

FAQ: NH's 306 Rules and the Future of Public Education in New Hampshire

Q: What are NH's 306 Rules?

A: In the State of New Hampshire, the 306 Administrative Rules establish the minimum standards for public school approval. Said simply, they are a set of requirements that all public schools must comply with, setting the foundation for each and every public school across our state. A student's zip code should not dictate the quality of the education that student is provided. The minimum standards for public education exist to make sure that no matter what a student's zip code is, they will receive consistent access to quality education. This foundation provides the basis for ensuring all students are offered an essential and common framework for learning and engagement within their public school community.

The rules include requirements for elements such as the nutritional quality of food served in the cafeteria, to required professional development educators must access, to class size and graduation requirements. The 306 Rules are incredibly important for New Hampshire's public education system.

These rules are revisited and edited every ten years. The present iteration of that effort is due by the end of 2024.

Q: Who writes the 306 Rules?

A: The NH State Board of Education (SBOE) is responsible for adopting and enacting the ED 306 Administrative Rules. Every ten years the board, and the New Hampshire Education Department (NHED) initiate a review and revision process. The current process for revision has involved significant rewrite of the Ed 306 rules. On November 18, 2020, the Executive Council and SBOE awarded a sole source contract, without competitive bidding, to the National Center for Competency Based Learning (NCCBL) to lead and facilitate the current revision process.

Q: Where does the public fit in?

A: The current process underway has lacked transparency, with promises of public hearings and information sessions unfulfilled. This has meant key community members, including parents and students, have been locked out of a thorough public process. To date, classroom teachers have also had limited voice in the process.

In November of 2022, the NH Association for Supervision and Curriculum Development (NHASCD) gathered 40 content-area expert teachers to review a draft of the 306s and that input is part of the current draft. Specific groups that have not been included in the process are students and their parents and guardians.

Q: Where is the process at this point?

A: An initial proposal of the 306 Rules was presented to the SBOE on March 8, 2023. The SBOE chose not to take up the rules because they hadn't had the opportunity to read the rules before voting on them. After the SBOE votes to approve the initial proposal, they will hold a public hearing. After the public hearing, the SBOE has an opportunity to revise the proposal, taking into account the public comments, and must vote again to approve them. Following that vote, the rules will be sent to the Joint Legislative Committee on Administrative Rules (JLCAR), which will review the rules to ensure that they comply with state law. Once JLCAR approves the rules, they return to the SBOE for a final vote, and if approved, they become the administrative regulations for public school compliance in New Hampshire.

Q: Why does all of this matter?

A: A student's zip code should not dictate the quality of the education that student is provided. The minimum standards for public education exist to make sure that no matter what a student's zip code is, they will receive consistent access to quality education. Communities need to come together to decide what the minimum is that we will offer all New Hampshire's students. There is a concerted effort to push the process forward, despite the rule revisions not being due until 2024. There is still time to engage in community conversations for the 306 rule-making process, and such efforts have been requested by public education advocates.