

TO: Superintendent Asbell, Exeter Region Cooperative School District; Superintendent Furbush, Epping School District; Superintendent Allen, Newmarket School District; Superintendent Leatherman, Raymond School District; Superintendent Ambrose, Sandborn Regional School District; and Superintendent Nadeau, Winnacunnet Cooperative School District

FROM: James A. O'Shaughnessy

DATE: December 1, 2023

RE: Review of Seacoast School of Technology RCTEA Agreement

This memorandum accompanies the proposed revisions to the draft Regional Career and Technical Education Agreement between the Sending School Districts (Epping, Newmarket, Raymond, Sanborn, and Winnacunnet) and the Receiving School District (Exeter). As you are aware, the legislature amended the Regional Career and Technical Education statute, RSA 188-E, in 2022. I have updated the agreement to comply with the changes to the law and highlighted in yellow those portions of the agreement that were revised/updated for that purpose. I used language directly from the statute in the updated language. The biggest change in the law is the obligation to adopt a “calendar conformity agreement” (see below for more details). The calendar conformity agreement language is in paragraph 8 of the Governing Body section of the agreement, on pages 4-5. I made additional changes to clean up the agreement. I removed reference to the NH DOE as a party. I updated the dispute resolution language, and moved the Governing Body language from the appendix into the body of the agreement.

Please review the agreement carefully and let me know if you have any questions. I would more than happy to meet with the group. Once finalized and signed, the agreement needs to be submitted to the Commissioner of Education for approval.

Below is a summary of the amendments to RSA 188-E (excerpt from Drummond Woodsum’s 2022 *New Law Update: Developments Impacting Schools*):

Regional Career and Technical Education Center Agreements

House Bill 1661 establishes “Regional Career and Technical Education Center Agreements” (RCTEAs) which are intended to be governing agreements between sending and receiving schools.¹ The Bill adopts RSA 188-E:1-a, which states:

“each regional career and technical education receiving and sending school entity within a New Hampshire career and technical education (CTE) region shall be governed by a . . . RCTEA which will be renewed every 4 years and submitted to the commissioner for review and approval.”²

Each RCTEA must include:

- A “calendar conformity agreement to comply with RSA 188-E:5, VII(a) and (b) by aligning the school calendars of sending schools with the school calendars of CTE programs at the receiving school” and there cannot be more than “10 instructional days following Labor Day through the last

¹N.H. Laws of 2022, Chapter 272, Section 1 (adopting RSA 188-E:2, V-a).

²N.H. Laws of 2022, Chapter 272, Section 2 (adopting RSA 188-E:1-a).

student day of the school calendar year on which one or more of the school calendars of the districts within the agreement are not aligned.”³

- “[P]rovisions to fulfil the recognition of credits in RSA 188-E:5, XIII”; and
- “[A] plan for sending and regional schools to provide tuition and transportation for any student from a sending school who wishes to attend a CTE program, subject to attainment of prerequisites, space availability within the program, and appropriate qualifications”⁴

The NH DOE is also tasked with developing rules concerning the form and procedures for RCTEAs.⁵ Although this Bill is already in effect, it explicitly states that the requirements for RCTEAs “shall not be implemented until rules of department of education pursuant to RSA 188-E:1-a, II are adopted and effective.”⁶

CTE Credits and Instructional Time

House Bill 1661 also makes amendments to CTE program instruction time and credits. First, the Bill amends RSA 188-E:5, VII to state that CTE students “shall be given access to career and technical education for the instructional time for those programs” and only upon a joint application from the CTE and the sending district can that instructional time be waived.⁷

The Bill also requires that a student be awarded subject credit towards graduation by “demonstrating proficiency in a regional career and technical education course or program that is embedded with content area competencies that meet or exceed the district subject and required course competencies.”⁸

The Bill goes on to state:

“Sending school graduation competencies embedded in a career and technical education course or program used to earn the equivalent or to earn partial credit to satisfy the required graduation competencies shall align with the skills, knowledge, and work study practices as determined by the local school district and in accordance with the terms of the RCTEA. A student who demonstrates proficiency in the embedded CTE course or program competencies and who is determined to have met the content area academic standards required by the high school shall have such credits counted toward the required program area for a high school diploma.”⁹

This Bill went into effect on July 1, 2022.

A copy of the entire statute can be found at: <https://www.gencourt.state.nh.us/rsa/html/XV/188-E/188-E-mrg.htm>

³*Id.*

⁴*Id.*

⁵N.H. Laws of 2022, Chapter 272, Section 2.

⁶N.H. Laws of 2022, Chapter 272, Section 5.

⁷N.H. Laws of 2022, Chapter 272, Sections 3 (amending RSA 188-E:5).

⁸N.H. Laws of 2022, Chapter 272, Section 4 (amending RSA 188-E:5).

⁹*Id.*