

Notice Number 2024-42Rule Number Ed 306.31-Ed 306.46

1. Agency Name & Address:

**Board of Education
c/o Department of Education
25 Hall St.
Concord, NH 03301**

2. RSA Authority: **RSA 21-N:9, I; RSA 186:8,
I and II**

3. Federal Authority: _____

4. Type of Action: _____

Adoption _____

Repeal **X**

Readoption _____

Readoption w/amendment **X**5. Short Title: **Minimum Academic Standards for Public Schools**

6. (a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:

The Board of Education is proposing to readopt with amendment existing rule Ed 306.31 and readopt with amendment or repeal existing rules Ed 306.33-Ed 306.35 and Ed 306.37-Ed 306.49, and renumber as appropriate as Ed 306.31-Ed 306.46 as described below. These sections encompass what may be included in the instruction that local school boards shall provide for elementary, middle, and high schools. The following amendments are being proposed:

- **Ed 306.31, regarding arts education, is being readopted with amendment and replaces the word “program” with “curriculum” and amends the language so the school board is providing a curriculum that is consistent with competencies in earlier sections of Ed 306;**
- **Ed 306.33, regarding business education, is being readopted with amendment and renumbered as Ed 306.32, a formerly reserved number, and replaces the word “program” with “curriculum,” amends the language so the school board is providing a curriculum that is consistent with competencies in earlier sections of Ed 306 and removes (d) giving specific examples of assessments;**
- **Ed 306.34, regarding Career and Technical Education (CTE), is being readopted with amendment and renumbered as Ed 306.33 and replaces the word “program” with “curriculum” and deletes the end of (e) and all of (f) relative to specific assessment examples;**
- **Ed 306.35, regarding career education program, is being repealed;**
- **Ed 306.37, regarding English language arts and reading, is being readopted with amendment and renumbered as Ed 306.34 and replaces the word “program” with “curriculum” and amends the language so the school board is providing a curriculum that is consistent with competencies in earlier sections of Ed 306;**
- **Ed 306.38, regarding family and consumer science education, is being readopted with amendment and renumbered as Ed 306.35 and replaces the word “program” with “curriculum” and amends the language so the school board is providing a curriculum that is consistent with competencies in earlier sections of rule, deletes (b)(2)-(3) with dated language and curriculum, and deletes (g)-(i) regarding examples of assessment and reporting requirements;**
- **Ed 306.39, regarding school counseling program, is being readopted with amendment and renumbered as Ed 306.36, a formerly reserved number, and amends (a) to remove a dated incorporation by reference and additional references to it in (b)(1) and (c);**
- **Ed 306.40, regarding health education, is being readopted with amendment and being renumbered as Ed 306.37 and replaces the word “program” with “curriculum,” deletes (a)**

as it does not relate to curriculum requirements, amends the language so the school board is providing a curriculum that is consistent with competencies in earlier sections of rule, and deletes (b)(3) regarding assessment examples;

- Ed 306.41, regarding physical education, is being readopted with amendment and renumbered as Ed 306.38 and replaces the word “program” with “curriculum” and amends the language so the school board is providing a curriculum that is consistent with competencies in earlier sections of rule. The section is also being restructured and removes redundant language, and removes the former (b)(3) with assessment examples;
- Ed 306.42, regarding digital literacy, is being readopted with amendment and renumbered as Ed 306.39 and replaces the word “program” with “curriculum”, replaces “21st century” with “digital,” deletes (a)(2)a.-g., and instead refers back to required subjects in table 306-1, deletes (a)(5)b.-c., and deletes (c)(1)-(4) including specific examples of credits;
- Ed 306.43, regarding mathematics, is being readopted with amendment and renumbered as Ed 306.40 and replaces the word “program” with “curriculum” and amends the language so the school board is providing a curriculum that is consistent with competencies in earlier sections of Ed 306;
- Ed 306.44, regarding computer science, is being readopted with amendment and renumbered as Ed 306.41 and replaces the word “program” with “curriculum,” amends the language so the school board is providing a curriculum that is consistent with competencies in earlier sections of Ed 306, and deletes (b)(3) regarding assessment examples;
- Ed 306.45, regarding science education, is being readopted with amendment and renumbered as Ed 306.42 replaces the word “program” with “curriculum,” amends the language so the school board is providing a curriculum that is consistent with competencies in earlier sections of rule, and deletes all the sub-clauses under (e)(4)a. on examples of physical science;
- Ed 306.46, regarding social studies, is being readopted with amendment and renumbered as Ed 306.43 and replaces the word “program” with “curriculum” and amends the language so the school board is providing a curriculum that is consistent with competencies in earlier sections of rule;
- Ed 306.47, regarding technology and engineering education, is being readopted with amendment and renumbered as Ed 306.44 and replaces the word “program” with “curriculum” and amends the language so the school board is providing a curriculum that is consistent with competencies in earlier sections of rule;
- Ed 306.48, regarding world language, is being readopted with amendment and renumbered as Ed 306.45 and replaces the word “program” with “curriculum” and amends the language so the school board is providing a curriculum that is consistent with competencies in earlier sections of rule; and
- Ed 306.49, regarding the Holocaust and genocide, is being readopted with amendment and renumbered as Ed 306.46 and replaces the word “program” with “curriculum.”

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

The groups affected include school districts, school administrators, educators, students, and parents.

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 Statue or Federal Regulation Implemented
Ed 306.31	RSA 193-E:2, V; RSA 193-E:2-a, I(a)(5); RSA 193-E:2-a, V(a)
Ed 306.32 (formerly Ed 306.33)	RSA 189:10, III; RSA 193-E:2, VII; RSA 193-E:2-a, (9)-(11)
Ed 306.33 (formerly Ed 306.34)	RSA 188-E:5; RSA 193-E:2, VII
Ed 306.34 (formerly Ed 306.37)	RSA 193-E:2, I; RSA 193-E:2, V; RSA 193-E:2-a, I(a)(1)
Ed 306.35 (repeal)	RSA 193-E:2, VII

Rule	State or Federal Statute or Federal Regulation Implemented
Ed 306.35 (formerly Ed 306.38)	RSA 189:10, II; RSA 193-E:2, VI-VII; RSA 193-E:2-a, I(a)(7)
Ed 306.36 (formerly Ed 306.39)	RSA 189:49, IV
Ed 306.37 (formerly Ed 306.40)	RSA 189:10, II; RSA 193-E:2-a, I(a)(7)-(8)
Ed 306.38 (formerly Ed 306.41)	RSA 189:10, II; RSA 193-E:2-a, I(a)(7)-(8)
Ed 306.39 (formerly Ed 306.42)	RSA 193-E:2-a, I(b)(1)
Ed 306.40 (formerly Ed 306.43)	RSA 193-E:2, II; RSA 193-E:2-a, I(a)(2)
Ed 306.41 (formerly Ed 306.44)	RSA 193-E:2-a, I(a)(11)
Ed 306.42 (formerly Ed 306.45)	RSA 193-E:2, III; RSA 193-E:2-a, I(a)(3)
Ed 306.43 (formerly Ed 306.46)	RSA 189:11; RSA 193-E, IV; RSA 193-E:2-a, I(a)(4)
Ed 306.44 (formerly Ed 306.47)	RSA 193-E:2-a, I(a)(9)
Ed 306.45 (formerly Ed 306.48)	RSA 193-E:2-a, I(a)(6)
Ed 306.46 (formerly Ed 306.49)	RSA 193-E:2, IV; RSA 193-E:2-a, I(a)(4)

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

Name: **Julie Shea** Title: **Administrative Rules Coordinator**
Mailing Address: **Department of Education** Phone #: **603-931-9133**
25 Hall St. Fax#: **n/a**
Concord, NH 03302 E-mail: **Julie.r.shea@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: **Tuesday, April 30, 2024**

☐ Fax ☒ E-mail ☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Thursday, April 11, 2024, 1:00 p.m.**
Physical Location: **Granite State College Events Center, 25 Hall St., Concord, NH 03301**
Electronic Access (if applicable): **N/A**

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

FIS # **24:031**, dated **2/27/24**

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

There is no difference in costs when comparing the proposed rules to the existing rules. Not applicable to Ed 306.35, which is being repealed.

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):

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.