

# COMMISSION TO STUDY SCHOOL FUNDING

## Progress Report

June 22, 2020

<https://carsey.unh.edu/school-funding>

### Meeting History

The Commission to Study School Funding, established as an independent commission by RSA 193-E:2-e, held its first meeting on January 13, 2020. The Commission met seven times through March 9, when it halted in-person meetings due to the COVID-19 pandemic. Meetings resumed on April 27 using zoom webinar to support virtual deliberations. This meeting was unable to guarantee full public access, so it was adjourned prematurely. Meeting protocols were revised and the Commission was able to resume full meetings, including public access, on May 4. Since then, the full Commission has met five times. Three workgroups were created, focused on 1) Defining Adequacy and developing funding distribution frameworks, 2) Fiscal Policy, and 3) Public Engagement. They have met a total of 13 times from May 7 through June 15. The Commission will submit its final report to the General Court no later than December 1, 2020.

Virtual meetings created a challenge for public participation. Since May 4, members of the public have been able to listen to all live proceedings of the Commission and its three workgroups. Comments have been received via the Q&A function in Zoom Webinar through the Commission's dedicated e-mail as well as a comment form website. Beginning June 22, opportunity for live public comment at the end of full Commission meetings was added. Minutes and recordings of all Commission and workgroup meetings are posted on the Commission website.

The Commission expects to meet bi-weekly through the summer and fall months, with workgroup meetings occurring on alternating weeks. The Commission calendar is attached to this report as an appendix, showing all activity since January and projected meetings into the fall. All future meetings are tentative and will vary depending on the needs of the Commission.

The Commission has adopted a Design Thinking approach to its work. Currently, the focus is on *Empathy* (taking into account the needs of end users—students, parents, citizens, taxpayers, educators, employers) and *Problem Definition* (what is known, what prior efforts have been taken to address the issue, what are the subcomponents and variables that need to be considered). During the summer and fall, the Commission will *Ideate* (generate possible approaches to solving the problem), *Prototype* (select effective solutions), and *Test* (run scenarios of possible solutions to determine consequences).

### Expert Input and Reports

Both full Commission meetings and workgroup meetings have included presentations by a range of experts. To date, the Commission has received oral and written presentations from the following:

- Education Commission of the States
- NH Department of Education
- NH Department of Revenue Administration
- NH Department of Health and Human Services
- NH Department of Justice, Office of the Attorney General
- Office of the Legislative Budget Assistant
- NH Association of School Business Officials
- NH Association of Special Education Administrators
- Reaching Higher New Hampshire
- New Hampshire School Funding Fairness Project
- Endowment for Health

In addition to expert presentations, the Commission and its workgroups have carefully reviewed previous legislative and non-government reports bearing on its charge. These include:

- [Governor Shaheen’s 2000 Commission Report on Education Revenue Funding Options](#)
- [The Federal Reserve of Boston’s 2006 Discussion Paper, \*New Hampshire’s Quest for a Constitutionally Adequate Education\*](#)
- [Joint Legislative Oversight Committee on Costing an Adequate Education, 2008](#)
- [Legislative Committee to Study Education Funding and the Cost of an Opportunity for an Adequate Education, 2018](#)
- NH Supreme Court rulings in [Claremont I](#) (1993) and [Claremont II](#) (1997)
- Superior Court [ruling](#) in *ConVal School District et al. vs. State of New Hampshire*, 2019 (and related *amici* briefs and filings)
- Reaching Higher New Hampshire’s, [\*The Whole Picture of Education in New Hampshire\*](#) (2020)
- NH Department of Education, [\*Strengthening Career and Technical Education for the 21<sup>st</sup> Century, State Plan 2020-2023\*](#)
- Rand Corporation, [\*The Economic Returns from Investing in Early Childhood Education in the Granite State\*](#) (2017)

### Contractual Agreements

At the beginning of its work, the Commission entered into a contractual agreement with the Carsey School of Public Policy at the University of New Hampshire. The Carsey School is providing logistical, communications, research, and public engagement support to the Commission, essentially acting as staff to support Commission members and workgroups. On May 26, the Commission approved a contract with American Institutes of Research (AIR), following a competitive bidding process. AIR is providing technical expertise relative to the definitions, costing, and funding of an adequate education, using regional and national comparator states with similar constitutional and statutory conditions.

To date, AIR has provided the following briefing reports to the Commission:

- [\*Costing Out an Adequate Education, A Primer\*](#)

- [Evaluating State School Financing Systems, An Introduction](#)
- [Using Cost Modeling to Inform Education Funding Formulas](#)
- [Setting Outcome Goals and Standards, From a Formal to Functional Definition of Adequacy](#)
- [Providing Adequate Funding Through Equitable Taxation, An Introduction](#)

All reports and briefing papers used by the Commission are available at the [Commission website](#).

### Workgroup Activities

In keeping with the Design Thinking approach, workgroups have initially been focused on problem definition and understanding what data are available to inform deliberations. Workgroups have been informed by a range of experts and prior reports (listed above) and more recently by the briefing papers from AIR.

#### *Adequacy/Distribution Workgroup*

To date, the Adequacy/Distribution workgroup has focused on its first two tasks:

1. Develop a definition of adequate education
2. Identify disparities in opportunities and outcomes

Relative to defining an adequate education, the work group has reviewed the NH Constitution, Articles 2:5 and 2:83, court decisions, the 2008 Costing of an Adequate Education, a draft 2020 update of the costing of an adequate education, and the NH Superior Court 2019 findings in ConVal lawsuit. To understand education opportunities funded outside the current adequacy formula, the workgroup has had presentations from leaders of NH career and technical education, special education, and early childhood/pre-k education.

Relative to disparities, the group has concentrated on inputs such as student demographics, teacher experience and quality, depth of curriculum, dollars spent per child, class size, distance traveled to school, concentration of poverty, English language learners, free and reduced meals, and other independent variables that influence student learning outcomes. The group will soon turn to a focus on outcomes such as student test scores, graduation rates and post-secondary experiences.

#### *Fiscal Policy Workgroup*

To date, the Fiscal Policy workgroup has focused on the following activities:

1. Identify all current revenue sources (local/state/federal/grants) for PK-12 education
2. Identify changes in level and mix of those revenue sources (1999-2020)
3. Identify variable impacts on local districts of current funding sources and levels
4. Determine what “equitable” means in the context of fiscal policy
5. Formulate distribution approaches of state funding to assure fiscal neutrality in each district

The workgroup is concerned with equity for taxpayers and equity in the distribution of resources to local districts. It is developing a working definition of fiscal neutrality that reflects the goal of equity of opportunity for students independent of the relative property wealth of the community where they live. The group is in the process of clarifying the extent to which its analysis and possible recommendations are constrained by Constitutional language and prior court decisions.

### *Public Engagement Workgroup*

To date, the Public Engagement workgroup has focused on its first two tasks:

- Review specific plans for stakeholder, student, and public engagement (including design, key questions, and locations)
- Identify key groups to recruit to engagement events

The key engagement activities anticipated during the Commission's work included stakeholder focus groups with municipal and school leaders, a statewide survey, student voice summit, and statewide community conversations. Due to the pandemic, the format has shifted to online engagement and shifts continue to unfold. In early March 2020, the Carsey Team staffing the Commission gathered key stakeholders from the NH School Administrators Association, NH National Education Assoc, Career and Technical Education Advisory Board, NH Assoc. of Special Education Administrators, NH School Boards Association, NH Charitable Foundation, Reaching Higher NH, Governor's Council on Diversity and Inclusion, and the NH Coalition for Business in Education who provided their perspectives on the following questions:

1. What else would you like the Commission to consider as it gets started? What questions would you like answered at this early stage?
2. What do you hope will happen as a result of the Commission's work?
3. What concerns do you have that you want the Commission to keep in mind?

Key themes from this discussion included

- Start with the Realities and Basics
- Unification, Sustainability and Equitable Solutions for Students and Taxpayers
- Name Disparities, Challenges, and Definition of Adequacy
- Identify funding streams and contributors
- Keep in mind politics of communication and clarity of purpose/decisions
- Make creative and thorough solutions

In April and May 2020, the workgroup met to discuss the following questions about who should be engaged in the initial stakeholder focus groups:

1. What kinds of stakeholders do we need to engage in the focus groups? (e.g., by position, advocacy area, interest area, racial and social identity diversity)
2. What are the questions we want to ask stakeholders in the initial focus groups (9 regions, 2 per region, 8-10 people each)?
3. What data do we need to share with stakeholders, so they can provide input?

The workgroup contributed to an [audit for stakeholder participation](#), beginning with stakeholder focus groups focused on municipal and school leaders. Twelve stakeholder focus groups were

conducted online from June 9<sup>th</sup> and June 24<sup>th</sup>. A preliminary report will be provided to the Commission in early July. The workgroup continues to discuss online options to include community convenings, student voice, and a survey for educators/school staff (Pre-K through post-secondary). The timing for these activities is summer and fall 2020. Sampling methods and design are key next steps for the public engagement workgroup (i.e., for the survey, student voice, and community convenings).

Minutes of all workgroup meetings can be found on the [Commission website](#).

**Commission to Study School Funding (RSA 193-E:2-e)**

*WORKING MASTER CALENDAR PUBLIC MEETINGS Updated 6/22/2020*

<b>DATE</b>	<b>AGENDA ITEMS</b>	<b>PRESENTERS</b>
2/3/2020 MONDAY 2-4pm	Calendar updates  UNH Carsey School contract  NCSL methodologies review for costing out school funding  Draft RFP for technical contractor  Current adequacy formula and funds to schools, Building aid	Bruce Mallory, UNH Carsey School   Jordan Hensley, UNH Carsey School  Bruce Mallory, UNH Carsey School  Caitlin Davis and Amy Clark, NH DOE
2/10/2020 MONDAY 2-4pm	Norms/group agreements for discussion and deliberation  Members' questions, hopes, and concerns  RFP for research and policy analysis  Court Decisions NH Department of Justice and NH School Funding Fairness Project	Bruce Mallory, UNH Carsey School    Daniel Will, NH Solicitor General and John Tobin, NH School Funding Fairness Project
2/21/2020 FRIDAY 2pm-4pm	Overview of federal funding streams –“What are the federal funding streams for Pre-K to 12? How are they allocated?”  RFP subcommittee discussion  Summary of Hopes, Concerns, and Questions	Caitlin Davis, NH DOE, Director, Education Division of Education Analytics and Resources  Bruce Mallory, UNH Carsey School

	<p>Design Thinking and Guiding Questions (Definition of the Problem and What will success look like?)</p> <p>Commission working structure –subcommittees? Ad hoc working groups?</p> <p>Plans for March 5 Key Stakeholder Convening</p>	
<p>3/2/2020 MONDAY 10am-12pm</p>	<p>Department of Revenue Administration - “How does money flow from local communities to the state and back again through the adequacy grants?”</p> <p>Summary of “Definition of the Problem” and “What will Success” look like conversation Revisiting the Commission working structure – subcommittees? Ad hoc working groups?</p> <p>Plans for March 5 Key Stakeholder Convening – Discussion of Questions</p>	<p>Lindsey Stepp, Commissioner, Department of Revenue Administration (DRA)</p> <p>Bruce Mallory, UNH Carsey School</p>
<p>3/9/2020 MONDAY 2-4pm</p>	<p>Carsey School of Public Policy Full Contract Review</p> <p><u>Presentations:</u></p> <p><b>Education Commission of the States -</b> Presenting a high-level overview of state funding across the country, with a focus on VT, MA, and NJ as closer-look states. Also, providing a</p>	<p>ECS, Mary Fulton, Senior Policy Analyst and Joel Moore, State Relations Strategist (and Team)</p>

	<p>background on outcomes-based funding into that presentation (via Zoom video conferencing)</p> <p><u>Discussion:</u></p> <p><b>Definition of the problem</b> – Top priorities continued discussion from March 2<sup>nd</sup>, 2020 meeting</p> <p><b>Adequacy</b> – What is the statutory definition of adequacy? Are there components that should be modified, added, or eliminated? Could we create three scenarios that reflect a continuum of adequacy, from the “least inclusive” to the “most inclusive”?</p> <p><b>Commission working structure</b></p> <ul style="list-style-type: none"> <li>• Defining and costing adequacy</li> <li>• Fiscal policy – sources and distribution</li> <li>• Engagement</li> </ul>	Bruce Mallory, UNH Carsey School
4/13/2020 MONDAY 2-4pm	Cancelled – COVID	
4/20/20 2-4 pm	Cancelled – COVID	
4/27/2020 MONDAY 2-4pm online	Meeting halted due to public access difficulties; no business conducted	



<p>5/4/2020 MONDAY 2-4 pm online</p>	<p>Full commission meeting</p> <p>Progress to date Workgroup tasks Consultant screening committee report</p>	
<p>5/7/20 Thursday online</p>	<p>Workgroup meetings</p> <p>Fiscal Policy – 10am-12pm Public Engagement – 1-3pm Adequacy – 3-5pm</p>	
<p>5/11/20 MONDAY 2-4 pm online</p>	<p>Full commission meeting</p> <p>RHNN presentation Workgroup reports</p>	<p>Doug Hall, NHSFFP</p>
<p>5/18/20 Monday online</p>	<p>Workgroup meetings</p> <p>Public Engagement – 10am-12pm Fiscal Policy – 1-3pm Adequacy – 2-4pm – bushel basket of statutes</p>	<p>Liz Canada, RHNN 2:00-3:00</p>
<p>5/21/20 Thursday Online</p>	<p>Workgroup meetings</p> <p>Adequacy – 10am-12pm Fiscal Policy – 1-3pm Public Engagement – 3-5pm</p>	<p>Adequacy – SBO’s – Tim Roehr, Nathan Lunney, Duane Ford</p> <p>Special education directors –</p> <ul style="list-style-type: none"> <li>• Dr. Jennifer Dolloff, Director of Special Education SAU 19: <a href="mailto:Jennifer.Dolloff@sau19.org">Jennifer.Dolloff@sau19.org</a></li> <li>• Mary Steady, Director of Student Services, Manchester School District, SAU 37 : <a href="mailto:msteady@mansd.org">msteady@mansd.org</a></li> <li>• Kim DiSalvo, Director of Student Services, Pemi-Baker Regional School District, SAU 48: <a href="mailto:kdisalvo@pemibaker.org">kdisalvo@pemibaker.org</a></li> </ul> <p>Engagement – final input on AIR SOW</p>

5/26/20 Tuesday Online 2-4 pm	Full commission meeting  AIR SOW and contract WG reports	AIR Levin, Baker, Kolbe et al.
6/1/20 Monday Online	Workgroup meetings  Public Engagement – 10am-12pm Fiscal Policy – 1-3pm Adequacy – 2-4pm	Adequacy and Fiscal Policy -- Michael Tierney, Tobin (2:00-3:00)
6/5/20 Friday online	Workgroup meetings  Fiscal Policy – 10am-12pm Public Engagement – 1-3 Adequacy – 3-5 (BH CTE)	Adequacy – <ul style="list-style-type: none"> <li>• Eric Frauworth, DOE, director of NH DOE Bureau of Career Development</li> <li>• Erica Ungarelli, Director of Bureau of Children’s Behavioral Health at NH Department of Health and Human Services</li> <li>• Kelly Untiet, Director of the Bureau of Student Wellness at NH Department of Education</li> </ul>
6/8/20 Monday 2-4 online	Full Commission	AIR discussion with full commission – initial briefings received and future input
6/15/20 Monday online	Workgroup meetings  Fiscal Policy – 10am-12pm Public Engagement – 1-3pm Adequacy – 3-5pm	Adequacy – <ul style="list-style-type: none"> <li>• Debra Nelson, NH Department of Health &amp; Human Services, Administrator, Division for Children, Youth &amp; Families, Head Start State Collaboration Office</li> <li>• Kim Firth, Early Childhood Program Officer, Endowment for Health</li> </ul>
6/22/20 2-4 pm online	Full commission SWEPT	Director James Gerry, Bruce Kneuer – DRA Michael Kane – LBA Fred Bramante

6/29/20	<p>Workgroup meetings – CANCELLED DUE TO LEGISLATIVE SESSION</p> <p>Fiscal Policy – 10am-12pm Public Engagement – 1-3pm Adequacy – 3-5pm</p>	<p>Adequacy – work session on components of base adequacy, discussion of AIR briefs— Amy Clark, DOE on bldg. aid (invited)</p>
7/7/20 TUESDAY 2-4 pm online	<p>Full Commission</p>	<p>Public School Funding History Anne Edwards – DOJ (invited) Daphne Kenyon (yes) 2006 Fed Reserve Report</p>
7/13/20 2-4 pm online	<p>Full commission</p> <p>Impact of COVID on changes in instructional models, remote attendance/involvement, educational expenses, and revenue?</p>	<p>Commissioner Edelblut (invited)</p>
7/16/20 tentative	<p>Workgroup meetings</p> <p>Fiscal Policy – 10am-12pm Public Engagement – 1-3pm Adequacy – 3-5pm</p>	<p>Adequacy – work-based learning</p>
7/20/20 2-4 pm online	<p>Full Commission</p>	<p>Jane Ferrini – Portsmouth (yes) Ann-Marie French, NHFPI Duke Albanese, GSP</p>
7/27/20 1:00-4:30 online	<p>Full Commission – deliberation session What have we learned so far?</p> <p>What else so we need to know?</p> <p>Guiding principles and framework for recommendations</p>	<p>No presenters, extended deliberation time</p>

8/3/20	Workgroup meetings  Fiscal Policy – 10am-12pm Public Engagement – 1-3pm Adequacy – 3-5pm	
8/10/20	Full Commission	
8/17/20	Workgroup meetings  Fiscal Policy – 10am-12pm Public Engagement – 1-3pm Adequacy – 3-5pm	
8/24/20	Full Commission	
8/31/20	Workgroup meetings  Fiscal Policy – 10-12pm Public Engagement – 1-3pm Adequacy – 3-5pm	
9/8/20 <b>TUESDAY</b>	Full Commission	
9/14/20	Workgroup meetings  Fiscal Policy – 10am-12pm Public Engagement – 1-3pm Adequacy – 3-5pm	

9/21/20	Full Commission	
9/28/20	Workgroup meetings Fiscal Policy – 10am-12pm Public Engagement – 1-3pm Adequacy – 3-5pm	
10/5/20	Full Commission	
10/13/20 <b>TUESDAY</b>	Workgroup meetings Fiscal Policy – 10am-12pm Public Engagement – 1-3pm Adequacy – 3-5pm	
10/19/20	Full Commission	
10/26/20	Workgroup meetings Fiscal Policy – 10am-12pm Public Engagement – 1-3pm Adequacy – 3-5pm	
11/2/20	Full Commission	

11/9/20	Workgroup meetings  Fiscal Policy – 10am-12pm Public Engagement – 1-3pm Adequacy – 3-5pm	
11/16/20	Full Commission	
11/23/20	Workgroup meetings  Fiscal Policy – 10am-12pm Public Engagement – 1-3pm Adequacy – 3-5pm	
11/30/20	Full Commission	Final review of report to NH General Court
12/7/20	Full Commission	Next steps after submission of report

**Final Commission report to be submitted to NH General Court December 1, 2020**

**Calendar subject to change. All meetings will be posted in advance to the NH General Court calendar and Commission website <https://carsey.unh.edu/school-funding>**

**Scheduling of on-line vs. in-person meetings will align with NH General Court COVID-19 directives.**