in distance education programs to demonstrate achievement. Duplicate, equivalent, or additional courses in those program areas may be offered through distance education, extended learning opportunities, or other alternative methods;
- b. Distance education courses or other alternative courses or programs to be counted toward the 43 courses required by Ed 306.27(1)(5) shall meet the district or graduation competencies and shall be identified in the school's program of studies;
- c. The school shall provide all equipment, software, and internet connectivity necessary to participate in distance education programs that are to be counted toward the 43 courses required by Ed 306.27(1)(5);
- d. In the cases where the school has determined that there is no other way to provide a required course, the costs of registration shall be borne by the school district for courses or alternative programs to be counted toward the 43 courses required by Ed 306.27(1)(5); and
- e. At least one staff member shall be identified and available to assist students having difficulty with distance education courses and other alternative programs;

(7) Introductory level courses offered at regional career and technical centers and available to all high school students may be counted toward the 43 courses required by Ed 306.27(1)(5) to be offered at each host or sending high school in the region. Such courses shall be identified in the school's program of studies. Career program level courses, not available to all students, shall not be counted toward the high school requirement, including career level courses offered at a regional career and technical center that is co-located with the high school. Graduation competencies acquired and demonstrated through career courses may be counted toward a student's requirements for a high school diploma under Ed 306.27(t);

(8) Nothing in this section shall prevent a high school from offering classroom courses, distance education courses, independent study programs, career and technical center courses,

or extended learning opportunities in addition to the courses required by Ed 306.27(l)(5). Schools shall not be required to pay for student registration or similar fees for these additional courses or programs; and

(9) Nothing in this section shall prevent a student from achieving and demonstrating any number of graduation competencies through classroom courses, career and technical center courses, distance education, independent study, or extended learning opportunities to meet the graduation requirements of Ed 306.27(t) consistent with local district policies.

(o) The local school board of each high school shall award a regular high school diploma to those students who achieve and demonstrate all graduation competencies as encompassed in at least 20 credits.

(p) The local school board shall require that a high school have in place competency assessments for all courses offered through the high school.

(q) The local school board of each high school shall award a regular high school diploma to all students, with and without disabilities, who have achieved and demonstrated their local high school's required graduation competencies.

(r) The school board of a district which does not operate a high school may award a high school diploma if the following are met:

(1) The district has contracted with a public academy, as defined in RSA 193:23, II, to be the high school for the district, as authorized by RSA 194:2; and

(2) Students have attended a school other than the public academy;

Edit: Period

(s) The awarding of different types of diplomas shall be governed by the following:

(1) A school shall award a regular diploma for achievement and demonstration of the graduation competencies;

(2) A school may award a special diploma that recognizes academic achievement;

(3) Graduation competencies achieved and demonstrated in adult education, including but not limited to night school, may be used to earn a regular diploma; and

(4) Students may earn certificates of completion or equivalency diplomas, but these shall not be equal to a regular high school diploma.

(t) The district shall provide learning opportunities that enable students to achieve the district's graduation competencies. Graduation competencies shall align with the skills, knowledge, and work-study practices required for success in college and careers.

(u) Students shall demonstrate competencies contained in at least the equivalent of 20 credits. Students shall engage in learning concerning competencies in the areas of English/language arts and mathematics for every year they are in high school until graduation, regardless if English/language arts or mathematics graduation competencies have been achieved. Such engagement may occur through integration of these graduation competencies in courses focused on content areas other than English or mathematics as long as English or mathematics competencies are clear expectations of the course. Such engagement shall support students to be college and career ready in mathematics and English/language arts. Nothing contained in this section shall preclude a school or district from offering courses and other learning opportunities in addition to the minimum outlined in Ed 306.

Edit: "or"

(v) The 20 credits required for graduation shall be distributed as specified in Table 306-2:

Edit: Underline table name.

Table 306-2 Required Subjects and Credits for High School Graduation

Required Subjects	Credit(s)
Arts education	½ credit
Digital literacy	½ credit
English	4 credits
Mathematics	3 credits, including algebra credit that can be earned through a sequential, integrated, or applied program
Physical sciences	1 credit
Biological sciences	1 credit
US and NH history	1 credit
US and NH government/civics	½ credit
Economics, including personal finance	½ credit
World history, global studies, or geography	½ credit
Health education	½ credit
Physical education	1 credit
Open electives	6 credits
Totals	20 credits

Edit: Underline table name.

(w) Graduation competencies shall include competencies from the content areas as distributed in Table 306-3 in which students demonstrate proficiency as determined by the local school district:

Table 306-3 Required Credits for Graduation and Graduation Competencies

Required Graduation Competencies by Content Areas	Credit(s)
Arts education	½ credit
Digital literacy	½ credit
English	4 credits
Mathematics that encompasses algebra, mathematical modeling, statistics and probability, complex applications of measurement, applied geometry, graphical presentation and interpretation, statistics and data analysis	3 credits
Physical sciences	1 credit
Biological sciences	1 credit
US and NH history	1 credit
US and NH government/civics	½ credit
Economics, including personal finance	½ credit

Edit: Delete

World history, global studies, or geography	½ credit
Health education	½ credit
Physical education	1 credit
Open electives	6 credits
Totals	20 credits

(x) The rigor and number of graduation competencies shall align with the equivalent of the credits as outlined in Table 306-3.

(y) In addition to the graduation competencies aligned with credits as outlined in Table 306-3, students shall also demonstrate achievement of additional competencies through the equivalent of 6 elective courses, career and technical education courses, or extended learning opportunities of their choosing. These additional competencies required for graduation should align with student interests and should prepare the student for successful transitions into careers and college.

(z) The graduation competencies in digital literacy education shall be met by either:

(1) The equivalent of a ½ credit course comprised of the creation by a student of an individual student digital portfolio to demonstrate proficient, ethical, and responsible use of digital tools, including, but not limited to, technology and communication tools, in the context of core subjects; or

(2) A course in digital literacy education at the high school level through which a student can achieve and demonstrate

(aa) The local school board shall adopt a policy relative to counting achievement and demonstration of graduation competencies from course work earned in one content area toward meeting any graduation competencies in another content area.

(ab) Any graduation competency in a subject area may be earned through interdisciplinary learning, subject to the following conditions:

(1) Graduation requirements met by interdisciplinary learning opportunities shall be clearly designated on student transcripts; and

(2) The high school principal may approve a particular interdisciplinary course if the high school principal determines that:

a. The course has been adopted by a faculty team; and

b. The course addresses equivalent district or graduation competencies for the subject areas which are covered by the course.

(ac) Local school board policies relative to the awarding of achievement and demonstration of district or graduation competencies for distance education as described in Ed 306.22, shall require that:

(1) Students may earn achievement and demonstration of the graduation competencies through the successful completion of such courses; and

(2) Achievement and demonstration of district or graduation competencies shall be granted only if the high school principal determines that the distance learning course meets the academic standards required by the high school for students to demonstrate achievement of district or graduation competencies.

(ad) In each high school, the minimum yearly course load for a student shall be the equivalent of 4 credits, except that this requirement may be modified for:

- (1) Students with an individualized education program (IEP) that has been developed in accordance with Ed 1109;
- (2) Students for whom early graduation has been approved as provided in (ad) below; or
- (3) Those individuals in special or unusual circumstances as provided by local school board policy.

(ae) A local school board shall adopt policies pertaining to early graduation for individual students. Such policies shall require parental involvement for students under the age of 18. Consistent with local policy, the high school principal shall approve such requests if the high school principal determines that all state and local graduation requirements will be met and that early graduation is related to the career or educational plans of the student making the request. Upon demonstration of all graduation competencies, awarding of appropriate credits, and approval by the high school principal, the student shall be awarded a high school diploma.

(af) The principal shall evaluate the transcripts of students who transfer into a secondary school from another educational program, or state, to determine previous educational experiences toward meeting graduation competencies.

(ag) Upon receipt of a written request from the local school board, the commissioner of education shall waive a particular graduation requirement and shall permit the local board to award a high school diploma to a student if the commissioner determines that:

- (1) Such action is in the best interests of the student; and
- (2) At least one of the following circumstances exists:
 - a. The student has a debilitating illness which limits school attendance;
 - b. The student has a physical disability which precludes participation in physical education;
 - c. The student moved into a New Hampshire school district from out of state during grade 12 and was not able to schedule a particular graduation requirement; or
 - d. Another condition exists beyond the control of the student similar to the conditions described in a., b., or c. above.

(ah) Each local high school shall provide reasonable accommodations for cocurricular activities as appropriate in order to allow for full access and participation by students with disabilities.

(ai) The local school board shall require, and each district shall establish, and provide instruction in, Holocaust and genocide education as described in Ed 306.49, implemented not earlier than in 8th grade and continuing through grade 12 as a component of a course in social studies, world history, global

studies, or US history. Nothing in this paragraph shall be construed to prevent developmentally appropriate instruction in Holocaust and genocide studies prior to 8th grade or as a component of other learning areas.

Readopt with amendment Ed 306.46, effective eff 1-8-16 (Document #11020,) as amended effective 8-9-19 (Document #12845) to read as follows:

Ed 306.46 Social Studies Program.

(a) Pursuant to Ed 306.26, the local school board shall require that a social studies program in each elementary school grade, excluding kindergarten, and excepting Holocaust and genocide education, as applicable pursuant to Ed 306.26(h) which is to be implemented no later than 8th grade, provides:

(1) Opportunities for students to:

- a. Acquire knowledge and understanding of civics, economics, geography, history, and Holocaust and genocide education, as applicable pursuant to Ed 306.26(h), in a program consistent with the requirements under RSA 193-C:3, III; and
- b. Become familiar with the skills of decision making, data gathering, and critical thinking;

(2) Pursuant to RSA 186:13, opportunities to practice citizenship in the school and community;

(3) Pursuant to RSA 189:11, instruction in history and government and the constitutions of the United States and New Hampshire; and

(4) Opportunities for students to acquire the knowledge, skills, and attitudes necessary for effective participation in the life of the community, the state, the nation, and the world.

(b) Pursuant to Ed 306.26, the local school board shall require that a social studies program in each middle school provides:

(1) Opportunities for students to acquire knowledge and understanding of civics, economics, geography, history, and Holocaust and genocide education, as applicable pursuant to Ed 306.26(h), in a program consistent with RSA 193-C:3, III;

(2) Pursuant to RSA 186:13, opportunities to practice citizenship in the school and community;

(3) Pursuant to RSA 189:11, instruction in history and government and the constitutions of the United States and New Hampshire; and

(4) Systematic instruction and activities designed to enable students to:

- a. Acquire and use information to clarify issues and seek solutions to societal problems;
- b. Value and apply critical thinking, interpersonal relations, and decision-making skills in both individual and group problem-solving situations;
- c. Participate in and contribute to the well-being of the home and school as well as the larger communities of the state, nation, and world; and

d. Become familiar with careers in history, the humanities, and the social sciences.

(c) Pursuant to Ed 306.27, the local school board shall require that a social studies program in each high school provides:

(1) Opportunities for students to acquire knowledge and modes of inquiry in the areas of civics, economics, geography, world history, United States and New Hampshire history, and Holocaust and genocide education pursuant to Ed 306.27(ai), in a program consistent with RSA 193-C:3, III, including the related areas of sociology, anthropology, and psychology;

(2) Opportunities for students to acquire the knowledge, skills, and attitudes necessary for effective participation in the life of the community, the state, the nation, and the world;

(3) Pursuant to RSA 186:13, opportunities to practice citizenship in the school and community;

(4) Courses totaling at least 5 credits in social studies comprised of offerings in each of the following areas:

a. At least one credit in national and state history pursuant to RSA 189:11;

b. At least one credit in world history or global studies;

c. At least one credit in geography;

d. At least ½ credit in United States and New Hampshire government/civics;

e. At least ½ credit in economics; and

f. At least one credit, which may be interdisciplinary or integrated, to be chosen from the areas of geography, economics, world history, civics/government, state or national history or both, or behavioral studies; and

(5) Systematic instruction and activities designed to enable students to acquire the skills of critical thinking, effective decision making, and human relations.

Adopt Ed 306.49 to read as follows:

Ed 306.49 Holocaust and Genocide Education Program.

(a) Pursuant to Ed 306.26, the local school board shall require that a Holocaust and genocide education program in each school grade, to begin no later than 8th grade provides:

(1) Integrated, developmentally appropriate instruction in Holocaust and genocide education as described in RSA 193-E:3-a, II-a. through II-c. including:

a. An understanding of the terms "genocide" and "Holocaust", as defined by RSA 193-E:3-a, II-a. and II-b.;

b. An understanding of:

1. The difference between events that constitute genocide and other types of mass atrocities including, but not limited to, crimes against humanity, war crimes, and ethnic cleansing;
2. Genocides recognized by the determinations of lawfully constituted courts including, but not limited to, the International Criminal Tribunal for Rwanda (ICTR), the International Criminal Tribunal for the former Yugoslavia (ICTY), and the International Court of Justice (ICJ);
3. Instances of mass atrocities where application of the term genocide is contested including, but not limited to, Dekulakization, the Ukrainian terror-famine, the Great Terror, Khmer Rouge atrocities other than those directed at Cham Muslims and the ethnic Vietnamese minority, and the Native American experience during colonization;
4. Ongoing events that may constitute crimes against humanity, war crimes, ethnic cleansing, or genocide; and
5. Instances where the US government has made public statements that genocide has occurred, including, but not limited to, Armenia, Bosnia, Rwanda, Iraq, Darfur, ISIS-controlled areas, and Uighurs;

Note to Agency: Please don't include annotations in a fixed text document.

c. Historical facts about the causes and events of the Holocaust and other genocides; and

d. How and why political repression, intolerance, bigotry, antisemitism, and national, ethnic, racial, or religious hatred and discrimination have, in the past, evolved into genocide and mass violence;

(2) Opportunities for students to develop a knowledge and understanding of the impact of political repression, intolerance, and bigotry through developmentally appropriate activities that include concrete experiences and interactions with, but not limited to, primary documents, witness testimony, historical documents, and mixed media; and

(3) Instruction and activities designed to enable students to:

- a. Analyze and understand that democratic institutions and values are not automatically sustained, but need active civic responsibility and engagement;
- b. Identify and evaluate how political repression, intolerance, bigotry, antisemitism, and national, ethnic, racial, or religious hatred and discrimination can evolve into genocide and mass violence, such as the Holocaust, and how to prevent the evolution of such practices; and
- c. Identify and evaluate the power of individual choices in preventing political repression, intolerance, bigotry, antisemitism, and national, ethnic, racial, or religious hatred.

(b) Each district shall incorporate instruction in Holocaust and genocide education into at least one existing social studies, world history, global studies, or US history course required as a condition of high school graduation for all students.

Appendix I

Rule	Statute
Ed 306.26 (formerly Ed 306.261)	RSA 189:1-a; RSA 189:25; RSA 193-E:3-a, II-a. through II-c.
Ed 306.27	RSA 189:1-a; RSA 194:23
Ed 306.27(g)(6)-(9), (i), (m) & (o)	RSA 189:11; RSA 193-E:2
Ed 306.27(j) & (l)	RSA 193:1(f)
Ed 306.27(n)	RSA 186-C:9; RSA 189:1-a
Ed 306.46	RSA 186:5; RSA 193-E:2-a
RSA 306.49	RSA 186:5; RSA 193-E:3-a, II-a. through II-c.
Ed 306.26(h)	RSA 193-E:3-a, II-a. through II-c.
Ed 306.27(ai)	RSA 193-E:3-a, II-a. through II-c.

Edit: Inclusion of Ed 306.26(h) is unnecessary as it is covered by the cross-reference for Ed 302.26. The cross-reference for Ed 306.27(ai) should be placed immediately after Ed 306.27(n).