

STATE OF NEW HAMPSHIRE

ROCKINGHAM:SS

SUPERIOR COURT

CONTOOCOOK VALLEY SCHOOL DISTRICT, ET AL.

VS NO: 213-2019-CV-00069

NEW HAMPSHIRE DEPARTMENT OF EDUCATION, ET AL.

DEPOSITION OF LOUIS EDELBLUT

This deposition taken by agreement of counsel
at the Law Offices of Wadleigh, Starr & Peters, 95
Market Street, Manchester, New Hampshire, on
September 30, 2022, commencing at 9:52 a.m.

1 APPEARANCES:
 2 FOR THE PLAINTIFFS:
 WADLEIGH STARR & PETERS
 3 95 Market Street
 Manchester, NH 03101
 4 MICHAEL J. TIERNEY, ESQ.
 MTIERNEY@WADLEIGHLAW.COM
 5 ELIZABETH EWING, ESQ.
 EEWING@WADLEIGHLAW.COM
 6
 7 FOR THE DEFENDANTS:
 DEPARTMENT OF JUSTICE
 OFFICE OF THE ATTORNEY GENERAL
 8 33 Capitol Street
 Concord, NH 03301
 9 LAWRENCE P. GAGNON, ESQ.
 LAWRENCE.P.GAGNON@DOJ.NH.GOV
 10
 11 ALSO PRESENT: Kimberly Saunders
 Sydney Leggett
 Lorie Schmidt
 Elizabeth Brown
 12
 13 COURT REPORTER: Rebecca Lynn Metea, LCR
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23

1 STIPULATIONS
 2 It is agreed that the deposition shall be
 3 taken in the first instance in stenotype and when
 4 transcribed may be used for all purposes for which
 5 depositions are competent under New Hampshire
 6 practice.
 7 Notice, filing, caption and all other
 8 formalities are waived. All objections except as
 9 to form are reserved and may be taken in court at
 10 the time of trial.
 11 It is further agreed that if the deposition is
 12 not signed within thirty (30) days after submission
 13 to counsel, the signature of the deponent is
 14 waived.
 15
 16
 17
 18
 19
 20
 21
 22
 23

1 INDEX
 2 EXAMINATION
 3 WITNESS NAME PAGE
 4 LOUIS EDELBLUT
 Examination by MR. TIERNEY 5
 5 EXHIBITS
 6 EXHIBIT DESCRIPTION PAGE
 7 1 Analysis of Agency Requests for 10
 Budget Fiscal Year 2022 and 2023
 8 2 Title XV Education, Chapter 194-B 16
 3 Press Release 18
 4 4 Long-Term Comprehensive Modeling 20
 Analysis
 5 5 SB 386-Final Version 27
 6 6 SB 242 - Version Adopted by Both 36
 Bodies
 7 7 VLACS Learning Catalog 62
 8 8 Title XV Education, Chapter 193-E 62
 9 9 House Bill 1671 63
 10 10 Contract with Prenda 97
 11 11 Bishop Brady Cost of Attendance 107
 12 12 Third Amended Petition for 113
 Declaratory Judgment, Injunctive
 13 13 Relief and Damages 114
 14 14 Defendants' Responses and
 15 15 Objections to Petitioners' First
 Interrogatories and Requests for
 16 16 Production of Documents to
 Defendants
 17 17 14 Claremont and Unity tuition 117
 agreement
 18 18 15 Contract with the National Center 155
 or Competency-Based Learning
 19 19 16 Report from The Commission to Study 163
 School Funding
 20 20 17 Article 83 171
 21 21 18 Contract with Community and School 202
 Partners
 22
 23

1 LOUIS EDELBLUT
 2 (Witness duly sworn by the court reporter:)
 3 I, LOUIS EDELBLUT, on oath, depose and say as
 4 follows:
 5 INTERROGATORIES BY MR. TIERNEY:
 6 Q Good morning, Commissioner. My name is
 7 Michael Tierney. I am one of the attorneys
 8 for the plaintiffs' school districts, and I
 9 will be taking your deposition here today.
 10 Have you ever had your deposition
 11 taken before?
 12 A I have.
 13 Q And in what cases have you had your deposition
 14 taken?
 15 A It was a case many years ago in Florida with
 16 the Security and Exchange Commission.
 17 Q Did it have anything to do with the running of
 18 schools or school funding?
 19 A It did not.
 20 Q So in a deposition, everything that you or I
 21 say is going to be recorded by a stenographer,
 22 by a court reporter, and so it is very
 23 important that all of our answers be verbal.

Page 6

1 You understand that?

2 A I do.

3 Q We are going to be operating, I am presuming,
4 under the usual stipulations, which means that
5 the attorneys have agreed to preserve all
6 objections except as to the form of the
7 question.

8 Is that agreeable?

9 MR. GAGNON: And privileged, yes.

10 MR. TIERNEY: Privileged, sorry.

11 Q So if I ask you a question, you don't
12 understand my question, please ask me to
13 clarify. We don't want to have a transcript
14 where you think you were answering one
15 question, and I was asking a different one.

16 If for some reason you need to take
17 a break, use the bathroom, get a drink of
18 water, that sort of thing, we can take as many
19 breaks as you need. I only ask that you
20 finish answering the question that is pending
21 before taking a break.

22 Is that all understood?

23 A It is.

Page 7

1 Q What is your current position?

2 A The commissioner for the Department of
3 Education in the State of New Hampshire.

4 Q And how long have you held that position?

5 A Since February of 2017.

6 Q And while you have been commissioner, has your
7 job duties changed or have you basically had
8 the same job since 2017?

9 A I have held the same job.

10 Q Prior to being commissioner, what other job
11 duties have you had?

12 A So I have been a certified public accountant
13 with the firm of PriceWaterhouseCoopers. I
14 have been chief financial officer for a
15 company called Niagra Corporation.

16 Q Okay.

17 A I have been a member of a venture capital
18 group called -- Converge Partners is the
19 current name.

20 Q In your prior experience, did you ever audit
21 any schools?

22 A I did not.

23 Q Did you ever audit any municipalities of any

Page 8

1 sort?

2 A I did not.

3 Q Have you ever had any positions prior to
4 becoming commissioner where you ran schools?

5 A I did not.

6 Q What is your -- did I interrupt you?

7 A No. Just clearing my throat.

8 Q What is your educational background?

9 A I have a bachelor of science degree from the
10 University of Rhode Island, and a master of
11 theological studies from the Holy Cross Greek
12 Orthodox School of Theology.

13 Q I think you mentioned you have a CPA?

14 A I have a CPA, yes. It is in inactive status.

15 Q Do you have any teaching experience?

16 A I do not.

17 Q What do you do as the commissioner of
18 Department of Education?

19 A I oversee the function of the State of New
20 Hampshire's Department of Education.

21 Q And how do you oversee it? What are your
22 principal job duties?

23 A So they are managerial of the individuals who

Page 9

1 work at the agency.

2 Q How many individuals work at the agency?

3 A I believe there is approximately 290.

4 Q In your job as the manager, as the
5 commissioner, would you prepare a budget for
6 the entire agency?

7 A I oversee the preparation of a budget.

8 Q And what does it mean to oversee the
9 preparation?

10 A The agency has a chief financial officer who
11 is primarily responsible for the compilation
12 of the budget.

13 Q Do you know roughly how large the budget is
14 for the Department of Education?

15 A I can only speculate as to the actual number
16 at this point in time.

17 Q Does 1.6 billion sound about right?

18 A I would just be speculating.

19 MR. TIERNEY: Would you mark that as
20 Exhibit Number 1?

21 (Whereupon, the court reporter
22 marked Exhibit Number 1, Analysis of Agency
23 Requests for Budget Fiscal Year 2022 and 2023,

Page 10

1 for Identification.)

2 Q I have handed you what has been marked as

3 Exhibit 1, and is labeled as Analysis of

4 Agency Requests for Budget Fiscal Year 2022

5 and 2023 dated 10/2/2020.

6 Do you see that?

7 A I see that as the title on this document.

8 Q Have you seen this document or a document

9 substantially similar to this before?

10 A I have not.

11 Q I ask you to turn to page 2, and there is a

12 line 6, education.

13 Do you see that line?

14 A I do.

15 Q And that line has several numbers, including

16 for fiscal year 2023, and efficiency budget of

17 1 million 513 -- sorry, I am going to start

18 over.

19 Efficiency budget of 1 billion 513

20 million, and then an agency request of 1

21 billion 515 million.

22 Do you see those two numbers?

23 A I do.

Page 11

1 Q Do you have any reason to believe that those

2 numbers are inaccurate?

3 A I have no reason to believe they are

4 inaccurate. I also have no reason to believe

5 they are accurate.

6 Q What would refresh your recollection as to

7 what the Department of Education's total

8 spending is?

9 A If I were to see the budget that we prepared

10 with my CFO.

11 Q And when you talk about the budget that you

12 prepare, are you talking about the detailed

13 line item as opposed to a summary?

14 A That would be correct.

15 Q What types of things does the Department of

16 Education do in New Hampshire?

17 A We have several divisions. We have a division

18 of learner support. We have a division of

19 educator and analytical resources, we have a

20 division of educational credentials in higher

21 education, office of budget management, and we

22 have a division of vocational rehabilitation,

23 and we have a division of SSDI, Social

Page 12

1 Security Disability Administration, SSDIA.

2 Q Which one of those divisions would be

3 principally responsible for making sure that

4 the children of the State of New Hampshire

5 receive an adequate education?

6 A All divisions play a role except for SSDI in

7 making sure that individuals are receiving

8 education.

9 Q Would SSDI be focused on adults?

10 A SSDI is focused on Social Security Disability

11 Administration.

12 Q What does the Department of Education do to

13 make sure that all children in the state have

14 access to an adequate education?

15 A We administer the laws and the rules of the

16 State of New Hampshire for the provision of an

17 adequate education.

18 Q What does it mean to administer?

19 A It depends upon the individual law.

20 Basically, we implement the laws of the State

21 of New Hampshire.

22 Q In what ways can children receive an adequate

23 education in New Hampshire?

Page 13

1 A There are four qualified education programs in

2 New Hampshire. Those can come through a

3 public school, whether that is a traditional

4 public school or public charter school.

5 Students can be enrolled in a nonpublic

6 school. Students can be enrolled in an

7 Education Freedom Account program. Or

8 students can be enrolled in an at-home

9 education program.

10 Q What are chartered public schools?

11 A They are chartered public schools.

12 Q How would they differ from a traditional

13 public school?

14 A They operate under a different statute, under

15 RSA 194-B.

16 Q Can you describe for me how those differences

17 would appear in real life? What would it look

18 and feel like differently?

19 A So that would be dependent upon the individual

20 charter school.

21 Q Do charter schools provide an adequate

22 education?

23 A That would be a determination that would have

Page 14

1 to be made on a case-by-case basis at each
2 school.
3 Q Are you aware of any charter schools that do
4 not provide an adequate education?
5 A Again, I am not aware of any that do not. But
6 I am simply not aware.
7 Q Would it be your responsibility as the
8 commissioner of the Department of Education to
9 take action if a public charter school wasn't
10 providing an adequate education?
11 A Within the confines of the law, I have certain
12 actions I can take when a school is not
13 following the law.
14 Q And can you take certain actions if a
15 chartered public school wasn't providing an
16 adequate education?
17 A So within the confines of the law and specific
18 statutes, I have certain ability to act, and I
19 can act only within those constraints of the
20 law.
21 Q Have you ever taken any action against any
22 chartered public school because that charter
23 public school was not providing an adequate

Page 15

1 education?
2 A I don't have any recollection of that.
3 Q Have you ever taken any action against a
4 traditional public school, a school district,
5 because that district was not providing an
6 adequate education?
7 A I don't have any recollection of that.
8 Q How is an adequate education provided at
9 charter schools funded?
10 A The funding for charter schools follows a
11 statute in the New Hampshire law, and that is
12 how we provide funding to them.
13 Q Would that statute be RSA 194-B:11?
14 A It may be. I don't have specific knowledge.
15 I don't recollect that.
16 Q Do you recollect how much charter school
17 funding is provided by the state?
18 A I know the amount is enumerated in statute.
19 So we just follow the statute.
20 MR. TIERNEY: I am going to ask that
21 this be marked as Exhibit 2.
22 (Whereupon, the court reporter
23 marked Exhibit Number 2, Title XV Education,

Page 16

1 Chapter 194-B, for Identification.)
2 Q What has been handed to you and marked as
3 Exhibit 2 is RSA 194-B.
4 Have you seen that statute before?
5 A I have not seen this statute until now. I am
6 familiar, somewhat familiar with parts of RSA
7 194-B.
8 Q When you say "this statute," do you mean
9 printed in this form?
10 A Correct.
11 Q You have seen the statute before?
12 A Yes.
13 Q Could you turn to 194-B-11?
14 What is that section titled?
15 A The piece of paper that you have put in front
16 of me is titled in Section 1994 B:11, 194-B:11
17 Chartered Public Schools: Funding.
18 Q Is this the statute that you were referring to
19 when you discussed the Department of Education
20 administers the statutes regarding funding?
21 A I don't know. I would have to go through this
22 to make that determination.
23 Q Why don't you take a second to go through

Page 17

1 that, or a minute, or however long you need.
2 A Okay. So your question?
3 Q How does a charter school receive state
4 funding?
5 A By following state statute by which the
6 department funds the charter schools.
7 Q And how much funding does the charter school
8 receive?
9 A Whatever is specified in the statute.
10 Q And what is specified in the statute? Do you
11 understand the statute?
12 A I can read the statute. I can't calculate
13 that in my head here today. It can be
14 determined based upon the statute.
15 Q And you have calculated it before, correct?
16 A I have not.
17 Q Have you ever issued any press releases about
18 the funding of charter schools?
19 A I have no recollection.
20 Q You don't recall issuing any press release
21 regarding your fiscal analysis of charter
22 school expansion and how it would result in
23 potential taxpayer savings of \$62,278,000 over

Page 18

1 the next decade?
2 A Can you show that to me?
3 MR. TIERNEY: I am going to ask that
4 this be marked as Exhibit 3.
5 (Whereupon, the court reporter
6 marked Exhibit Number 3, Press Release, for
7 Identification.)
8 A So your question?
9 Q Is this a public statement, a press release,
10 that you gave?
11 A It is.
12 Q And having this in front of you, does this
13 refresh your recollection of giving this
14 statement?
15 A Yes.
16 Q Why did you give this statement?
17 A This was an analysis that was produced by the
18 department relative to the effect of the
19 receipt of a 46 million dollar federal charter
20 school grant.
21 Q And you say, and I am looking at the second
22 paragraph, the last sentence, "Public charter
23 schools provide higher academic achievement at

Page 19

1 lower cost per pupil."
2 Do you believe that statement?
3 A Which paragraph are you reading?
4 Q The second paragraph, second to last sentence?
5 A I believe that that statement is based upon a
6 fact at that time when I issued this press
7 release.
8 Q How did you determine that fact?
9 A I believe that the agency did an analysis of
10 student performance on accountable assessments
11 and compared the results between charter
12 schools and noncharter schools at that time.
13 Q What about the second half of that sentence,
14 "at lower cost per pupil."
15 How did you determine that charter
16 schools cost less per pupil?
17 A I believe that there was an analysis of the
18 cost per pupil done by the agency.
19 Q Do you recall what that analysis determined
20 the cost of charter schools were?
21 A I do not.
22 MR. TIERNEY: Could I ask that this
23 be marked as Exhibit 4?

Page 20

1 (Whereupon, the court reporter
2 marked Exhibit Number 4, Long-Term
3 Comprehensive Modeling Analysis, for
4 Identification.)
5 MR. GAGNON: Is there a spare copy?
6 MR. TIERNEY: I am sorry.
7 MR. GAGNON: Thank you.
8 Q Is Exhibit 4 the attachment that is labeled,
9 The Long-Term Comprehensive Modeling Analysis,
10 from Exhibit 3?
11 A I believe it may be.
12 Q I am going to ask you to turn to page 3, and
13 there is a chart in the middle of the page
14 that has total per pupil, traditional public,
15 \$19,720, and public charter \$9,473.
16 Do you see that chart?
17 A I do.
18 Q Is that the chart in the analysis that was
19 provided to you when you made that public
20 statement that charter schools operate at a
21 lower cost per pupil?
22 A It may have been.
23 Q The \$9,473 for public charter school's total

Page 21

1 cost per pupil, which charter schools were
2 used in that analysis?
3 A I don't have any recollection of that.
4 Q Which charter schools were used for the
5 accountability study that you had mentioned a
6 couple minutes earlier?
7 A I don't have any recollection of that either.
8 Q But you recall that there was a comparison of
9 test scores?
10 A I believe there was.
11 Q Do you recall which public schools were used
12 for the test scores?
13 A I don't know. I don't have any recollection
14 of which ones were included in that.
15 Q Has there ever been a study to improve
16 performance in charter schools?
17 A I am not familiar with one.
18 Q In the press release and in your statement,
19 you talk about a 46 million dollar federal
20 grant for charter schools, is that correct?
21 A Yes.
22 Q What is that federal grant intended to be used
23 for?

Page 22

1 A You would have to read the terms of the grant
 2 that would specify and enumerate how that is
 3 to be used.
 4 Q What is your understanding sitting here today?
 5 A So my understanding is that the grant is used
 6 as startup replication and spreading best
 7 practices for charter school.
 8 Q What do you mean by replication?
 9 A If there is an existing charter school that
 10 wanted to replicate itself.
 11 Q Are these grants available to traditional
 12 public school districts?
 13 A They are available to any entity that forms a
 14 charter school.
 15 Q I am going to ask you to look back at RSA
 16 194-B:11, which is marked as Exhibit 2.
 17 In particular, RSA 194-B:11, Roman
 18 I, (b)(1)(A), and pursuant to that statute, a
 19 charter school receives tuition payments from
 20 the state the same as a public school under
 21 RSA 198:40-a, II(a)-(c) and (e) plus an
 22 additional grant of \$3,286, is that correct?
 23 A So assuming that this is the accurate statute,

Page 23

1 which I could only determine if I were to look
 2 up the official record of the statute, this
 3 sentence reads pursuant to RSA 194-B:3-a, the
 4 state shall pay tuition pursuant to RSA
 5 198:40-a, II(a)-(c) and (e) plus an additional
 6 grant of \$3,286 to all chartered public
 7 schools.
 8 Q Do you deny that this is the actual statute?
 9 A I don't have any way to verify that this is
 10 the actual statute.
 11 Q And how would you verify this is the actual
 12 statute?
 13 A I would go to the official record at the
 14 state.
 15 Q You would go onto the state's website in order
 16 to determine what is published as the official
 17 record?
 18 A And in the legislative record.
 19 Q And is that something that you would do
 20 electronically or would you go down to the
 21 state archives?
 22 A It would depend on what I was trying to
 23 ascertain relative to the statute.

Page 24

1 Q In order to agree with me that that is
 2 actually the statute, what would you need to
 3 do?
 4 A So I would again have to go verify that. I
 5 can tell you I do not believe this is the
 6 official statute.
 7 Q Why do you believe that is not the official
 8 statute?
 9 A Because in the annotation section, it
 10 indicates the last update date of July 1st,
 11 2017, and I believe there have been changes to
 12 the law since then.
 13 Q There have been changes to 194-B:11?
 14 A I don't know what the changes were. That
 15 would have to be researched.
 16 Q You are the commissioner of the Department of
 17 Education, correct?
 18 A That's correct.
 19 Q How many millions of dollars is spent pursuant
 20 to 194-B:11?
 21 A I don't know the answer to that.
 22 Q And you don't know what any potential changes
 23 to the statute might be or if there are any?

Page 25

1 A I do believe there are changes to the statute.
 2 Q You don't know what the content of those
 3 changes are?
 4 A I believe I could speculate as to what those
 5 are.
 6 Q What is your understanding, your recollection
 7 sitting here today, what the changes are?
 8 A My speculation as to what those are, specific
 9 changes with respect to the provision of
 10 special education services for students.
 11 Q Okay. Have there been any changes to the
 12 funding numbers and in particular \$3,286?
 13 A I could only speculate relative to whether
 14 there are changes there, many changes in the
 15 law relative to various aspects of education
 16 every year, and so I would want to go verify
 17 the correct amount in the statute.
 18 Q And remind me again, how do you verify the
 19 correct amount in the statute, how would you
 20 physically do that?
 21 A I may start at the website, and then if I was
 22 concerned about the veracity of that
 23 information or whether it had been updated

Page 26

1 currently, I may check with the Secretary of
2 State to determine if I have a correct and an
3 accurate copy of the law. It is that
4 contemporaneous of a decision.
5 Q Would you like to take a break so you can
6 verify the accuracy of the statute?
7 A That would be your determination. I am here.
8 Q Why don't we take a break, and you do what you
9 need to do to verify the accuracy of the
10 statute, and let me be clear, if you would
11 please verify the accuracy of 194-B:11?
12 A Okay.
13 Q Not the other education statutes, just B:11,
14 and we will go off the record while you do
15 that.
16 (An off-record discussion was had.)
17 Q (By MR. TIERNEY:) Commissioner, have you been
18 able to determine the veracity of RSA 194-B:11
19 as depicted in Exhibit 2?
20 A So I believe that this is an outdated statute,
21 and that there have been changes made to it.
22 Q And do you know what changes have been made to
23 that statute?

Page 27

1 A I do know changes were made. I can go verify
2 those, if you would like me to.
3 Q Why don't you look at this exhibit here?
4 (Whereupon, the court reporter
5 marked Exhibit Number 5, SB 386-Final Version,
6 for Identification.)
7 Q This is Exhibit Number 5, which I will
8 represent to you is the chartered final
9 version of Chapter 175 from SB 386 in the 2022
10 session, and in particular, if you look at
11 lines 24 through 29.
12 Does this statutory amendment add
13 the word "amounts" between tuition and
14 pursuant, and then make an amendment at the
15 end of that sentence to add a "the" and
16 "school's ADMA"?
17 A Those are the indications on this piece of
18 paper that you have given me.
19 Q And can you verify this is the most up-to-date
20 statute?
21 A I would need to go verify that.
22 Q Why don't we take a break, and you can verify
23 that?

Page 28

1 (Short recess.)
2 Q (By MR. TIERNEY:) Commissioner, have you been
3 able to verify that Exhibit 5 is an accurate
4 rendition of the legislative changes in the
5 2022?
6 A I believe it is, but a full verification would
7 require confirmation from the Secretary of
8 State.
9 Q If I can have you turn back to Exhibit 22.
10 I am sorry, if you could look at
11 Exhibit 5. Do you have an understanding of
12 why the statute says "plus an additional grant
13 of \$3,286 to all chartered public schools"?
14 A I understand that that is what the legislature
15 added to this law.
16 Q Do you understand why?
17 A I do not.
18 Q Is there any reason why chartered public
19 schools should receive more funding than
20 district schools?
21 A That would be a determination the legislature
22 would make.
23 Q Do you have any opinions on that?

Page 29

1 A Can you repeat the question?
2 Q Do you have any opinions on why a chartered
3 school should receive an additional grant of
4 \$3,286 over what a traditional district school
5 receives in state funding?
6 A I don't know the answer to that.
7 Q Is there anything in your understanding and in
8 your opinions as commissioner of the
9 Department of Education that would lead you to
10 conclude that a chartered school would
11 receive -- should receive more funding from
12 the state than a district public school?
13 A Can you repeat that question?
14 Q Do you have any understanding as to why a
15 chartered public school should receive more
16 funding from the state than a traditional
17 district public school?
18 A I don't know the answer to that.
19 Q Would you agree with me that they should be
20 receiving equivalent funding?
21 A I would agree they should receive the funding
22 that the legislature dictates, and that is the
23 responsibility of the department.

Page 30

1 Q You have testified to the legislature before,
 2 haven't you?
 3 A I have.
 4 Q And you told the legislature that they should
 5 appropriate more funding for charter schools,
 6 haven't you?
 7 A I have no recollection of that. If it is in
 8 the record.
 9 Q You have no recollection of testifying before
 10 the legislature that more funding should be
 11 given to charter schools?
 12 A Not a specific incident, no.
 13 Q How many times have you testified before the
 14 legislature or a legislative committee?
 15 A I am not sure. Many times.
 16 Q More than 20?
 17 A I don't know the answer to that.
 18 Q More than 100?
 19 A I don't know the answer to that.
 20 Q Do traditional district public schools need
 21 more funding from the State of New Hampshire
 22 in order to provide a constitutionally
 23 adequate education?

Page 31

1 A The responsibility of the department is to pay
 2 the funds enumerated in the statute to the
 3 district public schools, and that is what the
 4 agency does.
 5 Q You didn't answer my question.
 6 A Can you repeat the question?
 7 Q Okay. Do district public schools, traditional
 8 public schools, need more money than is
 9 provided in the current statute to provide a
 10 constitutionally adequate education?
 11 A The amount of money the district needs to
 12 provide a constitutionally adequate education
 13 is a decision made by the legislature, not by
 14 the Department of Education.
 15 Q So is it fair to say you have no opinions on
 16 whether the amounts are adequate to provide a
 17 constitutionally adequate education?
 18 A So the question is whether or not the
 19 department is providing a constitutionally --
 20 legislatively determined amount of funding to
 21 the schools for the provision of a
 22 constitutionally adequate education.
 23 The agency provides the amount

Page 32

1 enumerated in the statute towards that
 2 objective.
 3 Q Your obligation as commissioner is to make
 4 sure that all students receive a
 5 constitutionally adequate education, correct?
 6 A That is correct.
 7 Q In order to make sure that all students
 8 receive a constitutionally adequate education,
 9 don't you have to determine how much that is
 10 going to cost?
 11 A The legislature determines how much that is
 12 going to cost and our responsibility as an
 13 agency is to facilitate the provision of those
 14 funds to the district for the provision of a
 15 constitutionally adequate education.
 16 Q What does a constitutionally adequate
 17 education mean?
 18 A What is enumerated in the statute.
 19 Q What statute?
 20 A I believe that it is RSA 193-E:2-a.
 21 Q And is the definition as provided by the
 22 legislature in RSA 193-E:2-a what the
 23 constitution requires?

Page 33

1 A I am not in a position to be able to
 2 adjudicate that. That would be a matter for
 3 the legislature and probably the judiciary.
 4 Q So if the legislature was to make a
 5 determination that the definition of an
 6 adequate education is X, would you ever
 7 disagree with that determination?
 8 A The responsibility of the agency is to
 9 implement the laws that the legislature
 10 passes, and so we would implement the laws
 11 that the legislature passes toward the
 12 provision of an adequate education.
 13 Q Do you believe that the definition as it is
 14 currently written in RSA 193-E:2-a is the
 15 appropriate definition of an adequate
 16 education?
 17 A So I don't have responsibility for determining
 18 what an adequate education is. Again, the
 19 legislature makes that determination, and we
 20 implement what the legislature determines.
 21 Q So if the legislature determined that an
 22 adequate education is A, B, C, D, E, F, G, and
 23 the costs are 1, 2, 3, 4, 5, 6, you would have

Page 34

1 no basis to disagree with that?

2 A So my responsibility is not to agree or

3 disagree but to implement the law that the

4 legislature passes.

5 Q Have you ever expressed your disagreement with

6 any other person about what the legislature

7 has chosen to either define or cost out an

8 adequate education?

9 A I have expressed, you know, opinions about the

10 law, about RSA 193-E:2-a.

11 Q Who have you expressed these opinions to?

12 A I couldn't recollect anyone -- or all the

13 people that I may or may not have expressed

14 those to.

15 Q What opinions have you expressed?

16 A I don't have any recollection of the specific

17 opinion. If there is a specific incident, I

18 can try and clarify that for you.

19 Q Have you ever expressed your opinions to the

20 legislature about your disagreement with the

21 legislative definition of an adequate

22 education?

23 A I don't think I have disagreed. The question

Page 35

1 characterizes a disagreement with the

2 legislature, and I don't have a disagreement

3 with the legislature.

4 Again, the role of the agency is to

5 implement the laws that are passed by the

6 legislature, to use your analogy, if they say

7 A, B, C, D and they say it is 1, 2, 3, 4,

8 those are the things that the agency

9 implements.

10 I have had many conversations with

11 many people across the state relative to an

12 adequate education or what the content of an

13 education is.

14 Q Would you agree that the base cost of

15 providing a constitutionally adequate

16 education includes "teachers, specialty

17 teachers, principal, administrative

18 assistants, guidance counselor, library media

19 specialist, technology coordinator, custodian,

20 salary and benefits for personnel,

21 instructional materials, supplies, technology,

22 teacher professional development, facilities

23 operation and maintenance and transportation"?

Page 36

1 A So I am not aware of what the elements are for

2 the funding for a constitutionally adequate

3 education that the legislature has used to

4 determine that amount.

5 Q You are not aware?

6 A That is correct.

7 Q You are commissioner of the Department of

8 Education?

9 A Yes.

10 Q And the legislature in 2021 passed HB 242,

11 defining that the base cost shall include what

12 I just read out, correct?

13 A I would have to see what document you are

14 referring to.

15 MR. TIERNEY: Yes.

16 (Whereupon, the court reporter

17 marked Exhibit Number 6, SB 242 - Version

18 Adopted by Both Bodies, for Identification.)

19 A What are you referencing on this?

20 Q I am going to ask you to turn to page 4, and

21 look at lines 3 through 7.

22 A So I agree that lines 3 through 7 state that

23 the base cost shall include "teachers,

Page 37

1 specialty teachers, principal, administrative

2 assistants, guidance counselor, library media

3 specialist, technology coordinator, custodian,

4 salary and benefits for personnel,

5 instructional materials, supplies, technology,

6 teacher professional development, facilities

7 operation and maintenance and transportation."

8 Q And you agree that the legislature passed HB

9 242, correct?

10 A I agree that the legislature passed HB 242. I

11 assume that they did.

12 Q And you earlier stated that whatever the

13 legislature determines, you implement,

14 correct?

15 A I implement the law, correct.

16 Q You earlier stated that whatever the

17 legislature determines are the components of

18 the cost of that adequate education you

19 implement?

20 A I implement the law that the legislature

21 passes.

22 Q And is this the law in HB 242?

23 A Assuming that this law, that this has been

Page 38

1 passed into law, then this may be -- yes, then
 2 if this is the law, then this is the law that
 3 they had passed.
 4 Q Has this been passed into law?
 5 A I would have to check that. I am not
 6 positive.
 7 Q You are not positive?
 8 A No. I believe it has.
 9 Q You believe it has?
 10 A Yes.
 11 Q Why do you believe it has?
 12 A Because you have presented it to me.
 13 Q Have you ever had any discussions with any
 14 other person about whether HB 242 should
 15 become law?
 16 A I have not, not to my recollection.
 17 Q Do you recall ever having any conversation
 18 regarding HB 242 with Governor Christopher
 19 Sununu in June of 2021?
 20 A I don't have any recollection of that.
 21 Q Do you know why Governor Sununu would state
 22 that you did have conversations with him about
 23 HB 242?

Page 39

1 A I guess he may say that. If he said that we
 2 did, then perhaps he has a recollection that I
 3 don't have.
 4 Q I am going to ask you to turn back to Exhibit
 5 2, and I am sorry, I am going -- I am going to
 6 ask you to turn to Exhibit 5, and turn to page
 7 3 of Exhibit 5; and lines 3 to 5 on page 2 of
 8 SB 386, but page 3 of Exhibit 5?
 9 A Page 3 of Exhibit 5?
 10 Q Yes, labeled as page 2?
 11 A Okay.
 12 Q Line 3 to 5, it says, and I quote, "For the
 13 Virtual Learning Academy Charter School
 14 authorized pursuant to RSA 194-B:3-a, the
 15 state shall pay tuition amounts pursuant to
 16 RSA 198:40-A, II(a)-(c) and (e), plus an
 17 additional grant of \$2,036."
 18 Do you see that?
 19 A I do.
 20 Q Do you have any understanding of why the
 21 Virtual Learning Academy Charter School
 22 receives an additional grant of \$2,036, while
 23 other charter schools receive an additional

Page 40

1 grant of \$3,286?
 2 A I do not have direct knowledge as to why the
 3 legislature enacted the law as it did.
 4 Q Do you have any knowledge of any difference
 5 between the Virtual Learning Academy Charter
 6 School and other charter schools that in your
 7 opinion would justify such a difference?
 8 A I can speculate that because it is a Virtual
 9 Learning Academy versus a nonVirtual Learning
 10 Academy, that may be the reason for the
 11 difference.
 12 Q Does the Virtual Learning Academy charter
 13 school, does it have to provide facilities and
 14 maintenance of those facilities?
 15 A The Virtual Learning Academy has facilities.
 16 Q Do they have to provide classrooms for
 17 students to meet in?
 18 A It would depend upon the educational program
 19 that they are working in, because they have a
 20 variety of programs.
 21 Q For the Virtual Learning Academy, do they have
 22 any classrooms that students meet in?
 23 A I don't know the answer to that.

Page 41

1 Q For a public chartered school, do they have
 2 classrooms that students meet in?
 3 A Many do.
 4 Q Are you aware of any chartered school that
 5 doesn't have classrooms for students to meet
 6 in?
 7 A It would depend on the definition of
 8 classroom. There are some charter schools
 9 that have differently configured spaces.
 10 Q But with the exception of the Virtual Learning
 11 Academy Charter School, all other charter
 12 schools must offer in-person learning,
 13 correct?
 14 A It would depend on what your definition of
 15 in-person learning is.
 16 Q With the exception of the Virtual Learning
 17 Academy public charter school, can any other
 18 charter school have full-time distance
 19 learning for all students?
 20 A Many of our public schools, both traditional
 21 public schools and charter public schools,
 22 offer their students virtual instruction.
 23 Q Full-time for all students all the time?

Page 42

1 A Some students are engaged full-time. Some are
 2 engaged in less than full-time.
 3 Q Which schools are engaged full-time?
 4 A It would not be a school by school, but a
 5 student by student determination that would be
 6 made.
 7 Q So a student can determine to have full-time,
 8 but a school can't determine to have
 9 full-time?
 10 A No, that is not what I said.
 11 What I said is that there are
 12 students in our schools that may be accessing
 13 their instruction on a -- in a virtual manner,
 14 and that can happen in a traditional public
 15 school or in one of my other public charter
 16 schools.
 17 Q Can any public chartered school or any
 18 traditional public school, other than the
 19 Virtual Learning Academy, provide all of its
 20 students with virtual learning all the time?
 21 A I would have to look on the specific
 22 circumstances for that school to understand
 23 the offering that they are making. What I do

Page 43

1 know is that we do have some students in our
 2 public schools who access their instruction
 3 virtually.
 4 Q Can you identify any school other than the
 5 Virtual Learning Academy where all the
 6 students access instruction virtually?
 7 A I can't at this time.
 8 Q What would you need in order to be able to
 9 identify that?
 10 A I would have to speak to -- can you rephrase
 11 the question?
 12 Q Can you identify any school, other than the
 13 Virtual Learning Academy, where all of its
 14 students receive instruction virtually?
 15 A Again, I would have to verify that.
 16 Q With whom would you verify that?
 17 A There is at least one public charter school
 18 that I would go and make an inquiry about in
 19 terms of understanding if their students are
 20 all engaged or not.
 21 Q Which public charter school is that?
 22 A The North Country Charter Academy.
 23 Q Pursuant to RSA 194-B:11, if the North Country

Page 44

1 Charter Academy provided a majority of its
 2 classes and instructions on the Internet, then
 3 it wouldn't receive the additional \$3,286 that
 4 public charter schools that provide a majority
 5 of instruction in person received, correct?
 6 A Can you tell me what you are referencing?
 7 Q I am referencing on Exhibit 5.
 8 A Okay.
 9 Q And on page 2, lines 16 to 21 --
 10 A So page 2 or --
 11 Q Page 3, which is labeled as page 2?
 12 A Thank you. Lines?
 13 Q Lines 16 to 21?
 14 A So your question again?
 15 Q If you have a chartered school that provides a
 16 majority of its classes and instruction on the
 17 Internet, it would not receive the additional
 18 \$3,286 that a charter school that provides a
 19 majority of instruction in person, correct?
 20 A I don't believe that is correct.
 21 Q Why not?
 22 A I think that you have conflated two concepts
 23 of a virtual charter school where the students

Page 45

1 are accessing their virtual instruction from
 2 an alternative location, and students who are
 3 accessing their instruction in an educational
 4 setting virtually.
 5 Q What do you mean by an educational setting?
 6 A Again, that would depend upon the individual
 7 school.
 8 Q You have used the phrase "in an educational
 9 setting."
 10 What did you mean when you used that
 11 phrase?
 12 A Because the educational setting may look
 13 different at different schools. So for
 14 example, a traditional public school may have
 15 an alternative program, a separate building or
 16 location where they have students, and they
 17 are accessing their virtual instruction there,
 18 and that could be similar for an alternative
 19 -- for a charter school, and they have an
 20 education setting separate from an in-person
 21 structural environment. That is all.
 22 Q Is that different than a residential living
 23 room or residential bedroom where one could

Page 46

1 access the Internet and access virtual
 2 instruction?
 3 A I don't know what you mean by is that
 4 different. The locations are different. The
 5 residential location, I assume, would be the
 6 primary residence of a particular student,
 7 where the educational setting would be a
 8 setting which is under the custody and
 9 responsibility of the particular school.
 10 Q I am asking whether you as commissioner of the
 11 Department of Education and the department for
 12 which you are responsible for administering,
 13 would apply different funding if somebody is
 14 accessing their education in a school building
 15 versus whether they are accessing their
 16 education in their home residential setting?
 17 A We would just apply the statute. We would
 18 look at the facts and circumstances, and we
 19 would apply the appropriate statute in terms
 20 of making a determination as to what funding
 21 should be provided and how that should be
 22 provided.
 23 Q So apply the statute for me in this

Page 47

1 hypothetical case.
 2 You have students who are accessing
 3 a majority of their classes on the Internet
 4 from their homes where they reside with their
 5 parents versus a student who goes to a school
 6 building, whether that be a traditional public
 7 school building or a chartered school
 8 building, they go to a school building where
 9 they are accessing classes over the Internet
 10 from some virtual source.
 11 Is the funding different based on
 12 those two hypothetical examples?
 13 A Again, I think the hypothetical doesn't work
 14 because the statute is specific as to how we
 15 apply that funding specifically with respect
 16 to the Virtual Learning Academy, the VLACS,
 17 versus other settings.
 18 So the distinction is not based on
 19 simply the criteria that you have outlined.
 20 The statute provides more specificity how we
 21 would do that.
 22 If for example, a child was in a
 23 public school setting and accessing their

Page 48

1 instruction, then they would receive the
 2 funding that is enumerated in the statute.
 3 Q In the statute, and in particular, in RSA
 4 194-B:11, B:12 where it describes for an
 5 online chartered school, is there any online
 6 chartered public school that you are aware of
 7 in the State of New Hampshire as of today?
 8 A There is.
 9 Q What is that?
 10 A VLACS.
 11 Q Other than VLACS, are there any others?
 12 A I am not aware of any other.
 13 Q I am going to ask you to, looking at line 4
 14 where it talks about how for the Virtual
 15 Learning Academy Charter School authorized
 16 pursuant to RSA 194-B:3-a, "The state shall
 17 pay tuition amounts pursuant to RSA 198:40-a,
 18 II(a) to (c) and (e)."
 19 Do you understand what D is that is
 20 being skipped over?
 21 A I would have to go make reference to RSA
 22 198:40-a.
 23 Q Does the Virtual Learning Academy provide

Page 49

1 special education services?
 2 A I believe as a public chartered school, that
 3 those services are provided by the student's
 4 resident district.
 5 Q And that is the same for all public chartered
 6 schools, that the resident district provides
 7 special education services?
 8 A I believe so.
 9 Q Would you agree with me that not having to
 10 provide special education services makes it so
 11 that public chartered schools can operate at a
 12 lower cost per pupil?
 13 A It would depend upon the nature of the
 14 services that are being provided.
 15 Q Looking across all 160, 170,000 students in
 16 the State of New Hampshire, and looking at all
 17 of the chartered schools in the state and all
 18 the public district schools, would you agree
 19 with me looking at all of the citizens of the
 20 State of New Hampshire, that not providing
 21 special education services allows chartered
 22 schools to have a lower per pupil cost?
 23 A It would depend upon the nature of the special

Page 50

1 education services that are needed by the
 2 student and how those services are delivered.
 3 Q Why?
 4 A Because the nature of the special education
 5 services may be able to at the determination
 6 of the individual education program team be
 7 determined that they could be provided in a
 8 typical educational setting, with some type of
 9 an accommodation that does not result in the
 10 additional cost.
 11 Q So that is for particular students' needs, but
 12 looking at all the student needs across all
 13 the students in the state, there are some
 14 student special education needs that do add
 15 substantial costs, correct?
 16 A There are students in New Hampshire for whom
 17 the cost of educating them and providing
 18 services so that they are able to access a
 19 free and appropriate public education, require
 20 additional costs to support them.
 21 Q And charter schools do not need to be bearing
 22 those costs, correct?
 23 A So many of our charter schools do absorb some

Page 51

1 of those costs, but the law is very clear that
 2 the responsibility for the costs of the
 3 provision of IEP services falls to the
 4 resident district, I believe.
 5 Q Do public charter schools need to provide
 6 transportation for their students to get to
 7 school?
 8 A Transportation is provided to our students
 9 based upon the statute.
 10 Q Okay. And you as commissioner of the
 11 Department of Education need to implement the
 12 statute?
 13 I am asking you as the implementer
 14 of that statute, do charter schools have to
 15 provide that transportation?
 16 A I don't believe that they do -- they do not
 17 need to provide transportation.
 18 Q Do --
 19 A -- is my understanding of the statute.
 20 Q Do students who are attending charter schools
 21 have a right to transportation?
 22 A Some students based upon the statute have a
 23 right to transportation.

Page 52

1 Q And who pays for those? Who pays for
 2 transportation of those students?
 3 A So the transportation of those students
 4 follows again the statute. My understanding
 5 of the statute is that the transportation is
 6 limited to those students in the public school
 7 based upon the routing of the buses for the
 8 district public school for that resident
 9 district, and only to those students in that
 10 resident district, and they would follow their
 11 normal schedules, and the words are enumerated
 12 more precisely in the statute, but follow
 13 their normal schedules, and the students would
 14 be able to participate on that route.
 15 Q So keeping in mind that the costs are not --
 16 let me start the question over.
 17 Traditional public district schools,
 18 they are required by statute to provide
 19 transportation to those students who are
 20 attending their schools, correct?
 21 A Not correct.
 22 Q Why not?
 23 A Because they are required to provide

Page 53

1 transportation to the students in the 1st
 2 grade through 8th grade, but not in the
 3 secondary system, and that is my understanding
 4 of the statute.
 5 Q And your understanding of the statute is that
 6 the traditional public school districts need
 7 to provide some form of transportation to some
 8 of the students in charter schools.
 9 Is that an accurate statement?
 10 A I believe that the statute requires district
 11 schools to provide transportation to some of
 12 their students.
 13 Q To some of the charter school students?
 14 A Well, it would depend on whether or not there
 15 were charter school students who were in that
 16 resident district or not, and if they are
 17 providing that transportation, it would be
 18 provided pursuant to the statute, which would
 19 limit the transportation to the -- this is
 20 conjecture, I believe, like the regular bus
 21 routes I think is what is described to us.
 22 Q Taking one of those hypothetical students,
 23 just take one of those students, does the

Page 54

1 state provide the funding for transporting
2 that student to the chartered public school?
3 A So the statute requires that the district run
4 their regular bus routes is what they require
5 them to do.
6 Q The running of the regular bus routes, is the
7 state providing funding for the running of
8 that regular bus route?
9 A So again, the amount of funds that are
10 provided to the district public school is
11 determined by the legislature and the
12 components of that are factors that the
13 legislature has weighed in determining what
14 that amount is, so the components of that are
15 really determined -- I am not sure what the
16 components are that the legislature considers
17 when they come up with that number.
18 Q Is transportation one of the components?
19 A I don't know the answer to that.
20 Q What would you need to do in order to know the
21 answer to that?
22 A Quite frankly, I would need to understand the
23 thought process for every legislator who voted

Page 55

1 for the amount of adequate education and what
2 they believed the components of that were.
3 Q So you, as commissioner of the Department of
4 Education, can't, sitting here today, tell us
5 what the components of the cost of an adequate
6 education is?
7 A What I can tell you is that we as the agency
8 provide to the districts the amount for an
9 adequate education that the legislature has
10 determined.
11 Q Can you tell me what the components of that
12 cost are?
13 MR. GAGNON: Objection. Asked and
14 answered. You can answer.
15 THE WITNESS: So I am not -- I don't
16 know in each legislator's mind when they voted
17 affirmatively for the amount that shows up in
18 statute, what they believed were the
19 components of that. We will implement the
20 amount of funds that the legislature
21 determines to provide to the district public
22 schools.
23 Q So if a legislator had in their mind when they

Page 56

1 were voting for approval of whatever the bill
2 was that set the dollar figure, then you are
3 saying that was part of the components of that
4 cost?
5 A What I am saying is I don't know how they
6 determined the cost and what the components of
7 those costs were. I know that I have an
8 amount that they are asking us to pass through
9 to the districts, and the presumption is this
10 is the amount they have given us for the
11 provision of an adequate education, and so we
12 would follow that statute.
13 So they have both defined what an
14 adequate education is and provided funding for
15 it.
16 Q As commissioner of the Department of
17 Education, is the amount of funding provided
18 by RSA 198:40-a, II(a) adequate to meet the
19 provision of opportunity for an adequate
20 education pursuant to RSA 193-E:2-a?
21 A The legislature has said that is the adequate
22 amount.
23 Q Where?

Page 57

1 A Well, they passed in the statute this is the
2 amount of funding for an adequate education.
3 Q Where did they say this is the amount for an
4 adequate education?
5 A I believe that that is RSA 198:40-a.
6 Q And have you done any analysis as to whether
7 any school district can actually provide a
8 constitutionally adequate education based on
9 the funding provided by RSA 198:40-a?
10 A We have not.
11 Q When you say "we have not," do you mean the
12 entirety of the Department of Education?
13 A I have not.
14 Q Are you aware of anyone who has done that
15 analysis?
16 A I am not aware of any.
17 Q So thinking about a traditional district
18 public school, those teachers need to be
19 certified for the subjects they are teaching,
20 correct?
21 A In certain circumstances.
22 Q What certain circumstances?
23 A So we have a series of credentialing laws and

Page 58

1 rules that dictate when an educator should or
 2 should not be certified for the particular
 3 area that they are teaching in.
 4 Q Those particular laws you are referring to, do
 5 they have equal applicability to chartered
 6 public schools?
 7 A So the credentialing requirements for
 8 traditional -- for public chartered schools
 9 are enumerated in 194-B, which are not the
 10 same rules that apply to the public district
 11 schools.
 12 Similarly, there are -- yes, so.
 13 Q Similarly there are, I am sorry?
 14 A That's okay. I think that's clear.
 15 Q Do the different rules regarding credentialing
 16 of teachers have an effect on the costs of
 17 providing an adequate education at a
 18 traditional school versus a chartered school?
 19 A So I don't know the answer to that. I can
 20 only speculate.
 21 Q What would you speculate?
 22 A So I would speculate that they may have an
 23 impact, but that available to the district

Page 59

1 schools are the ability to seek and request a
 2 waiver to a regulation that they believe is
 3 inhibiting their ability to deliver an
 4 adequate education.
 5 Q You just said, and correct me if I am wrong, a
 6 traditional public school could seek a waiver
 7 because complying with the credentialing rules
 8 would inhibit their ability to provide an
 9 adequate education, is that correct? Am I
 10 stating what you said correctly?
 11 A That is conjecture on my part, but yes.
 12 Q Could a traditional public school request a
 13 waiver from the credentialing statutes and
 14 rules because it costs too much?
 15 A If it inhibited their ability to deliver an
 16 adequate education, and there is a process set
 17 up so the department does not adjudicate
 18 those, those are waivers that are sought first
 19 locally from a local school board, and then
 20 subsequently at the state Department of
 21 Education.
 22 Q The state Board of Education would have to
 23 approve that?

Page 60

1 A Ultimately.
 2 Q Do charter school teachers need to contribute
 3 to the state teacher retirement in RSA 100:A?
 4 A That would depend.
 5 Q That would depend on what?
 6 A Some charter schools participate in the
 7 retirement system and others do not.
 8 Q A charter school could choose not to
 9 participate?
 10 A I am not sure what the mechanism is whereby
 11 they decide to participate or not.
 12 Q You are aware some charter schools have
 13 teachers that do not participate in the
 14 teacher retirement system?
 15 A I believe so.
 16 Q We spoke a little bit earlier about the
 17 Virtual Learning Academy, and that is
 18 frequently called VLACS, correct?
 19 A That's correct.
 20 Q And so when I refer to VLACS, you understand
 21 what I am talking about?
 22 A I do.
 23 Q Do the courses that are provided by VLACS

Page 61

1 provide a constitutionally adequate education?
 2 A I am not sure I understand the question.
 3 Q If a student were to enroll solely in VLACS
 4 courses, they were a full-time VLACS student,
 5 could they receive a constitutionally adequate
 6 education?
 7 A I believe so. It would be available to them.
 8 Q And the state provides funding for all of the
 9 VLACS courses, whether it is English or math
 10 or anything else, correct?
 11 A The agency provides funding for all of the
 12 courses taken by New Hampshire students on
 13 VLACS, from the VLACS to the public school
 14 students.
 15 Q Does the Department of Education do anything
 16 to make sure that the courses offered by VLACS
 17 are one of the substantive educational content
 18 areas identified in RSA 193-E:2-a?
 19 A I believe so, but I don't have direct
 20 knowledge of that.
 21 Q Do you believe all of the courses that are
 22 offered by VLACS fit into one of those
 23 categories identified in that statute?

Page 62

1 A They have a wide course offering. I believe
 2 that they offer a comprehensive offering of
 3 courses.
 4 Q Are there any courses offered by VLACS that
 5 are not one of the subject areas in RSA
 6 193-E:2-a?
 7 A I believe there are.
 8 Q What are those?
 9 A I don't know the answer to that. I would have
 10 to go find that out.
 11 (Whereupon, the court reporter
 12 marked Exhibit Number 7, VLACS Learning
 13 Catalog, for Identification.)
 14 Q What has been marked as Exhibit 7 is from part
 15 of the website that VLACS offers and just some
 16 of the courses that VLACS offers.
 17 Looking at Exhibit 7, can you
 18 identify which of these courses do not fit
 19 within the areas identified in RSA 193-E:2-a?
 20 A Can you provide me with a copy of the subject
 21 areas of RSA 193-E:2-a?
 22 Q I am going to ask that this be marked as
 23 Exhibit 8.

Page 63

1 (Whereupon, the court reporter
 2 marked Exhibit Number 8, Title XV Education,
 3 Chapter 193-E, for Identification.)
 4 A Just for the record, I have been provided with
 5 a copy of RSA 193-E:2-a, and that has been
 6 superseded by subsequent legislation.
 7 MR. TIERNEY: I knew that. My
 8 apologies. I am going to give you, and ask
 9 that it be marked as Exhibit 9.
 10 (Whereupon, the court reporter
 11 marked Exhibit Number 9, House Bill 1671, for
 12 Identification.)
 13 Q What is identified as House Bill 1671 and is
 14 2022 New Hampshire laws Chapter 273.
 15 Does that identify the subject areas
 16 that you said are currently applicable?
 17 A I believe that this list is the current list
 18 in RSA 193-E:2-a.
 19 Q And just to clarify, when you say the current
 20 list, you mean for next school year, correct?
 21 A I would need to determine the effective date
 22 of this legislation. Is that what you are
 23 asking me to do?

Page 64

1 Q Correct.
 2 A Okay. The question again?
 3 Q Exhibit 9, which is HB 1671, does that add
 4 additional subject areas for this school year
 5 that we are currently in or not until the next
 6 school year that would start in the fall of
 7 2023?
 8 A So the exhibit which you have provided to me
 9 provides modifications to the existing RSA
 10 193-E:2-a law, as well as E:3-b, some of which
 11 are applicable to the present school year, I
 12 believe, and some applicable in a subsequent
 13 year.
 14 Q Which ones are applicable in the present
 15 school year?
 16 A I believe changes that are made on lines 9 and
 17 10, 5, 7, 15, 12, 13, and the way that I have
 18 made that assertion that I believe is correct
 19 is because of lines number 20-22, that is,
 20 "Application: Personal finance literacy. The
 21 requirement in RSA 193-E:2-a I(a)(10) as
 22 inserted by this act for an adequate education
 23 to include the learning area of personal

Page 65

1 finance literacy shall not apply until the
 2 year 2023-2024 school year."
 3 The rest of this act is effective 60
 4 days after it passes.
 5 Q Let me ask you a couple questions about
 6 Exhibit 9 before we move on.
 7 The amendments to RSA 193-E:2-a as
 8 depicted in HB 1661 (sic.), otherwise known as
 9 Exhibit 9, do any of those amendments add to
 10 the cost of providing an adequate education?
 11 MR. GAGNON: To be clear, Exhibit 9
 12 is 9 is 1671.
 13 MR. TIERNEY: Yes, I am sorry if I
 14 misspoke.
 15 THE WITNESS: That would depend on
 16 the individual circumstances at a school.
 17 Q As the commissioner of the Department of
 18 Education, is it the intent of the Department
 19 of Education to add additional costs in making
 20 these amendments to the definition?
 21 A So the department doesn't additional areas to
 22 the law. The law is added to by the
 23 legislature. So I am not sure I understand

Page 66

1 the question.

2 Q You, as commissioner, implement the law?

3 A Yes.

4 Q In your implementation of the law, is it your

5 expectation that there are additional costs in

6 implementing the law as amended?

7 A That would depend on the circumstances present

8 in each individual school.

9 Q Could you describe those circumstances in

10 which there would be additional costs of

11 complying with the statute?

12 A So there are, if you have a school or a

13 learning environment which does not currently

14 offer a course in personal finance literacy,

15 and that is added to that, then that district,

16 if they don't otherwise have the capacity to

17 deliver that, may result in additional costs

18 or it may be -- they have the ability to

19 deliver that without additional costs. I am

20 not able to determine if there is additional

21 costs or not. It would depend on the

22 individual circumstances.

23 Q Is there any way in which these amendments

Page 67

1 would result in decrease of costs in providing

2 a constitutionally adequate education?

3 A It may be that a district finds opportunities

4 to structure their instructional practices in

5 a way that does that. The department has

6 no -- is not responsible for that, and does

7 not weigh in on that.

8 Q Ed 306 regulations require that schools

9 provide a minimum number of hours and days of

10 instruction, correct?

11 A I believe so.

12 Q And to the best of your knowledge, has that

13 changed in the past year, the number of days

14 or the number of hours?

15 A I don't believe there were changes made in the

16 306, but I don't believe they affected that.

17 Q And whether a social studies teacher is

18 spending X number of hours teaching about

19 Irish history versus spending the same number

20 of hours teaching civics, government,

21 economics, geography, history, Holocaust and

22 genocide education, that wouldn't affect the

23 cost of providing an adequate education, would

Page 68

1 it?

2 A Again, that would be facts and circumstances

3 dependent in terms of how those educators are

4 being deployed, and how that is being done.

5 In New Hampshire, we have our

6 academic standards and the teachers are

7 required to teach to those standards.

8 Q So would adding more specificity into the

9 statute increase costs in certain

10 circumstances?

11 A Well, potentially -- clarify costs.

12 I couldn't say. It would be fact

13 and circumstance dependent whether it would

14 add costs or not add costs.

15 Q You don't know if it would add costs?

16 A I think it would be fact and circumstance

17 dependent. If a social studies teacher is

18 currently teaching beyond what is required by

19 an adequate education, and that activity is

20 curtailed to focus on and teach the subjects

21 that are enumerated here for an adequate

22 education, then it could result in

23 potentially, to your point, either reduced

Page 69

1 costs or some other cost.

2 Q So a social studies teacher who taught a

3 lesson on -- let me strike that question. Let

4 me ask a different one.

5 Can you identify what a social

6 studies teacher might teach that would be

7 beyond an adequate education as defined in the

8 statute?

9 A I could only speculate.

10 Q What would you speculate would be beyond?

11 A I don't even have an example I could offer

12 you. I could imagine if a social studies

13 teacher, and again this is speculation, began

14 to teach business, restaurant management,

15 running, in the social studies class that

16 those would be beyond the scope of social

17 studies.

18 Q So if a social studies teacher taught essay

19 writing, would that be beyond the scope of a

20 social studies teacher?

21 A You would go to the New Hampshire Academic

22 Standards in each of these content areas, and

23 that is what is required. Anything beyond

Page 70

1 those standards, would be beyond what is
2 required.

3 Q Would it change the state's obligation to
4 provide funding for an adequate education if a
5 social studies teacher were teaching essay
6 writing as part of a social studies class?

7 A I am not sure I understand your question.

8 Q Let's take your hypothetical, social studies
9 teacher, and they have a class in which that
10 social studies teacher determines that the
11 writing abilities of his class are far below
12 where they should be at that particular level.
13 And so that social studies teacher
14 decides to focus a lot of time on bringing
15 those students up to where they need to be in
16 their writing ability.

17 Does that take away the State's
18 obligation to fund the provision of an
19 adequate education in any way?

20 A So the question is going to be facts and
21 circumstances specific, in that one district
22 may rely on their English language arts
23 students to bridge the gap associated with

Page 71

1 that, and for purposes of this hypothetical,
2 let's assume that the writing skills are part
3 of those English standards that are required,
4 and so to the extent that the social studies
5 teacher who has an obligation to teach these
6 social studies standards in this hypothetical
7 that you have created, bear in mind this is
8 very fact and circumstance specific, we have a
9 lot of integration that takes place -- so it
10 would be facts and circumstances depending on
11 how the school decided to structure their
12 instruction to make sure their students are
13 instructed in the content standards.

14 Q You said there is a lot of integration taking
15 place.
16 What do you mean by that?

17 A So, it is possible, we have some districts
18 that integrate English, language arts and
19 history, and so those are combined classes,
20 and so they cover the academic standards in
21 that class for both subject areas.

22 Q And you could have integration of several
23 different subject areas in different schools

Page 72

1 across the state, correct?

2 A I am not sure I understand the question.

3 Q It is not just English and social studies that
4 could be well integrated. There are other
5 subject areas that could be potentially
6 integrated?

7 A There are many areas of opportunity for
8 integration.

9 MR. GAGNON: Would now be a good
10 time for a break?

11 MR. TIERNEY: Give me five.

12 Q Would integrating multiple subject areas
13 change the state's obligation to fund an
14 adequate education in any way?

15 A So again, the state, I assume you are asking
16 the question on behalf of the agency. The
17 agency is going to implement the law as it
18 is passed by the legislature and fund that. The
19 determination in terms of how that
20 instructional environment is structured takes
21 place at the district level.

22 MR. TIERNEY: Why don't we stop
23 there and take a break, and we will come back

Page 73

1 to this in a little bit.
2 (Short recess.)

3 Q (By MR. TIERNEY:) Commissioner, would you
4 please look at Exhibit Number 9. Exhibit
5 Number 9 is HB 1671, is that correct?

6 A That is what it says at the top.

7 Q And this is HB 1671 after it was amended in
8 the House and signed by the governor, correct?

9 A I have no reason to doubt that.

10 Q Was this the HB 1671 that you wanted passed?

11 A So when you say "wanted passed," I am not
12 sure -- I don't understand the question.

13 Q You wanted a different version of HB 1671
14 passed, didn't you?

15 A When you say "wanted," I am not sure what that
16 means.

17 Q What do you understand it to mean?

18 A So what I understand is that there was an
19 original 1671 that I testified on because I
20 thought it was beneficial to our students and
21 our schools.

22 Q Why do you think it was beneficial?

23 A Because I thought that it would improve the

Page 74

1 educational opportunities for students.

2 Q How so?

3 A By allowing them to have a more holistic

4 approach to their education, and I think as

5 well, there is testimony that I provided, and

6 that is publicly available, so I would

7 reference that.

8 Q What do you mean by holistic?

9 A I would reference my testimony that I provided

10 to the legislature on that which was provided

11 in writing to them. I don't have specific

12 recollection of that testimony, but that is

13 publicly available.

14 Q Okay. Regardless of what you may have said on

15 February 15, sitting here today, what do you

16 believe would be more holistic about the

17 original version of HB 1671?

18 A I think that it would allow students to

19 connect -- to make connections among academic

20 areas.

21 Q Let me back up.

22 The original version of HB 1671, how

23 did that differ from what was ultimately

Page 75

1 passed?

2 A I don't have the original language, I believe,

3 in front of me. So I would have to the

4 original language and the other one, and we

5 can go through the specific differences.

6 Q Regardless of particular semicolons or

7 periods, what is your recollection of the big

8 picture differences?

9 A I do know there were a number of differences.

10 Q Such as?

11 A I would have to look at the actual bill, and

12 we could enumerate specifically what those

13 were.

14 Q You do believe there were actual differences?

15 A I do believe there were.

16 Q What are those differences?

17 A So I don't have any specific knowledge in

18 front of me today in terms of what those

19 differences are. I think we would just be

20 able to compare the two bills. I would be

21 speculating otherwise.

22 Q Speculate for me, please.

23 What in your mind many months later

Page 76

1 were the primary differences that led you to

2 believe that the original bill was better?

3 A So -- can you repeat that question?

4 Q Why did you testify in favor of the original

5 language of HB 1671?

6 A I think I have answered that question, because

7 of my belief that it would provide a more

8 holistic opportunity for the education of the

9 students.

10 Q What do you mean by holistic?

11 A Interconnect the academic disciplines for the

12 students.

13 Q Were there more academic disciplines listed in

14 the original version or fewer?

15 A They were categorized differently.

16 Q How were they categorized differently?

17 A So there were core subjects, and this is

18 speculation. Frankly, this information is

19 available in writing. So it is difficult to

20 be speculating on it when we could know the

21 actual answers.

22 There were core academic areas and

23 then there was applied learning.

Page 77

1 Q And what is the difference between core

2 academic areas and applied learning?

3 A So a core academic area is foundational

4 knowledge, and then applied knowledge takes

5 that foundational knowledge, and applies it

6 across different domains.

7 Q I am going to come back to something we were

8 discussing a little bit earlier.

9 You mentioned the Department of

10 Education has a CFO who assists in the

11 preparation of the budget?

12 A That's correct.

13 Q Who is the CFO?

14 A Tammy Vaillancourt.

15 Q Is her job title CFO?

16 A I am not sure what her specific job title is.

17 Q But she would be the principal person for the

18 formulation of the agency budget?

19 A She has the principal position for the

20 compilation of the budget.

21 Q And who does she compile a budget from?

22 A So the budget is rolled up from the bottom up.

23 Ultimately division directors have budget

Page 78

1 submissions that they make to the CFO. Those
 2 are evaluated for compliance with the
 3 parameters for the budget, and ultimately the
 4 budget is presented to me for submission to
 5 the governor.
 6 Q Do you ever have any input on increasing
 7 curriculum line items or decreasing curriculum
 8 line items?
 9 A I do.
 10 Q To the best of your recollection, were there
 11 particular line items you recommended
 12 decreasing or increasing?
 13 A I imagine there were, but I have no
 14 recollection if there were. It's a process
 15 that takes place over a long period of time.
 16 Q Can you look back at Exhibit 7, and prior to
 17 your break, I asked you to identify in Exhibit
 18 7 which of these courses do not fit within one
 19 of the subject areas as legislatively defined
 20 as part of an adequate education?
 21 A And your definition for that would be Exhibit
 22 9?
 23 Q The legislative definition of an adequate

Page 79

1 education?
 2 A So would that be Exhibit 9? You have given me
 3 Exhibit 8 and Exhibit 9.
 4 Q What do you believe is the more accurate
 5 definition of an adequate education, Exhibit 8
 6 or Exhibit 9?
 7 A It would depend upon your question.
 8 Do you want to know what the
 9 adequate education is at the time of Exhibit 9
 10 or Exhibit 8? I am not sure I understand the
 11 question. Which of these exhibits do you want
 12 me to reference?
 13 Q Both, please.
 14 A Okay. Repeat the question.
 15 Q Which of the courses listed in Exhibit 7 would
 16 not fit in the definition of an adequate
 17 education as defined in either Exhibit 8 or
 18 Exhibit 9?
 19 A Okay. So that couldn't be determined from the
 20 list on Exhibit 7 because it would depend upon
 21 the actual competencies and underlying
 22 academic standards that are covered in each
 23 one of these courses to determine whether or

Page 80

1 not they met the requirements of the content
 2 areas enumerated in either Exhibit A -- or
 3 Exhibit 9 or Exhibit 8.
 4 Q But if they met the competencies for
 5 particular subject areas, then it would be
 6 part of the provision of an adequate
 7 education?
 8 A It would meet the requirements of the statute.
 9 Q So if you could look to page 3, and third from
 10 the bottom, there is a course entitled The
 11 History of Gaming and E-Sports.
 12 Can you tell, based on the title of
 13 that course, whether that course fits within
 14 one of the subject areas identified by the
 15 statute or not?
 16 A I would say it is not possible to determine
 17 from the title of the course whether or not it
 18 would meet the requirements in 193-E or not.
 19 Q Would you agree that whether a public school
 20 district or charter has a course that you
 21 can't tell just based on the title whether it
 22 meets the requirements or competencies?
 23 A Can you repeat that question?

Page 81

1 Q I will start that all over.
 2 Would you agree with me that no one
 3 could tell whether a course offered by a
 4 traditional public school fits within one of
 5 the subject areas of RSA 193-E:2-a based
 6 solely on the course title?
 7 A I believe it would be difficult to do that.
 8 Q Difficult or impossible?
 9 A Difficult.
 10 Q In which way would it be possible?
 11 A If the title of the course was sufficiently
 12 descriptive to indicate that it met all of the
 13 academic standards associated with a content
 14 area, then one would assume that it did.
 15 Q Now, you just said all of the academic
 16 standards of the content area.
 17 Do all of the academic standards of
 18 the content area need to be met in each and
 19 every course?
 20 A No.
 21 Q Just some of the standards appropriate for
 22 that particular content area, correct?
 23 A That's correct.

Page 82

1 Q Would you agree with me that to meet the
 2 requirements for an arts education, you could
 3 take courses entitled studio art or ceramics
 4 or painting or any other title as long as it
 5 meets the requirements of an arts education?
 6 A So the title is not the important aspect of
 7 that, but the actual academic standards that
 8 are covered by that course.
 9 Q In thinking just about a high school student
 10 here, is it possible to take multiple arts
 11 courses in order to meet your high school
 12 graduation requirements, or can you only take
 13 those that are required?
 14 A So high school graduation requirements are the
 15 domain of the local school district. The
 16 state only specifies the minimum number of
 17 credits required for high school graduation,
 18 but ultimately the district determines the
 19 number of credits required for graduation.
 20 Q But a district can't require a number that is
 21 fewer than that required by the state?
 22 A That is correct.
 23 Q So the state sets forth the minimum standards

Page 83

1 for high school graduation, correct?
 2 A Correct.
 3 Q And the state says that they need to be in
 4 certain subject areas, correct?
 5 A Correct.
 6 Q But the state also says that there is a
 7 certain number of electives, correct?
 8 A That's correct.
 9 Q So a particular student could take five math
 10 classes or could take five English classes,
 11 correct?
 12 A That would depend on the offering at the
 13 particular school.
 14 Q Would a school that offers five math
 15 classes -- let me start the question over. I
 16 am sorry.
 17 Would a school's offering of five
 18 math classes change whether and how much the
 19 state funds an adequate education versus a
 20 school that offers ten math classes?
 21 A The agency, the Department of Education, pays
 22 to the district the amount enumerated in
 23 statute to the district public school.

Page 84

1 Q As the commissioner, the implementer of the
 2 educational statutes, do you change the amount
 3 of adequacy that is provided depending on what
 4 courses above and beyond the minimum
 5 requirements are provided by the school?
 6 A So the department funds not just based upon
 7 the minimum requirements but funds based upon
 8 the statute that enumerates how much funds you
 9 are supposed to put out to the district.
 10 Q Does the Department of Education look at the
 11 courses that are offered at VLACS to determine
 12 whether they meet one of the subject areas in
 13 193-E:2-a before providing funding to VLACS
 14 for the courses that are being taken?
 15 A Can you repeat that question? I am not sure I
 16 understand it.
 17 Q Sure. If a student is taking courses at
 18 VLACS, does the Department of Education
 19 provide the funding to VLACS, or does it do an
 20 investigation first of whether the
 21 competencies for that particular course are
 22 going to be part of that course?
 23 A So the department funds VLACS based upon the

Page 85

1 statutory requirements of VLACS that enumerate
 2 how we are supposed to pave it out, and that
 3 is what we do.
 4 Q The department never looks at those courses at
 5 VLACS and says, oh, this doesn't meet one of
 6 the subject areas of RSA 193-E:2-a, does it?
 7 A Again, the department funds VLACS based upon
 8 the statute that we have looked at previously.
 9 Q And does the statute require the department to
 10 do an investigation of the subject areas that
 11 are being offered?
 12 A So the law requires the department to do a
 13 variety of different monitoring types of
 14 activities. The provision of payment to the
 15 district is based upon a statute.
 16 Q Has the department ever denied funding to a
 17 student wanting to take classes at VLACS based
 18 on the content of the courses at VLACS?
 19 A I don't know the answer to that.
 20 Q You are not aware of any, sitting here today?
 21 A I don't know the answer to that.
 22 Q You are not aware if you are aware of it?
 23 A I am not aware that it has ever been denied.

Page 86

1 Q What do you understand to be district
2 microschoools and community learning pods?
3 A So those are terms that are defined in a
4 contract between the Department of Education
5 and a company called Prenda.
6 Q What does the company called Prenda do?
7 A Prenda is an educational company.
8 Q Could you describe more what they do?
9 A Sure. They have an instructional model that
10 is based upon what they refer to as learning
11 pods.
12 Q And what are these learning pods?
13 A Learning pods are an instructional environment
14 that is tailored to students up through 8th
15 grade that are multi-age.
16 Q Is it multi-subject as well?
17 A And multi-subject.
18 Q And can you tell how much time is spent on
19 each subject?
20 A I don't have that information.
21 Q Does anyone at the Department of Education
22 have the information as to how much time is
23 spent in each pod on each subject?

Page 87

1 A The information is available. I don't have
2 that information. So I can't comment on that.
3 Q Who would that be available from?
4 A From Prenda, I assume.
5 Q Prenda is a private company?
6 A It is.
7 Q And prior to entering into a contract with
8 Prenda, did the Department of Education
9 require that Prenda provide the department
10 with how much time is being spent on each
11 subject area?
12 A We would not look at how much time was spent
13 by subject area.
14 Q Did you look at what percentage of the funding
15 provided by the contract was going into each
16 subject area?
17 A We would not look at the percent that was
18 presented to each of the subject areas.
19 Q Why not?
20 A Because that was not a term that was germane
21 to the contract.
22 Q Why wasn't it germane to the Department of
23 Education's funding of Prenda pods?

Page 88

1 A I am not sure I understand the question.
2 Q So the Department of Education has provided
3 funding to the Prenda company, correct?
4 A Correct.
5 Q And they provided funding to the Prenda
6 company for the Prenda company to be able to
7 provide an education to New Hampshire
8 students, correct?
9 A Correct.
10 Q And did the Department of Education determine
11 that the education being provided to New
12 Hampshire students complies with RSA
13 193-E:2-a?
14 A So we do believe that it is compliant.
15 Q And did you determine what percentage of the
16 funding provided is going to each of the
17 subject areas?
18 A The way that you worded the question, is not
19 determinable, because students in the Prenda
20 environment advance on mastery, and so some
21 students may spend a smaller proportion of
22 time on a subject and others may spend a
23 longer proportion of time on a particular

Page 89

1 subject. You couldn't in advance determine
2 how that funding allocation would take place,
3 because it would depend on the individual
4 student's performance.
5 Q Would that also apply to district schools that
6 you couldn't determine the percent of a 1st
7 grade class here in Manchester because it
8 would depend on the students that are in that
9 particular class and where they are?
10 A Again, it would be case-specific. We have
11 some schools in our state that allow students
12 to advance on mastery, and other schools that
13 don't, and they actually have more of a seat
14 time approach. They have a seat time
15 approach.
16 Q So you would agree that those that have a
17 mastery approach, you can't split how the
18 percentage are spent on each subject area?
19 A I am not sure I understand the question.
20 Q Okay. Let's focus on Manchester right here,
21 because we are sitting here in Manchester.
22 Could Manchester tell the Department
23 of Education what percentage of its 1st grade

Page 90

1 teachers devote time to math versus English
 2 versus computer literacy, versus art, versus
 3 social studies, versus science?
 4 A I don't know if they could. That would be
 5 something that Manchester would have to
 6 determine. I don't have that information. I
 7 don't have information about how kindergarten
 8 teachers in Manchester are spending their
 9 time.
 10 Q Do you have information on any of the school
 11 districts in the State of New Hampshire how
 12 much funding is allocated for each of the
 13 subject areas listed in RSA 193-E:2-a?
 14 A I think that would be case-specific depending
 15 on how a particular school district organizes
 16 their instructional environment.
 17 Q What specifics would determine whether you
 18 could determine that?
 19 A There would be a number of variables, and
 20 depending on the outcome of those variables,
 21 there would be other questions that would be
 22 determined. So it would be very
 23 case-specific. So you would have to have a

Page 91

1 specific case to look at.
 2 Q Is it something that you have requested any
 3 school district to do?
 4 A It is not.
 5 Q Why not?
 6 A Because it is not within my purview to dictate
 7 to the schools how they conduct that
 8 instructional environment.
 9 Q So it is within your statutory responsibility
 10 as the commissioner of the Department of
 11 Education to determine what statistical
 12 reports the school districts need to provide
 13 to the Department of Education, correct?
 14 A That would be incorrect.
 15 The statistical reports that are
 16 provided to the Department of Education are
 17 reports that are determined principally
 18 through the legislature who determines what
 19 information is going to be reported to the
 20 department, and then in some cases, there may
 21 be rules that are determined by the state
 22 Board of Education in terms of the information
 23 that is provided.

Page 92

1 That is my understanding.
 2 Q Let's come back to these Prenda microschoools
 3 and community learning pods.
 4 Do you know how much they cost on a
 5 per pupil basis?
 6 A It costs \$5,000 per pupil is what is
 7 enumerated within the contract. For those
 8 districts that participate in the Prenda pods,
 9 they receive a \$2,000 administrative stipend
 10 for each pod in the district.
 11 Q Okay. Why does the district receive an
 12 additional \$2,000?
 13 A To allow them effort to administer the pod.
 14 Q What does the district need to do to
 15 administrate a pod?
 16 A Well, it is enumerated within the contract.
 17 But essentially, those students in a
 18 district pod remain district students, and so
 19 by entering them into a pod, they may step out
 20 of some of the normal reporting systems that a
 21 district has, and so there may be some
 22 additional efforts within a district in order
 23 to facilitate their ability to integrate that

Page 93

1 information into their normal reporting
 2 structures.
 3 Q Does the district need to provide space for
 4 the pods to meet if the district sponsors the
 5 pod?
 6 A It is not required.
 7 Q And approximately how many students are
 8 receiving their education via Prenda pods as
 9 of today?
 10 A I can speculate, about 150.
 11 Q Approximately how many students are in each
 12 pod?
 13 A Approximately 10.
 14 Q Is there a maximum number for the pods?
 15 A I believe 10 is the maximum.
 16 Q There is something called a microschool guide.
 17 What is that?
 18 A Microschool guide is an individual who guides
 19 the pod.
 20 Q They are an adult who makes sure the students
 21 are receiving their education?
 22 A They help to facilitate the education for
 23 their students.

Page 94

1 Q How does this actually work? If somebody was
 2 to walk into one of these pods, what would
 3 they see?
 4 A They would see students engaged in a variety
 5 of activities. They would notice that the
 6 students are multi-age in terms of where they
 7 are.
 8 Q Would students be receiving education online?
 9 Do they have books?
 10 A Yes to both of those.
 11 Q Does the state know who the guides are for
 12 each of these Prenda pods?
 13 A We do have that information. I don't have it
 14 with me.
 15 Q Does the state know how many of these Prenda
 16 pod guides are a parent of one of the students
 17 in the pod?
 18 A I don't know the answer to that.
 19 Q How much do the microschool Prenda pod guides
 20 get paid?
 21 A I am not aware of that. That is a transaction
 22 between Prenda and the guide.
 23 Q So if Prenda says on their website that they

Page 95

1 get paid \$3,400 for each student in the
 2 microschool, you wouldn't have any basis to
 3 disagree with that?
 4 A Neither agree or disagree. New Hampshire has
 5 a different relationship in terms of having a
 6 statewide contract. I am not sure what that
 7 reference that you make is.
 8 Q Are there traditional public schools that have
 9 only ten students for each teacher?
 10 A I don't have the specific information, but I
 11 believe that there are some that do.
 12 Q And sitting here today, okay, in your opinion,
 13 does having fewer students allow one to
 14 provide a better education than having more
 15 students?
 16 A Not necessarily.
 17 Q Why not?
 18 A Because of the research that has taken place
 19 over the years that reflect that.
 20 Q So you have read a lot of research about class
 21 sizes and where they should be for maximum
 22 learning potential?
 23 A I have read some research on that subject.

Page 96

1 Q Based on your research, what is the optimum
 2 size class to maximize learning potential?
 3 A There is no such thing as an optimal size
 4 because it would depend on many of the other
 5 circumstantial factors relative to the subject
 6 and the students and the learning environment,
 7 and how that learning environment and that
 8 instruction is being provided.
 9 Q How much did the Department of Education
 10 budget for the Prenda pods?
 11 A I don't remember the specific amount, but I
 12 believe it was around 4.5 million or 5 million
 13 dollars.
 14 Q And was that money able to be spent?
 15 A The pods are continuing today.
 16 Q Did you need to ask to extend the completion
 17 date?
 18 A I believe we did file an amendment to extend
 19 the completion date. It is not a completion
 20 date. We extended because we received
 21 additional funding from the federal government
 22 that extended our period of performance. So
 23 we extended it to match the period of

Page 97

1 performance for the federal funds.
 2 Q Was there anything that made it difficult to
 3 get students into these pods?
 4 A I don't know. I wasn't involved in the
 5 recruitment effort to go to pods.
 6 Q Do you recall what you said to the Executive
 7 Council as to why the number of students was
 8 less than you had originally anticipated?
 9 A I don't recall what I said, no.
 10 MR. TIERNEY: Let's mark this as the
 11 next exhibit.
 12 (Whereupon, the court reporter
 13 marked Exhibit Number 10, Contract with
 14 Prenda, for Identification.)
 15 Q I have handed you a letter dated November 8,
 16 2021 to His Excellency Governor Sununu and The
 17 Honorable Council from Frank Edelblut,
 18 Commissioner of Education.
 19 Did you write this letter?
 20 A I did.
 21 Q Does this refresh your recollection on
 22 anything regarding the Prenda pods?
 23 A Can you repeat the question?

Page 98

1 Q Does this letter that you wrote to Governor
 2 Sununu refresh your recollection on any of the
 3 details of the Prenda?
 4 A That the contract amount was \$5,750,000 as of
 5 November 8, 2021 upon Governor and Council
 6 approval.
 7 Q Why, in your opinion, had only 100 students
 8 signed up for these pods?
 9 A So I would assume that these pods were
 10 provided, as enumerated in this letter, to
 11 help students that were suffering from COVID
 12 learning loss, and to provide them with an
 13 opportunity to stabilize, rekindle curiosity
 14 and accelerate learning so they might catch up
 15 with their peers. It was a tool that was
 16 provided to the families in New Hampshire. I
 17 assume the amount of students that enrolled
 18 were students that were in need of that type
 19 of service.
 20 Q Any other reasons why only 100 students signed
 21 up?
 22 A If there are, I am not aware of what those
 23 are. There might be.

Page 99

1 Q Why did you write to Governor Sununu that the
 2 reason why the program's initial start is
 3 slower than anticipated was the availability
 4 of space, and that you needed to modify the
 5 contract to secure appropriate facilities for
 6 the learning pod?
 7 A Because we had been in conversation with
 8 several districts to have district learning
 9 pods, and they did not have space in their
 10 facility, and so we were trying to create an
 11 opportunity for the school districts to be
 12 able to have a learning pod opportunity for
 13 their families in the district.
 14 Q Do students need appropriate facilities in
 15 order to receive an adequate education?
 16 A Students need some type of facility.
 17 Q And we have talked about charter schools and
 18 microschoools. We have also talked about your
 19 traditional district public schools.
 20 Is there any other way in which the
 21 Department of Education ensures that students
 22 receive an adequate education in the State of
 23 New Hampshire?

Page 100

1 A We have already discussed there are four
 2 educational programs available to students in
 3 New Hampshire.
 4 So that would include the public
 5 school traditional and charter, the nonpublic
 6 schools, the Education Freedom Accounts and
 7 home education students.
 8 Q Let's talk a minute about those nonpublic.
 9 What does the Department of
 10 Education do to make sure that those nonpublic
 11 schools are providing an adequate education?
 12 A Public schools are regulated by the state
 13 Department of Education, and they receive
 14 approval from the state Board of Education
 15 toward that end.
 16 Q What does that process of obtaining approval
 17 entail?
 18 A I am not perfectly familiar with that. So I
 19 wouldn't be able to speculate.
 20 Q Who would be the most knowledgeable person on
 21 that?
 22 A I can find out who that would be at the
 23 agency. There are individuals who are

Page 101

1 responsible of the approval of nonpublic
 2 school schools.
 3 Q Is that a Tim Carney?
 4 A It may be. Different people move into
 5 different roles. I am not sure who is
 6 responsible today.
 7 Q Tim Carney is listed on the Department of
 8 Education's website as having a DES e-mail
 9 address.
 10 Do you know why that is the case?
 11 A It could be because he recently came to the
 12 Department of Education from the Department of
 13 Environment Services and perhaps, the
 14 Department of Information Technology was not
 15 very quick with the transfer of his e-mail.
 16 Otherwise, I don't know. That is speculation.
 17 Q Had he previously been at the Department of
 18 Education?
 19 A He had.
 20 Q Has his role changed?
 21 A He had a different role when he returned back
 22 to the agency.
 23 Q And how has that role changed?

Page 102

1 A He took a different position.
 2 Q What was his former position?
 3 A I believe he was the manager of federal
 4 compliance.
 5 Q And what is his current position?
 6 A I am not sure what the title is for his
 7 position. He oversees a variety of
 8 educational programming.
 9 Q What type of educational programming,
 10 generally?
 11 A I believe home education programming. I
 12 believe the Learn Everywhere Program. And
 13 there may be other activities within his
 14 portfolio. We can find that information out.
 15 Q What is the Learn Everywhere Program?
 16 A The Learn Everywhere Program is another
 17 program available for students in New
 18 Hampshire.
 19 Q Does a student obtain a constitutional
 20 adequate education through the Learn
 21 Everywhere Program?
 22 A A student is able to obtain individual course
 23 credits leading to graduation through the

Page 103

1 Learn Everywhere Program.
 2 Q Does the student receive a constitutionally
 3 adequate education through the Learn
 4 Everywhere Program?
 5 A So the Learn Everywhere Program is not
 6 structured so that a student would be able to
 7 receive a full adequate education. There are
 8 limitations in terms of the scope of credits
 9 that can be earned through that program.
 10 Q The credits earned in the Learn Everywhere
 11 Program, would they meet the competencies that
 12 you were discussing earlier for one of the
 13 subject areas identified in RSA 193-E:2-a?
 14 A They would meet the minimum standards.
 15 Q They would meet the minimum standards?
 16 A Academic standards, yes.
 17 Q Minimum academic standards of particular
 18 subject areas?
 19 A For credit to be awarded.
 20 Q Do you know which subject areas?
 21 A It would depend upon the program.
 22 Q Can you explain how that Learn Everywhere
 23 Program works?

Page 104

1 A Can you be more specific with the question?
 2 Q How would a student be able to get credit in
 3 the Learn Everywhere Program? Is there an
 4 application process?
 5 A It is not a student application process. It
 6 is a provider applies to the New Hampshire
 7 Department of Education. The program is
 8 evaluated to determine if the program meets
 9 the requirements for approval as a Learn
 10 Everywhere Program by the state Board of
 11 Education.
 12 The program is approved by the state
 13 Board of Education. Students who participate
 14 in that program are eligible to receive a
 15 credit certificate which allows them to return
 16 to a New Hampshire public high school, and if
 17 exchange that, if they desire to do that, they
 18 can exchange that for credit at their New
 19 Hampshire public high school.
 20 Q Is the New Hampshire public high school
 21 required to accept those credits?
 22 A They are.
 23 Q Are they required to accept the credits for

Page 105

1 the particular subject areas determined by the
 2 state Board of Education or --
 3 A They are.
 4 Q And the subject areas, that is the state Board
 5 of Education or is that the provider who
 6 determines it?
 7 A The state Board of Education in the approval
 8 process.
 9 Q Do you know how many, approximately, programs
 10 there are? Are we talking a hundred, a
 11 thousand?
 12 A I think we are talking about ten. It is not
 13 listed on the website.
 14 Q Which is why I am asking all of these
 15 questions.
 16 These providers of these ten
 17 programs, do they receive funding from the
 18 state in any way?
 19 A They do not, not that I am aware of.
 20 Q But they have students who as part of the
 21 program are doing productive work while they
 22 are learning, is that a fair statement?
 23 A I am not sure I understand the question.

Page 106

1 Q In the Learn Everywhere Program, does the
 2 provider receive some sort of benefit from
 3 having students in the program?
 4 A That would depend on the particular program.
 5 Q For any one of these ten programs?
 6 A Again, it would depend on the program.
 7 Q Are you aware of any one of these ten programs
 8 in which the provider receives some benefit?
 9 A It would depend on what you define as benefit.
 10 Q Would a student working at a company provide a
 11 benefit in your definition of benefit?
 12 A A student working in a company?
 13 Q Correct.
 14 A There are both tangible and intangible
 15 benefits in that circumstance.
 16 Q To the company?
 17 A To the company and to the student.
 18 Q You had mentioned nonpublic school and EFAs a
 19 little bit earlier.
 20 Can a New Hampshire student use an
 21 EFA to pay for nonpublic school tuition?
 22 A I believe they can. It is enumerated in the
 23 statute.

Page 107

1 Q Are EFA scholarships sufficient to pay the
 2 total high school tuition of any nonpublic
 3 high school in the state of New Hampshire?
 4 A So an Education Freedom Account are not
 5 scholarships. I just want to be clear about
 6 the vernacular.
 7 I am not sure if they are sufficient
 8 to cover the full cost or not at all nonpublic
 9 schools in New Hampshire.
 10 Q The tuition at St. Paul or Derryfield School
 11 is over \$30,000 a year, correct?
 12 A I don't know the answer to that.
 13 Q Do you know the tuition at any nonpublic
 14 school in the State of New Hampshire?
 15 A Specifically, I do not.
 16 (Whereupon, the court reporter
 17 marked Exhibit Number 11, Bishop Brady Cost of
 18 Attendance, for Identification.)
 19 Q I am going to show you what is going to be
 20 marked as Exhibit 11, and it's from Bishop
 21 Brady High School.
 22 Are you familiar at all in any way
 23 with Bishop Brady High School?

Page 108

1 A I am familiar that we have a high school,
 2 Bishop Brady High School.
 3 Q Do you have any reason to dispute that the
 4 tuition at Bishop Brady High School for the
 5 2022-2023 school year is \$14,350?
 6 A It is unclear to me when you say what the
 7 tuition is, what you referred to is the stated
 8 tuition or the actual tuition paid by
 9 students. I don't know the answer to that.
 10 Q When you say the stated tuition, do you mean
 11 less any costs that may be provided via an
 12 Education Freedom Account?
 13 A I mean, that in the nonpublic school world,
 14 similar to the post secondary world, there is
 15 a stated tuition fee, and then there is an
 16 actual tuition rate that students end up
 17 paying because of discounts that are afforded
 18 to various students for various reasons.
 19 Q So discounts that are afforded based on
 20 fundraising and that sort of thing?
 21 A These may be discounts that they afford to
 22 certain students for various reasons. I don't
 23 know what those are.

Page 109

1 Q Would you agree with me Bishop Brady tuition
 2 prior to any discount being applied is
 3 \$14,350?
 4 A I can agree that this piece of paper that you
 5 have presented with the logo of Bishop Brady
 6 on the top, it has a tuition 22-23, \$14,350.
 7 Q Can an Education Freedom Account cover private
 8 school tuition of \$14,000 or more?
 9 A I am not sure I understand the question.
 10 Q Education Freedom Accounts, you understand
 11 what they are?
 12 A I do.
 13 Q The amount provided by an Education Freedom
 14 Account, are they ever going to be \$14,000 per
 15 year per student?
 16 A I don't believe there is any scenario whereby
 17 an Education Freedom Account, including the
 18 differentiated awards that come through that,
 19 would amount to \$14,350.
 20 Q Can a student receive both an Education
 21 Freedom Account under RSA 194-f and a tax
 22 credit scholarship under RSA 77-g?
 23 A I believe they can, but I would have to

Page 110

1 confirm that with the statute.

2 Q And if a particular student received an

3 Education Freedom Account under RSA 194-f to

4 the maximum amount allowable by statute and a

5 Tax Credit Scholarship under RSA 77-g to the

6 maximum allowable under that statute, it would

7 be over \$8,000 per year, is that correct?

8 A I am not sure I know the answer to that. We

9 can stipulate to that, if you want.

10 Q You don't know how much the maximum amounts

11 are allowed?

12 A It would depend on if the student -- I have to

13 add up in my head all the different amounts.

14 You have base amount and then you have various

15 differentiated aid, depending on the student,

16 as well as the scholarship organization, I am

17 not sure what their maximum awarding amount is

18 there. We can go look that up, if necessary.

19 Q A student attending a traditional public

20 district school can't qualify for an

21 Educational Freedom Account nor a Tax Credit

22 Scholarship, correct?

23 A That is incorrect.

Page 111

1 Q How would one be able to do that?

2 A If a student who is enrolled in an Education

3 Freedom Account program is permitted to use

4 those Educational Freedom Account funds to

5 enroll in their nonresident district public

6 school.

7 Q Thank you for that clarification.

8 When it comes to the tuition charged

9 by a traditional public school district, a

10 tuition agreement needs to statutorily be

11 approved by the state Board of Education,

12 correct?

13 A When you say the tuition charged, so our

14 public schools are tuition free to students.

15 I am not sure what you are referring to.

16 Q I am talking about a student who does not

17 reside in that school district?

18 A Okay.

19 Q And so if, for example, the students in the

20 town of Goshen were to be tuitioned to the

21 high school in Claremont --

22 A Far away.

23 Q Let's use a real example -- to Claremont.

Page 112

1 Prior to the Goshen School District

2 paying tuition to the Claremont School

3 District, they need to statutorily get the

4 state board's approval on that tuition

5 agreement, correct?

6 A I believe they do. Again, when we have these

7 circumstances, I generally have to look up the

8 statute and understand the process.

9 Q You, yourself, as commissioner of the

10 Department of Education have signed multiple

11 tuition agreements, correct?

12 A I believe I have, yes.

13 Q Do you have any rough estimate over the five

14 years you have been commissioner, how many of

15 these tuition agreements you have signed off

16 on?

17 A I do not know the answer to that.

18 Q How many of these tuition agreements that you

19 have signed off on have been for less than

20 \$10,000 per pupil?

21 A I don't know the answer to that. I would have

22 to go look at each agreement.

23 Q Are you aware, sitting here today, of any?

Page 113

1 A I am not aware of any.

2 Q You have read the third amended complaint that

3 was filed in this case in the spring of 2021,

4 correct?

5 A I don't know that I read it in its

6 completeness.

7 (Whereupon, the court reporter

8 marked Exhibit Number 12, Third Amended

9 Petition for Declaratory Judgment, Injunctive

10 Relief and Damages, for Identification.)

11 Q I am going to ask you to look at the complaint

12 and in particular paragraphs 112. I am going

13 to ask you to read paragraph 112 through 120.

14 Paragraph 120, it is alleged that

15 "there are no high schools in the State of New

16 Hampshire in reasonable geographic proximity

17 to Winchester, where Winchester could tuition

18 its students for less than \$10,000 per pupil."

19 Is that a true statement?

20 A I don't know the answer.

21 Q Why don't you know the answer to that?

22 A Because I have not tried to negotiate tuition

23 with any of the high schools that are in

Page 114

1 geographic proximity to Winchester.
 2 Q Are there any high schools not in geographic
 3 proximity to Winchester where Winchester could
 4 tuition students for less than \$10,000 a
 5 pupil?
 6 A I don't know the answer to that.
 7 Q Do you have any documents in your possession,
 8 and by your possession, I mean the Department
 9 of Education's possession, indicating that
 10 there is somewhere that Winchester students
 11 could be tuitioned to for less than \$10,000
 12 per pupil?
 13 A I don't know the answer to that.
 14 Q What did you do to determine the answer to
 15 that?
 16 A When you say -- I am not sure I understand the
 17 question.
 18 Q You were previously asked to produce written
 19 documents in this case, correct?
 20 A I believe so.
 21 Q And one of those requests, okay, was targeted
 22 to the state's denial of paragraph 112,
 23 correct?

Page 115

1 A I am not sure.
 2 (Whereupon, the court reporter
 3 marked Exhibit Number 13, Defendants'
 4 Responses and Objections to Petitioners' First
 5 Interrogatories and Requests for Production of
 6 Documents to Defendants, for
 7 Identification.)
 8 A Where do I go here?
 9 Q Page 17.
 10 A Okay. Your question?
 11 Q You were asked to produce any and all
 12 documents that form the factual basis for your
 13 denial of the allegation that Winchester must
 14 pay tuition.
 15 Did you look at the tuition
 16 agreements with other districts?
 17 A I was responding to the question about whether
 18 Winchester must pay tuition of \$14,023, and
 19 that was the response that we provided here.
 20 Q Did you identify any place in the State of New
 21 Hampshire where there is a tuition agreement
 22 for less than \$10,000 per pupil?
 23 A That wasn't what we responded to. What we

Page 116

1 responded to was whether or not Winchester
 2 must pay \$14,023 to have Winchester High
 3 School students attend the Keene High School.
 4 That was the question.
 5 Q Let me ask you, sitting here today, are there
 6 any districts in the State of New Hampshire in
 7 geographic proximity or not, where tuition is
 8 less than \$10,000 per pupil?
 9 A So I would have to ask you what you mean by --
 10 yes, there are high schools that are less.
 11 There are charter schools that don't cost
 12 anything for students in the State of New
 13 Hampshire.
 14 Q And Winchester can send its pupils to a
 15 charter school and --
 16 A Winchester students can enroll. That wasn't
 17 the question that was asked. The question was
 18 asked is there a high school in the State of
 19 New Hampshire, so I was trying to respond to
 20 the question.
 21 Q Is there a high school in the State of New
 22 Hampshire that the Winchester School District
 23 could tuition its students to for less than

Page 117

1 \$10,000?
 2 A So I don't know the answer to that because I
 3 have not entered into negotiations with other
 4 high schools to determine if they would be
 5 willing to accept the Winchester students for
 6 \$10,000 or less.
 7 Q Regardless of whether they have the ability to
 8 accept the Winchester students, in your
 9 capacity as commissioner --
 10 A I am not sure what that meant, but keep going.
 11 Q In your capacity as commissioner of Department
 12 of Education, have you signed off on any
 13 tuition agreements for less than \$10,000 per
 14 pupil?
 15 A I am not aware whether I have or not.
 16 (Whereupon, the court reporter
 17 marked Exhibit Number 14, Claremont and Unity
 18 tuition agreement, for Identification.)
 19 Q Do you recognize the document that has been
 20 marked as Exhibit 14?
 21 A I am not familiar -- I am not specifically
 22 familiar with it. I would have to recollect
 23 my memory relative to the specific document.

Page 118

1 Q Are you roughly familiar with receiving
2 documents like this or substantially similar
3 to this?
4 A I am.
5 Q And it is addressed to Dear Commissioner
6 Edelblut, correct?
7 A Yes.
8 Q If you turn to page 4, at the top of the page,
9 it says, "The initial base tuition rates are
10 as follows. Unity and Claremont grades K to
11 5"?
12 A What page? Which paragraph are you reading?
13 Q The top?
14 A Mine starts with "differs."
15 Q Yes, I am sorry. So the third sentence there,
16 "The initial base tuition rates"?
17 A Okay.
18 Q "The initial base tuition rates are as
19 follows: Unity and Claremont, grades K to 5,
20 \$14,100; Unity and Claremont, grades 6 to 12,
21 \$15,300."
22 Do you see that there?
23 A I can.

Page 119

1 Q And when this tuition agreement was approved,
2 did you raise any concerns that those numbers
3 were too high?
4 A I don't recollect whether any objections were
5 made or not.
6 Q Did you sign off on this tuition agreement?
7 A I did.
8 Q And prior to signing off on this tuition
9 agreement, the state Board of Education
10 approved this tuition agreement, correct?
11 A I believe so.
12 Q And neither you nor the state Board of
13 Education objected to the tuition charge as
14 being too high, correct?
15 A So the tuition is an agreement between the
16 districts of SAU 102 and SAU 6, and they have
17 agreed to the terms of the tuition agreement.
18 The state Board of Education allows their
19 negotiation to come to an agreement and then
20 acknowledges that agreement through their
21 approval process.
22 Q Acknowledges?
23 A I would have to go look at what the statutory

Page 120

1 obligation of the state is with respect to
2 this agreement.
3 Q You took the words out of my mouth.
4 What is the State's obligation prior
5 to approving tuition agreement?
6 A So I would need to go reference the statute
7 and determine what that is.
8 Q And you don't know, sitting here today, what
9 your obligations are when you approve these
10 tuition agreements?
11 A When I approve a tuition agreement, I make
12 reference to a statute and understand my
13 responsibility with respect to that agreement,
14 and that is when I would do that.
15 Q And is your responsibility more than merely
16 acknowledging that something is negotiated?
17 A My responsibility is enumerated in the statute
18 and the rules, so I would make reference to
19 that.
20 Q Traditional public school districts, are they
21 required to provide in-person instruction?
22 A I believe they are.
23 Q And in order to provide in-person instruction,

Page 121

1 do they need to have facilities to provide
2 that instruction?
3 A I believe they would.
4 Q I am going to ask you to turn to RSA 193-E:2-a
5 which has been provided to you and previously
6 marked as Exhibit 8 and 9.
7 If you could turn to Roman 4 of RSA
8 193-E:2-a. Do you see Roman 4?
9 A I do. It exists on two exhibits. Can you
10 just tell me which exhibit number you want me
11 to reference?
12 Q If you look at Exhibit 8, and Roman 4?
13 A Okay.
14 Q Was Roman 4 changed in any way by HB 1671?
15 A It doesn't appear to be when I make reference
16 to Exhibit 9.
17 Q And Roman 4 says the minimum standards for
18 public school approval for the areas
19 identified in paragraph 1 shall constitute the
20 opportunity for delivering an adequate
21 education.
22 Am I reading that correctly?
23 A When I read Roman numeral 4-A, it says, "The

Page 122

1 minimum standard for public school approval
 2 for the areas identified in paragraph 1, shall
 3 constitute the opportunity for the delivery of
 4 an adequate education."
 5 Q What are the minimum standards for public
 6 school approval?
 7 A So I believe that those would be the Ed 306
 8 rules. I don't know that it may include other
 9 rules as well.
 10 Q I am going to ask you to turn to Exhibit 14
 11 and Exhibit O to Exhibit 14.
 12 A I don't know that I have an O.
 13 MR. GAGNON: That is not the
 14 exhibit.
 15 THE WITNESS: Exhibit 13. I believe
 16 you had Exhibit 12 in your hand.
 17 Q I apologize, for Exhibit 12, Exhibit O?
 18 A Okay.
 19 Q On the first page of Exhibit O, there is a
 20 table of contents of the Ed 306 rules.
 21 Do you see that table of contents?
 22 A I see a table of contents.
 23 Q Looking at that table of contents, are there

Page 123

1 any parts of Ed 306 which do not need to be
 2 complied with by a public school district, a
 3 traditional public school district?
 4 A I want to make sure we are working off the
 5 right document. This indicates it was adopted
 6 in 2005.
 7 Q Correct?
 8 A The question again?
 9 Q Looking at the table of contents, and you have
 10 the entirety of Ed 306 as adopted in 2005
 11 behind it, are there any sections of Ed 306
 12 that a traditional public school does not need
 13 to comply with?
 14 A That would depend on the particular school.
 15 Q Why?
 16 A Because some of these rules apply to different
 17 instructional environments, whether those be
 18 elementary versus high school. Some of these
 19 apply differently to charter schools versus
 20 noncharter schools. Some of these are going
 21 to apply differently based on schools that may
 22 have sought some kind of a waiver from one of
 23 the Ed rules.

Page 124

1 Q Understanding the grade level and the type of
 2 public school differs, let us take the Conval
 3 School District, okay, the Conval School
 4 District that has learning provided through
 5 all grade levels, elementary as well as high
 6 school, which of these Ed 306 rules are not
 7 applicable to the Conval School District?
 8 A To the district in its entirety?
 9 Q In its entirety?
 10 A I would have to actually go through each of
 11 the rules and just read each rule and
 12 determine if it is applicable to them, or not
 13 applicable to them.
 14 Another example comes to mind.
 15 There is a section relative to -- let me see
 16 if I can find it. I don't see it immediately,
 17 but there is alternative programs, and I am
 18 unfamiliar with whether or not Conval has an
 19 alternative programs.
 20 There are rules for alternative
 21 programs. The appropriate thing to do would
 22 be to go through each rule.
 23 Q Ed 306.07, school facilities, is that

Page 125

1 applicable to the Conval School District?
 2 A Let me look at it.
 3 Again, it would be circumstance
 4 specific. As an example, I do know that for a
 5 certain period of time, I believe, that Conval
 6 had some learning environments that were
 7 outside, and therefore, may not be subject to
 8 exhaust and outer air ventilation and proper
 9 temperature conditions.
 10 It would really just depend on the
 11 facts and circumstances that you would have to
 12 look at the specific learning and
 13 instructional environment and determine if
 14 that rule made sense in that context.
 15 Q Let's focus on today, September 30, 2022,
 16 there is no longer particular exceptions for
 17 the COVID 19 pandemic, correct?
 18 A Correct. There are not COVID 19 exceptions,
 19 but we do have schools that have outdoor
 20 learning environments that continue.
 21 Q Does a school need to provide appropriate
 22 facilities even if they are having particular
 23 classes outside from time-to-time?

Page 126

1 A The question was whether or not this rule
 2 applied to Conval, and so I would say that it
 3 does apply to certain aspects, and other
 4 aspects, not, and so you would have to be very
 5 case-specific in terms of the application of
 6 the rule.
 7 Q Let's back up and flush this out.
 8 A school has to provide facilities.
 9 Would you agree with me on that?
 10 A I do believe that.
 11 Q And even if a school may have certain classes
 12 not in those facilities, it couldn't operate a
 13 traditional public high school without
 14 providing facilities?
 15 A So I believe they need facilities.
 16 Q And the facilities that a school has needs
 17 pursue t to Ed 306.07 comply with Ed 306.7?
 18 A Facilities, the local school board is required
 19 to provide these for that district, correct.
 20 Q Let's jump ahead, if you would, to Ed 306.9.
 21 A Okay.
 22 Q Would Ed 306.9 be applicable to the Conval
 23 School District?

Page 127

1 A Yes.
 2 Q What about moving ahead to Ed 306.10?
 3 A Yes.
 4 Q And what about Ed 306.11?
 5 A Subject to the fact that there are at least
 6 two waiver opportunities available. So if
 7 there is a waiver, then they are not subject
 8 to those. They would have an exemption from
 9 those.
 10 Q They would have to obtain a waiver?
 11 A They would have to obtain a waiver or be
 12 subject to those, yes.
 13 Q What about Ed 306.12?
 14 A Bearing in mind these are an old set of rules,
 15 yes, and some of these may have been updated.
 16 Q We will come to that in a little bit.
 17 Ed 306.13?
 18 A Yes.
 19 Q And Ed 306.14?
 20 A Yes.
 21 Q And Ed 306.15?
 22 A Again, subject to various exceptions and
 23 waiver processes, yes.

Page 128

1 Q And let me just stick here for a second on Ed
 2 306.15(b)(2), "The counseling load in each
 3 middle school and each high school shall not
 4 exceed the equivalent of one full time
 5 guidance counselor per 300 students served."
 6 Do I understand this regulation
 7 correctly, that you must have at least a
 8 part-time second guidance counselor once you
 9 have more than 300 students?
 10 A So you are required to have one full-time
 11 guidance counselor per 300 students served.
 12 Q And once you have 301 students?
 13 A So the rule as enumerated here, you shall have
 14 one full-time guidance counselor per 300
 15 students served.
 16 Q Would you need to have a second guidance
 17 counselor once you reached an enroll of 301?
 18 A This rule would tell you that you need one
 19 full-time guidance counselor per 300 students
 20 served. I don't see in this rule a
 21 proportional requirement or fractional
 22 requirement.
 23 Q If you have a high school with hypothetically

Page 129

1 1,000 students in the high school, how many
 2 guidance counselors do you need to have
 3 employed?
 4 A I would have to defer to my department for the
 5 specific calculation, but I believe that you
 6 would take a thousand and divide it by 300,
 7 and that would tell you what your minimum
 8 standards are.
 9 Q Do I understand you to be suggesting that you
 10 would need 3.3 guidance counselors?
 11 A No. Because you can't have a fractional
 12 person, so you would have three full-time
 13 guidance counselors for each 300 students
 14 served.
 15 Q So could you have three guidance counselors or
 16 must you have four if you have a thousand
 17 students?
 18 A So if you have a full-time guidance counselor
 19 per 300 students served, then you would meet
 20 the minimum standards.
 21 Q How many guidance counselors would a
 22 thousand-person high school need to have?
 23 A The minimum standard would be one full-time

Page 130

1 guidance counselor per 300 students served.

2 Q How many is that?

3 A So it would be one full-time guidance

4 counselor per 300 students served.

5 Q Would that be four or three?

6 A How many students are being served?

7 Q A thousand?

8 A For every 300 students being served, you

9 require one full-time guidance counselor.

10 Q Why are you not answering this question?

11 A I think I am answering it very clearly.

12 I am telling you for every 300

13 students served, you are required to have a

14 full-time guidance counselor, which is exactly

15 how it is enumerated in the rule.

16 Q And my question, if you have a thousand

17 students, do you need to have 3.3 guidance

18 counselors or do you need to have four

19 guidance counselors?

20 A You are required to have one full-time

21 guidance counselor per 300 students served.

22 Q You are the commissioner of the Department of

23 Education?

Page 131

1 A Exactly.

2 Q And the Department of Education gets called

3 all the time with questions from school

4 districts how to apply the rules?

5 A I would believe this would tell you you need

6 three guidance counselors in that environment.

7 Q Just three? You don't need a fourth?

8 A One full-time guidance counselor per 300

9 students served.

10 Q Imagine this hypothetical --

11 A I have already clarified for you that the rule

12 itself doesn't include any type of

13 proportional determination. So I think you

14 require one full-time guidance counselor per

15 300 students served.

16 Q Imagine this hypothetical.

17 A Okay.

18 Q The superintendent of schools calls you up and

19 says, I have a thousand students in my high

20 school. How many guidance counselors do I

21 need to make sure I have?

22 A I would refer them to ED 306.7 -- I am on the

23 wrong bill. ED 306.15(b)(2), which seems

Page 132

1 quite clear when I read the words on the page.

2 Q If it is so clear to you, how many people does

3 the school district need to hire then?

4 A One full-time guidance counselor per 300

5 students served. If you have a thousand

6 students, as I have said on the record

7 already, that is my understanding of how this

8 rule would be applied.

9 Q Jumping ahead if we would to the professional

10 development requirements in Ed 306.16, would

11 they be applicable to the traditional public

12 school district such as the Conval School

13 District?

14 A Yes.

15 Q And Ed 306.17, class size, would that be

16 applicable to a traditional public school

17 district such as the Conval School District?

18 A Yes.

19 Q And Ed 306.18, would that be applicable to a

20 traditional public school district such as the

21 Conval School District?

22 A Not in the form in which you presented it. It

23 has been changed.

Page 133

1 Q How has it been changed?

2 A I don't know. You'll have to make reference

3 to the updated one.

4 Q 306.18(b)(1) and (2)?

5 A Okay. I believe those would be applicable,

6 but again, this section has been updated, but

7 I believe --

8 Q The minimum hour requirements are still the

9 same?

10 A I believe so.

11 Q Jump ahead, if you would, to Ed 306.27.

12 Would that be applicable to

13 traditional public school districts such as

14 the Conval School District?

15 MR. GAGNON: Are we planning on

16 taking a break for lunch sometime soon?

17 MR. TIERNEY: We'll be at a breaking

18 point in a couple of minutes, yes.

19 THE WITNESS: The question again?

20 Q Ed 306.27 is required of traditional public

21 school districts such as Contocook School

22 District, correct?

23 A Subject to a variety of changes that have been

Page 134

1 made to it as well. This is an old draft.
2 Q Understood.
3 Of the regulations we have just
4 discussed here in your deposition today, are
5 they all part of constitutionally adequate
6 education as defined by RSA 193-E:2-a?
7 A They are not.
8 Q Why not?
9 A Some of them are just basic, and I have to go
10 back to your first example, school facilities,
11 as an example.
12 So with regard to school facilities,
13 they have to "demonstrate compliance with
14 Saf-C 6000 relating to NFPA 101, 'Life Safety
15 Code, 2000 edition,' and".
16 So as an example, that is a
17 requirement for a public facility, so that
18 would not be part of an adequate education
19 which is defined in the statute, and so there
20 would be differences necessarily between the
21 rules for the administration and the
22 requirements for an adequate education.
23 Another example that stands out in

Page 135

1 the section we were just looking at, in
2 particular, might be under table M, 306-2,
3 where it enumerates various required credits
4 for graduation, and it includes, among other
5 things, open electives, six credits. In fact,
6 in the statute, I don't have any category
7 called open electives.
8 Q So let me make sure I am understanding your
9 testimony correctly.
10 Are you testifying that the state
11 can require traditional public school
12 districts to provide six classes of open
13 electives, but that it is not part of the
14 constitutionally adequate education as defined
15 by RSA 193-E:2-a?
16 A So what I am saying, and I thought the initial
17 question was whether or not this was
18 consistent with this, and what I would tell
19 you is the statute of what is required for a
20 constitutionally adequate education does not
21 include some of the items we have reviewed
22 here today in the minimum standards.
23 Q The statute incorporates in section 4-A the

Page 136

1 minimum standards for public school approval
2 for the areas identified in paragraph 1?
3 A Can you tell me where you are making that
4 reference?
5 Q Roman 4-A?
6 A It says, "The minimum standards for public
7 school approval for the areas identified in
8 paragraph 1 shall constitute the opportunity
9 for the delivery of an adequate education."
10 If I read paragraph 1, paragraph 1
11 enumerates, "beginning in these school years"
12 and it enumerates, English, language, arts and
13 reading, mathematics, science, social science,
14 arts, and again, this is an old version, world
15 languages, health, physical education,
16 engineering, technology, computer.
17 So it does incorporate minimum
18 standards as you describe for the areas
19 identified in paragraph 1, and I don't see in
20 paragraph 1 a reference, which I am trying to
21 point out the difference, I don't see in
22 paragraph 1, a reference to the table 306-2
23 includes something called open electives, six

Page 137

1 credits.
2 Q Again, let me ask you, the minimum standards
3 as stated in Ed 306, does it require more or
4 less than what is required by RSA 193-E:2-a?
5 A So it requires what is apparently different
6 than -- there is a difference between
7 193-E:2-a and the ED 306, not just with
8 respect to this table, but as I pointed out,
9 with respect to fire code, and then there were
10 other things we have looked at as well, some
11 of which are statutory, and some of which are
12 here in the 306.
13 Q How can someone such as, oh, a judge,
14 determine which of the minimum standards for
15 public school approval in Ed 306 are
16 incorporated by RSA 193-E:2-a?
17 A I think the words of RSA 193-E:2-a enumerate
18 an adequate education. And --
19 Q You didn't answer the question.
20 A I am trying to.
21 Q Which of the minimum standards are
22 incorporated into the statute?
23 A Again, I am not a lawyer, and I would make

Page 138

1 reference that I would want to go and verify
 2 this.
 3 You have pointed out paragraph 4-A,
 4 which says the minimum standard for public
 5 school approval for the areas identified in
 6 paragraph 1, shall constitute the opportunity
 7 for delivery of an adequate education.
 8 That seems like it is statutory
 9 language that incorporates aspects of the
 10 306's into the education law.
 11 Q But why, in your opinion, as commissioner of
 12 the Department of Education, are the
 13 regulations requiring facilities for a
 14 mathematics education not part of the
 15 constitutionally adequate education?
 16 A I can't speculate as to why the legislature
 17 designed the system the way that they have,
 18 but to your point, it is -- you made this
 19 point previously, it is possible to receive an
 20 adequate education without a facility, and you
 21 used the example of VLACS.
 22 Q But a public school district can't provide
 23 only virtual learning, correct?

Page 139

1 A That's correct, they need a facility.
 2 Q And they need facilities by requirements of
 3 the State of New Hampshire, correct?
 4 A They need facilities pursuant to the ED 306
 5 rules, yes.
 6 Q And those facilities, who is responsible for
 7 paying for them?
 8 A So I would have to reference the statute in
 9 terms of who is responsible, but I believe --
 10 I don't know who is responsible for paying. I
 11 assume the local school district is
 12 responsible for paying for this.
 13 Q From its adequacy grant provided by RSA
 14 198:40-a?
 15 A Again, I don't know what the contents are of
 16 the adequacy grants that the legislature has
 17 come up with that they have provided to the
 18 districts. I don't know how they came up with
 19 that number, quite frankly.
 20 Q What are the requirements of a public school
 21 district that are above and beyond a
 22 constitutionally adequate education?
 23 A I don't know the answer to that. I suppose

Page 140

1 that could be discovered, but it would be a
 2 process that would need to be gone through
 3 because there is going to be both education
 4 aspects, and as you pointed out, fire codes
 5 that are requirements, certain building codes
 6 that they are required to comply with, and we
 7 deal with them on a regular basis for building
 8 codes that are imposed upon them.
 9 I imagine there are a variety of
 10 different types of regulatory schema with
 11 which a local school district is required to
 12 comply.
 13 Q Before we go on our lunch break --
 14 A That would include both state as well as
 15 federal. So the federal government as well
 16 has various requirements.
 17 Q So you don't know which of the minimum
 18 standards in Exhibit O are incorporated into
 19 RSA 193-E:2-a?
 20 A What I would tell you is, and my first blush,
 21 but I would have to go back and validate this,
 22 I believe you pointed out that Roman numeral
 23 4(8) states that minimum standard of public

Page 141

1 school approval for the areas identified in
 2 paragraph 1 shall constitute the opportunity
 3 for delivery of an education.
 4 I would want to, obviously, reserve
 5 the right to go back and see if there are
 6 other statutory references because sometimes
 7 it gets quite complicated with all of the laws
 8 cross-referencing one another. So I just
 9 referenced that on that you had provided to
 10 me.
 11 Q You have an Exhibit O, table of contents, can
 12 you identify either by the table of contents
 13 or reading the entirety of these regulations
 14 which ones are incorporated into RSA
 15 193-E:2-a?
 16 A I could not do that in a simple exercise. It
 17 would require a great of deal of exercise. As
 18 an example -- I pointed out to you fire codes
 19 as an example, how there are certain building
 20 codes that are going to apply to a district.
 21 There are certain street regulatory
 22 things. There are federal and state licensure
 23 requirements with regard to buses and bus

Page 142

1 drivers. There are a number of different
 2 regulatory schemas that would apply to a local
 3 school district that are beyond the education
 4 aspect of it.
 5 Q Just asking about the minimum standards for
 6 public school approval which are specifically
 7 mentioned in the statute?
 8 A Specifically referenced in paragraph 1,
 9 correct.
 10 Q Which of these minimum standards for public
 11 school approval are for the areas identified
 12 in paragraph 1?
 13 A So I would have to go back and do that
 14 exercise.
 15 Q You were asked in interrogatories sent out on
 16 August 30, 2021 to identify which of these
 17 minimum standards are or are not applicable,
 18 correct?
 19 A You would have to refresh my memory of the
 20 specific interrogatory.
 21 Q Since that time in the past year, have you or
 22 anyone in your department made a determination
 23 which of these minimum standards are

Page 143

1 incorporated by the statute?
 2 A Not to my knowledge.
 3 (LUNCHEON RECESS 2:05 p.m. - 3:09 p.m.)
 4 Q (By MR. TIERNEY:) Commissioner, before we
 5 took our break, I believe we were discussing
 6 which of the Ed 306 rules are incorporated
 7 into RSA 193-E:2-a.
 8 Do you recall that discussion?
 9 A Yes, basically.
 10 Q And if you would remind me, the minimum
 11 standards have provisions about the minimum
 12 credits required for a high school diploma,
 13 correct?
 14 A Correct. Hang on one second. Let me find
 15 that section. Remind me where I am? I think
 16 I found it.
 17 This is on page 24 of Exhibit O,
 18 just reminding us that these are dated 2005,
 19 and there have been changes since then.
 20 But 306.2, you are referring to?
 21 Q Yes. Those minimum credits required for high
 22 school graduation, is that part of a
 23 constitutionally adequate education?

Page 144

1 A I believe that prior to break in the
 2 conversation we had, I indicated that there
 3 were items enumerated in here which you had
 4 provided me as well with Exhibit 8, and I
 5 pointed out that there were items enumerated
 6 in table 306.2 that were not enumerated in
 7 Exhibit 8, RSA 193-E:2-a-1.
 8 Q E:2-a-1?
 9 A Yes. This list.
 10 Q When you say this list, you are referring to
 11 the --
 12 A RSA 193-E:2-a-1.
 13 Q Thank you. Are you familiar with the entirety
 14 of RSA 193-E?
 15 A I would have to read through it. I have read
 16 it before, but I am not immediately familiar
 17 with it. I don't have it memorized.
 18 Q What do you do as commissioner of the
 19 Department of Education to make sure that all
 20 public schools are providing constitutionally
 21 adequate education?
 22 A So as part of the statute, we have basically
 23 an accountability system. There is an input

Page 145

1 base accountability system and an output
 2 accountability system, which is enumerated in
 3 the statute.
 4 Q What do you do as commissioner to make sure
 5 that schools are providing constitutionally
 6 adequate education?
 7 A I oversee the division and bureau ultimately
 8 that is responsible for accountability at the
 9 school level.
 10 Q Do you ever go and pay site visits to
 11 particular schools?
 12 A So, the bureau would do that. I spend quite a
 13 bit of time at schools, but not in the context
 14 of determining whether or not they are
 15 compliant with the statutory requirements.
 16 Q How frequently do you make sure that the
 17 schools are providing constitutionally
 18 adequate education?
 19 A That is part of the program of the bureau of
 20 accountability, and so they have a program
 21 that they use to determine whether or not
 22 schools are meeting their requirements under
 23 the law.

Page 146

1 Q I am going to ask you to -- sorry to keep
 2 coming back to this, but the minimum credits
 3 required for high school graduation as set
 4 forth in Ed 306, is that part of the
 5 constitutional obligation?
 6 A So the constitutional obligation is, I
 7 believe, ensconced in statute under RSA
 8 193-E:2-a.
 9 Q And only 2-a?
 10 A Well, I would have to read the entirety of the
 11 statute. I think it might make references in
 12 some other spots in the statute.
 13 Q Could you turn to Exhibit 9?
 14 A Okay.
 15 Q We discussed earlier that there were some
 16 legislative changes to RSA 193, correct?
 17 A Correct.
 18 Q In particular, if you turn to page 2 here?
 19 A Actually, page 3 or page 2 at the top?
 20 Q Page 3 that says page 2.
 21 A Thank you.
 22 Q You have at line 16, number 10, computer
 23 science and digital literacy, correct?

Page 147

1 A Correct.
 2 Q And then on line 17, personal finance
 3 literacy, correct?
 4 A That is what I read.
 5 Q What are the next two items there? Could you
 6 read that?
 7 A Sure. 18 says, school year requirements, and
 8 number 19, line 19, item 13, says "minimum
 9 credits required for high school diploma."
 10 Q Where are the minimum credits required for a
 11 high school diploma that the legislature has
 12 defined as an opportunity for an adequate
 13 education?
 14 A I am not sure specifically what the
 15 legislature is referring to there, because it
 16 doesn't provide enumerated detail what those
 17 minimum credits encompass.
 18 They may be referring to table
 19 306.2. I can't make that jump necessarily.
 20 Q You don't know what the statute is referring
 21 to?
 22 A Well, in particular, the statute is brand-new.
 23 I have not done any work to go and figure out

Page 148

1 what it is referring to. I assume at some
 2 point we will do that.
 3 Q Did you just say that the statute providing
 4 the minimum credits for a high school diploma
 5 is brand-new?
 6 A So, the change where it added 13, the
 7 requirement there is existing statute,
 8 statutory language, so I was just referring to
 9 the fact that they have now renumbered it.
 10 Q It has always been that the minimum
 11 requirements --
 12 A I don't know about always, but it has been for
 13 some amount of time.
 14 Q For the entirety of the time you have been
 15 commissioner of the Department of Education?
 16 A I believe so.
 17 Q For the entirety of the time you have been
 18 commissioner of the Department of Education,
 19 the minimum credits required for a high school
 20 diploma has been part of a constitutionally
 21 adequate education?
 22 A That is correct.
 23 Q Let me ask you about Ed 306, minimum standards

Page 149

1 for a public school approval.
 2 Has there been a proposal for
 3 changes to Ed 306 recently?
 4 A There are proposals for changes to the Ed 306
 5 rules on a fairly regular basis.
 6 Q Is there a more substantial proposal currently
 7 being considered by the Department of
 8 Education?
 9 A There is nothing -- there is work underway,
 10 but there is nothing that is in a proposal
 11 state at this point in time.
 12 Q Who is doing the work?
 13 A So there is a contract that the Department of
 14 Education entered into with the, I believe it
 15 is the national center for competency
 16 education, who is leading the effort, along
 17 with individuals that they have pulled
 18 together from various educational
 19 associations.
 20 Q This contract with the national
 21 association --
 22 A National center for competency based
 23 education. I believe that is the name. I am

Page 150

1 not positive.

2 Q Was this a competitively big contractor or was

3 this a sole sourced contract?

4 A Sole sourced contract.

5 Q It was sole sourced contract?

6 A The individual leading that effort -- I would

7 have to go refresh myself on the governing

8 council. I don't know if it was enumerated

9 why it would be sole sourced. That would be

10 the best place to go look for that.

11 Q Tell me what you recall.

12 A I would have to speculate what that might have

13 included, but I think it may have included the

14 fact that the individual who works there and

15 is responsible for this work is an individual

16 who has been involved in education in New

17 Hampshire for quite a long time, including

18 roles on the state Board of Education and was

19 involved in some of the drafting of other

20 iterations of these rules, and so we thought

21 that he would have a lot of capacity to be

22 able to do this work.

23 Q Who is this individual?

Page 151

1 A Fred Bramante.

2 Q And Mr. Bramante, did he draft the version of

3 Ed 306 that was adopted in 2005?

4 A I don't know the answer to that.

5 Q What rules did he work on previously?

6 A He had a role in the '90s, as well as in the

7 2000s on the state Board of Education. He

8 would have had a variety of interactions with

9 the rules in that role.

10 Q Have there been other contracts awarded to

11 Mr. Bramante's company or other companies he

12 is involved with?

13 A Not that I am aware of.

14 Q I think you testified earlier that the

15 Department of Education has 290 employees?

16 A That was my guesstimate.

17 Q Why aren't any of the 290 employees able to

18 work on redrafting the Ed 306 rules?

19 A Certainly the department employees are able to

20 to the extent they have availability to do

21 that. And in fact, you know, within the

22 bureau of accountability, they are overseeing

23 the work under this contract, but the

Page 152

1 individuals employed at the Department of

2 Education are engaged in other activities and

3 maybe did not have the particular bandwidth to

4 be able to do this as well.

5 Q Have the number of employees at the Department

6 of Education increased or decreased while you

7 have been commissioner?

8 A I am not sure I know the answer to that. It

9 varies, it fluctuates.

10 Q From when you started as commissioner in 2017

11 to today, September 30, 2022?

12 A I don't know the answer to that.

13 Q Do you know whether the number of students in

14 the State of New Hampshire has increased or

15 decreased over that same time period, from

16 2017 to 2022?

17 A I believe the number of students in the K-12

18 system has decreased.

19 Q What about the number of students total in the

20 state, whether they are attending a public

21 school or a charter school or home educated?

22 A I would not know the answer to that.

23 Q At what stage in the process of proposing new

Page 153

1 rules are the proposed new rules that

2 Mr. Bramante is working on?

3 A So they are not even at a proposal state. The

4 way that the RSA 541-a works is that when

5 rules are initially adopted, that would take

6 place at the state Board of Education, and

7 that is when the formal rule process would

8 begin.

9 Up until that time, it is just

10 individuals working on them to see what might

11 happen.

12 Q Help me flush this out.

13 Prior to them becoming adopted

14 rules, would they need to be adopted by the

15 state Board of Education?

16 A That's correct. The rule-making process

17 requires an initial adoption by the state

18 Board of Education.

19 Q Prior to being adopted by the state Board of

20 Education, what would need to happen?

21 A They have to be drafted.

22 Q And who would need to draft it?

23 A It would depend upon the rule.

Page 154

1 Q For the Ed 306 proposed changes?
 2 A Right now, that is working through the
 3 accountability bureau.
 4 Q Who heads up the accountability bureau?
 5 A Nate Greene.
 6 Q Are you familiar where Mr. Greene is in the
 7 proposed changes as far as what is proposed to
 8 be changed?
 9 A It is not Mr. Greene. It is really through
 10 the NCC -- the national competency board and
 11 working with the individuals who are doing
 12 that. So they are the ones who are in the
 13 process of doing that.
 14 So where they are, I do know they
 15 have additional steps they are working through
 16 at this point in time.
 17 Q Pursuant to the contract that was approved by
 18 governor and council, there are supposed to be
 19 public listening sessions, correct?
 20 A I believe so.
 21 Q Have any of those happened yet?
 22 A No.
 23 Q Do you have any idea what type of time frame

Page 155

1 we would be looking at for these changes to
 2 get to final proposal before the state Board
 3 of Education?
 4 A I do not. We would need to wait and see what
 5 comes out of the group before they get to a
 6 listening session state.
 7 Q Have any listening sessions been scheduled?
 8 A They have not.
 9 Q Do you have any idea of how many listening
 10 sessions this type of change would likely --
 11 A I would have to make reference to the contract
 12 and see what it says. I think it might be
 13 enumerated in that contract.
 14 (Whereupon, the court reporter
 15 marked Exhibit Number 15, Contract with the
 16 National Center for Competency-Based Learning,
 17 for Identification.)
 18 Q You have in front of you that contract?
 19 A I have in front of me a contract.
 20 Q Is this the contract you were referring to a
 21 minute ago?
 22 A Your question again? I am sorry. I am
 23 familiar with this.

Page 156

1 Q Where in the process is the implementation of
 2 this contract currently?
 3 A I believe they are still working on item
 4 number 1.
 5 Q So item number 1 is task force and initial
 6 draft proposal as indicated on Exhibit B?
 7 A Correct, task force and initial draft
 8 proposal.
 9 Q And so would it be fair to say that item 1.1,
 10 task force creation, four weeks; and item 1.2,
 11 revision of minimum standards, 20 to 40 weeks,
 12 has not been reached?
 13 A So you have got two items in there. I think
 14 item 1.1, task force creation, has been
 15 completed. They have a task force, and they
 16 are working on it.
 17 Item Number 1.2, I don't believe has
 18 been completed.
 19 Q Is there a draft proposal that has been made
 20 public of Ed 306?
 21 A Not by the committee.
 22 Q But there is a draft that has been made public
 23 by an organization called Reach Even Higher,

Page 157

1 correct?
 2 A I believe that is correct. I have not seen
 3 it. I have heard that they have made public a
 4 draft.
 5 Q Did you just say you have not seen it?
 6 A I have not seen whatever it is that they have
 7 released, correct.
 8 Q Didn't you explain to the state Board of
 9 Education at its September 8 meeting that the
 10 draft that was released is not the final
 11 proposal?
 12 A I did.
 13 Q And you made that determination without even
 14 seeing it?
 15 A I was told by people from the bureau what the
 16 contents of that draft were.
 17 Q What still needs to be done to make it final?
 18 A I couldn't even begin to tell you. There are
 19 a lot of things that are continuing to be
 20 worked on in that draft. I don't know what
 21 that version was, and all of the things that
 22 are in there.
 23 I do know that there are ongoing

Page 158

1 meetings with the committee in order to try
 2 and come up with a proposed draft.
 3 Q The proposed draft when and if it is ever
 4 completed and ever adopted by the state Board
 5 of Education, would not affect the definition
 6 of an adequate education under RSA 193-E:2-a,
 7 correct?
 8 A So the draft ultimately, when it comes to
 9 fruition, would reflect, among other things,
 10 the requirements for an adequate education as
 11 those transfer over from the statute into that
 12 document.
 13 Q Which changes?
 14 A I am not sure I understand the question.
 15 Q You said the draft. Will all of the changes
 16 in the draft being incorporated into RSA
 17 193-E:2-a?
 18 A No, because I believe that the 8306 statute
 19 includes requirements that we have reviewed
 20 previously that are not a component of RSA
 21 193-E:2-a-1, and so there may be content in
 22 that draft that is outside the scope of RSA
 23 193-E:2-a.

Page 159

1 Q These would be requirements on public school
 2 districts that are required by the state but
 3 funding is not provided by the state?
 4 A There may or may not be. I don't know what
 5 the contents may be because it hasn't become a
 6 proposal yet, and I don't know what the state
 7 board will do with that.
 8 Q Assuming that the state board adopts some sort
 9 of proposal amending Ed 306, does anything
 10 else need to be done before the definition of
 11 an adequate education, in your opinion, is
 12 changed?
 13 A Again, I am not sure I understand the
 14 question.
 15 Q So if the state Board of Education adopts
 16 changes to Ed 306, and it adopts changes to Ed
 17 306 relating to the areas identified in
 18 paragraph 1 of RSA 193-E:2-a, would the
 19 adoption by the state Board of Education be
 20 the final step or would anything else need to
 21 be done?
 22 A Done for what?
 23 Q Before they become part of the definition of

Page 160

1 an adequate education?
 2 A I am unaware that the creation of the rules
 3 around a particular topic would by default
 4 make them part of the definition of an
 5 adequate education. I believe that the
 6 definition of an adequate education is what is
 7 ensconced in statute, and I believe there are
 8 components of the definition of an adequate
 9 education that are included into the 306's,
 10 but that by default doesn't make them an
 11 adequate education, the definition of an
 12 adequate education.
 13 Q Let me ask it a different way.
 14 Maybe we can be clear. I think we
 15 are misunderstanding each other.
 16 A Maybe.
 17 Q We looked a little bit earlier at Exhibit O to
 18 the plaintiffs' complaint?
 19 A Okay.
 20 Q Which were adopted in 2005, and I will
 21 represent to you, were the rules in 2007 when
 22 RSA 193-E:2-a was first adopted.
 23 Are those rules from 2007 the ones

Page 161

1 that are incorporated into RSA 193-E:2-a or
 2 can the Department of Education change the
 3 rules and have the new rules be incorporated
 4 into the statute?
 5 A So that sounds like a question really for the
 6 clerk of the court, given the fact that the
 7 term under 4-A says the minimum standards for
 8 public school approval for the areas
 9 identified in paragraph 1 shall constitute an
 10 opportunity for an adequate education, and so
 11 you would have to determine that term minimum
 12 standard for public school approval, does that
 13 prohibit the state Board of Education from
 14 adopting any changes to those rules or not,
 15 and that would be a determination the clerk
 16 would have to make.
 17 Q The clerk of court would have to make?
 18 A Correct. I believe that is who would have to
 19 make that adjudication.
 20 Q Let me move on.
 21 What do you understand this case to
 22 be about?
 23 A From the line of questioning?

Page 162

1 Q Your understanding, what is this lawsuit
 2 about? You have been named a defendant in
 3 your official capacity as the commissioner of
 4 the Department of Education, what is your
 5 understanding about what this case is about?
 6 A My understanding is that there is an assertion
 7 the amount of funds that the legislature has
 8 designated as the amount to be provided to our
 9 schools for the provision of an adequate
 10 education is inadequate.
 11 Q And do you understand that the case is about
 12 base adequacy and not the differential?
 13 A I did not draw that distinction.
 14 Q Do you understand what I mean when I say base
 15 adequacy, what I mean when I say differential
 16 aid?
 17 A I do.
 18 Q Did you review the 2020 legislative study
 19 commission's report on costing of an adequate
 20 education?
 21 A Briefly. Not comprehensively.
 22 Q Why not comprehensively?
 23 A Because I was able -- I was familiar with many

Page 163

1 of the topics in it, and so it wasn't
 2 necessary for me to dig deeper and maybe go to
 3 all the footnote references that are included
 4 in it or the linked additional studies that
 5 they were linking into it which would entail a
 6 comprehensive review, and so I don't want to
 7 misrepresent the extent that I went through
 8 it.
 9 Q You already understood a lot of what was being
 10 said in the report, is that a fair statement?
 11 A That would be fair.
 12 Q Sitting here today, what do you understand to
 13 be the gist of that report?
 14 A I would have to look at that report again and
 15 familiarize myself with it.
 16 Q Okay. You are in luck.
 17 (Whereupon, the court reporter
 18 marked Exhibit Number 16, Report from The
 19 Commission to Study School Funding, for
 20 Identification.)
 21 Q You stated you didn't review all of the
 22 reports which are referenced in this report,
 23 correct?

Page 164

1 A That's correct.
 2 Q Did you reference any of the reports that are
 3 referred to?
 4 A I don't recall. It has been some time since I
 5 looked at it.
 6 Q Did you review AIR's analysis?
 7 A I would have to look at it again. I don't
 8 recall.
 9 Q Did you attend any of the legislative study
 10 commissions' meetings?
 11 A I did not.
 12 Q Were you specifically invited to attend any of
 13 these meetings?
 14 A I was not.
 15 Q Really?
 16 Do you know who David Luneau is?
 17 A I do.
 18 Q Who is he?
 19 A He is a representative.
 20 Q Was he the chairman of the Commission to Study
 21 School Funding?
 22 A I believe he might have been.
 23 Q And if he stated that he invited you to

Page 165

1 commission meetings and you declined, would he
 2 be making that up?
 3 A I would have to reference the statute which
 4 formed the commission to see if, in fact, I
 5 was an invited member of the commission.
 6 Q Were you ever invited to attend a meeting to
 7 testify to the commission?
 8 A I don't have any recollection of being
 9 invited.
 10 Q Did you review any of the minutes of the
 11 commission?
 12 A I did not.
 13 Q And if the minutes reflect that you were twice
 14 invited and declined the invitation, would you
 15 have any basis to deny the accuracy of those
 16 minutes?
 17 A I have no basis to deny the accuracy. I have
 18 no recollection of being invited. It is
 19 possible that an invitation came to the office
 20 and was not extended to me. It could have
 21 gone into the schedule, and there was a
 22 conflict with the committee at that time.
 23 Q Did you offer a different time that you

Page 166

1 could --

2 A I don't know because I wouldn't be the one

3 scheduling that.

4 Q Was it important to you as the commissioner of

5 Department of Education to --

6 A Was what important?

7 Q Was it important to you as the commissioner of

8 Department of Education to make time to attend

9 the Commission to Study School Funding?

10 A I thought it was quite telling that the

11 legislature specifically excluded the

12 commissioner of Education from the study

13 committee.

14 Q You mean that you weren't a commissioner on

15 the committee?

16 A A member of the committee.

17 Q Is that why you never attended as --

18 A No, I would have been happy to attend had I --

19 it sounds like you are saying I was invited.

20 That may be the case. I don't have any

21 recollection of that. I am not sure why my

22 office either did or didn't accept that

23 invitation, and what the conflict may have

Page 167

1 been.

2 Q You said it was quite telling that you weren't

3 made a member of the commission.

4 What is it telling of?

5 A I thought it was odd that there would be a

6 commission to look at school funding and that

7 the department would not be invited to be a

8 member of that body to look at that.

9 Q Do you know how the commissioners were chosen?

10 A I do not.

11 Q Did you ever ask the governor why he didn't

12 name you as one of his picks for the

13 commission?

14 A I don't believe so, because I am unfamiliar

15 with the process whereby individuals were

16 assigned to the commission. I believe it was

17 in the legislation.

18 Q Who got to pick which seats within the

19 legislation? Is that what you were saying?

20 A Who was designated to that commission.

21 Q You believe that the individuals were named?

22 A The roles, anyways.

23 Q Let me just make sure we are clear here.

Page 168

1 Did you ever talk to the speaker

2 about naming you to one of the speaker's picks

3 for the commission?

4 A I don't believe I had such a conversation. I

5 don't recollect any such conversation.

6 Q Did you have any conversation with the Senate

7 president about naming you --

8 A I do not recollect having a conversation with

9 the president.

10 Q I apologize if I asked you this already.

11 Do you recollect any conversation

12 with the governor or the governor's office

13 making sure one of the governor's picks was

14 yourself?

15 A I do not recollect that.

16 Q And you never reached out to the governor, the

17 speaker, or the senate president and asked to

18 be made a member of the commission?

19 A I have no recollection of ever reaching out,

20 no.

21 Q Is there anything in the commission's report

22 which you disagree with?

23 A I don't know. I haven't looked at it in a

Page 169

1 long time. I am not familiar enough to be

2 able to say. I have no recollection.

3 Q You testify to the legislature about important

4 education bills, correct?

5 A I do.

6 Q And how do you determine which bills you are

7 going to testify about and which bills you are

8 not going to testify about?

9 A So I try to make a determination to testify on

10 bills where I believe that the input from the

11 commissioner will make a difference and be

12 germane to the school and can make a positive

13 effect.

14 Q Do you believe that input from you would have

15 had a positive effect on the legislative study

16 commission of 2020?

17 A I don't know the answer to that.

18 Q What would you have informed them of had you

19 been a member of the commission?

20 A I don't know. I wasn't privy to all of the

21 discussions that took place in there.

22 Q You are aware that all of the discussions were

23 available to any member of the public and were

Page 170

1 live Zoom meetings?
2 A I would have assumed that as a public meeting,
3 correct.
4 Q You could have participated in any of these
5 meetings?
6 A So I would have been able to participate as a
7 public member, correct.
8 Q Did any members from the Department of
9 Education participate in this legislative
10 study commission?
11 A I don't specifically recall. I imagine some
12 of them may have been called over there to
13 participate.
14 Q And when the findings of the legislative study
15 commission were proposed to be enacted into
16 law in HB 1680, did you give your opinions to
17 the house education committee?
18 A I don't recollect testifying on that.
19 Q Is there a reason why you didn't testify on
20 that?
21 A I don't know what the reason would have been
22 to testify or not testify.
23 Q And let me be clear, do you have any opinion

Page 171

1 sitting here today as to whether the
2 conclusions reached by the commission are
3 valid or invalid?
4 A I don't have any recollection of the
5 conclusions of the reports. I would have to
6 refresh my memory on that.
7 Q I am going to ask you about part two, article
8 E-3 of the New Hampshire constitution.
9 Are you familiar with that provision
10 of the New Hampshire constitution?
11 A I am vaguely familiar with the reference to
12 it. If you have a copy of it, I am happy to
13 review it.
14 (Whereupon, the court reporter
15 marked Exhibit Number 17, Article 18, for
16 Identification.)
17 A Is this in its entirety?
18 Q I am sorry, is this the New Hampshire
19 constitution --
20 A Article 83 in its entirety?
21 Q No.
22 A It didn't seem like it is in its entirety.
23 Q There is another section of article 83 that

Page 172

1 has nothing do with education. It has to do
2 with trade and commerce, I believe.
3 A Can I be clear, that is an assumption on your
4 part that it doesn't relate to that.
5 Q Would you like the entirety of article --
6 A I don't know what kind of questions you want
7 to ask me about it. You handed to me what you
8 represented was article 83 of the
9 constitution, and I'm like this isn't --
10 Q You must be very familiar with article 83 of
11 the constitution?
12 A I am not familiar with all of the aspects of
13 it.
14 Q What do you understand article 83 to mean?
15 A So article 83 as it states is for the
16 encouragement of literature, et cetera,
17 control of corporations, monopolies, et
18 cetera, and then it enumerates what that means
19 in that. I think that is fairly
20 self-explanatory.
21 Q Does article 83 require the State of New
22 Hampshire to provide local school districts
23 with sufficient funding to provide an adequate

Page 173

1 education?
2 A So I am not a legislator nor am I judge or
3 magistrate who would make that type of
4 adjudication with respect to the incumbent
5 obligations as a result of this constitutional
6 article.
7 Q So you have no opinions as to whether the
8 Supreme Court correctly or incorrect decided
9 the Claremont and Londonderry decisions?
10 A I am not a judge. I am not adjudicating that
11 one way or the other.
12 Q Do you have any opinions?
13 A I believe that the fact that the case has been
14 adjudicated multiple times leads me as a
15 nonjudicial person to conclude that it is an
16 unsettled matter.
17 Q What is unsettled?
18 A The fact that they keep coming back, and there
19 is ongoing questions that arise.
20 Q What do you understand to be some of the
21 ongoing questions?
22 A Whether or not that decision was rightly
23 decided relative to the context of this

Page 174

1 constitutional article.
2 Q And --
3 A Beyond that, I'm beyond the scope of my
4 expertise to opine.
5 Q Are you aware of any time any judge, any
6 magistrate has determined that the state is
7 fulfilling its obligations under article 83?
8 A I am not aware of that.
9 Q I am going to ask you to turn back to Exhibit
10 16, and in particular, look at pages 44 to 45
11 which are entitled work group findings.
12 A I was waiting for a question.
13 Did you want me to familiarize
14 myself with it?
15 Q If you would?
16 A Is there a question?
17 Q I want you to tell me if there is anything in
18 these nine paragraphs on page 44 to 45 with
19 which you disagree?
20 A So there are many aspects of this which I
21 simply can't determine if I agree or disagree
22 because they reference additional detail.
23 If I were to give you an example of

Page 175

1 that, like the New Hampshire average student
2 outcomes are in the top ten percent of all
3 states, but then it states "as noted in the
4 AIR report, the highest property districts
5 measured by rates of free and reduced price
6 lunch program eligibility in New Hampshire
7 spent less money per student on average than
8 more affluent districts."
9 So it is a fact. I can go verify
10 that. I don't have that knowledge with me to
11 be able to agree or disagree. It is not that
12 I'm disagreeing. I am saying there is -- much
13 of the content here is information that I
14 can't tell you if I either agree or disagree
15 to it.
16 I can give you other examples if
17 that would be helpful.
18 Q It says "as noted in the AIR report," have you
19 ever reviewed the AIR report?
20 A Is that a component of this document?
21 Q It is referenced multiple times in this
22 document. The AIR report was funded by the
23 legislature in order to provide the

Page 176

1 legislative study commission with expert
2 analysis.
3 A I may have looked at that. I have no
4 recollection of when this first came out. As
5 I told you, I familiarized myself with it at
6 that time.
7 Q Skip to paragraph 4 there, is there anything
8 in paragraph 4 with which you disagree?
9 A So there is the statement there that I can't
10 say whether it is true or not true, the very
11 first sentence, "The current school funding
12 formula, including differentiated aid, and
13 current distribution processes, are unable to
14 address the goal of allocating funds in a way
15 that addresses variations in student needs,
16 as well as variations in local capacity to
17 raise revenue to pay for schools."
18 That is a statement that, again,
19 without a sufficient amount of data, that I am
20 not able to agree or disagree with that
21 statement.
22 Q You are not able to have an opinion one way or
23 the other whether that is an accurate

Page 177

1 statement or inaccurate statement?
2 A Correct. One would need to look at the
3 underlying data to understand that.
4 Q What about the rest, are you able to say one
5 way or the other?
6 A The rest of this paragraph?
7 Q The rest of paragraph number 4?
8 A So then again, I would need to understand the
9 underlying mathematics that was used to
10 generate these differentiated weight factors.
11 I am not familiar with those. I can't say
12 either say they are correct or incorrect.
13 Q Is it fair to say you don't have any opinions
14 as to whether they are correct or incorrect?
15 A Correct. I don't know if they are correct or
16 incorrect without looking at the underlying
17 data.
18 Q Do you expect to be providing any expert
19 testimony at the trial of this matter?
20 A I am not aware of that.
21 MR. GAGNON: I would state for the
22 record, trial decisions are still in the
23 process of being made. Expert disclosures are

Page 178

1 expected from the defendants -- I believe
 2 October 10th is the scheduled due date for
 3 that. Decisions will be disclosed on that
 4 date.
 5 MR. TIERNEY: Does counsel
 6 anticipate the commissioner as an expert
 7 witness?
 8 MR. GAGNON: At this date, no.
 9 Q As part of your job duties as commissioner of
 10 the Department of Education, it is your
 11 responsibility to administer the Education
 12 Trust Fund, correct?
 13 A I don't believe that is one of my enumerated
 14 funds. It certainly is one of the activities
 15 I am responsible for. You need to make
 16 reference to RSA 21-N.
 17 (an off-the-record discussion was had.)
 18 Q (By MR. TIERNEY) What are your duties as
 19 commissioner of the Department of Education?
 20 A My duties are enumerated in RSA 21-N.
 21 Q Sitting here today, what is your understanding
 22 of your responsibilities?
 23 A To oversee the full scope and operations of

Page 179

1 the Department of Education.
 2 Q And does that include the financial operations
 3 of the Department of Education?
 4 A It does.
 5 Q And does that include the Education Trust
 6 Fund?
 7 A It does.
 8 Q And the Education Trust Fund is funds that are
 9 set aside just for education, correct?
 10 A So in fact, it is not an actual trust. So for
 11 clarification, it is funds that are set aside
 12 in a separate account at the state level.
 13 Q Fair enough.
 14 Statutorily, those funds can't be
 15 used to repair roads?
 16 A Those funds can be used for anything that the
 17 statute enables them to be used for.
 18 Q Which are all educationally related, correct?
 19 A Yes, at this point in time.
 20 Q And if the Education Trust Fund, which I
 21 understand is not a trust fund, but if the
 22 Education Trust Fund didn't have sufficient
 23 funds in order to provide enough funds for a

Page 180

1 constitutionally adequate education, the
 2 statutes provide that a warrant is to be
 3 issued to use general funds, correct?
 4 A My understanding is that the governor has
 5 authority to draw a warrant if additional
 6 funds are needed to meet the statutory
 7 obligations that are to be disbursed out of
 8 the Education Trust Fund.
 9 Q You just said, the statutory obligations.
 10 Do the statutory obligations differ
 11 from the constitutional obligations?
 12 A Well, the statutory obligations are the ones
 13 that enumerate how the agency implements the
 14 law in terms of the disbursements out of that
 15 account. We referenced earlier RSA 193-E:2-a
 16 as an example.
 17 Q Is the state's constitution obligations
 18 different than its statutory obligations?
 19 A Only to the extent that there is a statute
 20 that is nonconstitutional.
 21 Q RSA 198:40-a, is that constitutional?
 22 A So I am not a jurist to be able to make that
 23 determination. I operate as an agency under

Page 181

1 the presumption it is constitutional and
 2 executed accordingly.
 3 Q As the commissioner of the Department of
 4 Education, responsible for the department of
 5 290 people, and speaking in your official
 6 capacity of the commissioner on behalf of the
 7 entire department, are the funds provided by
 8 RSA 198:40-a sufficient to provide a
 9 constitutionally adequate education in all the
 10 schools in the State of New Hampshire?
 11 A That is a determination that the legislature
 12 makes in terms of determining the amount of
 13 funds that will be provided to fund a
 14 constitutionally adequate education pursuant
 15 to how they define that and how they have
 16 funded that.
 17 Q Is there a reason why you don't want to answer
 18 this question?
 19 A I believe I am answering it.
 20 My responsibility as an agency is to
 21 follow the law and disburse the funds that the
 22 legislature has authorized. I am not a member
 23 of the legislature and therefore, don't have a

Page 182

1 vote in terms of what should or shouldn't be
 2 included in that.
 3 So I execute my responsibilities
 4 under 21-N to the best of my abilities, and
 5 those don't include trying to do something
 6 that would be beyond the scope of the
 7 statutes.
 8 Q Do you have an obligation to follow the New
 9 Hampshire constitution?
 10 A I believe I do.
 11 Q And if the constitution and the statutes
 12 differ, which one do you have to follow?
 13 A So I would follow the constitution and the
 14 statutes as enacted by the legislature under
 15 the presumption that those are constitutional
 16 until through some process of judicial review
 17 the law is determined to be nonconstitutional
 18 and somehow changed, and then I would follow
 19 that changed statute.
 20 Q I am confused by what you just said.
 21 A I am sorry.
 22 Q Are your constitutional obligations greater
 23 than your statutory obligations?

Page 183

1 MR. GAGNON: Objection. Asked and
 2 answered. You can answer.
 3 THE WITNESS: So my constitutional
 4 and my responsibility to implement the laws
 5 have coherence, one with another, and as I
 6 stated previously, my presumption is that the
 7 statutes that are passed by the legislature
 8 are constitutionally valid, and so I operate
 9 the agency and execute my responsibilities
 10 under 21-N under the assumption that the laws
 11 that I am implementing on behalf of the agency
 12 are constitutional until such time as they are
 13 deemed not constitutional, at which point in
 14 time I would no longer implement them if they
 15 were determined not to be constitutional.
 16 I am not, in my responsibility, in
 17 21-N, given the responsibility of adjudicating
 18 whether or not a particular statute is
 19 constitutional or not constitutional.
 20 Q So let me make sure I am understanding you
 21 correctly.
 22 You believe that you as the
 23 commissioner of Department of Education have

Page 184

1 no responsibility to determine whether the
 2 educational funding statutes are
 3 constitutional?
 4 A That is not what I said.
 5 What I said is that as the education
 6 commissioner, I execute my responsibilities
 7 under 21-N, and in the execution of those
 8 responsibilities, there is coherence between
 9 my constitutional obligation and an oath that
 10 I take relative to that, and the laws that are
 11 passed by the legislature, and the way that we
 12 function, the way that I operate the agency is
 13 with the presumption that laws that are passed
 14 by the legislature are constitutional, and
 15 therefore, we administer those laws until such
 16 time as they are somehow deemed
 17 nonconstitutional.
 18 Q You keep saying that you defer to the
 19 legislature, which has me very confused when
 20 the legislature passed HB 242, you told the
 21 governor you didn't want it passed because you
 22 thought it would cost too much money, didn't
 23 you?

Page 185

1 A I don't have any recollection of that.
 2 Q You don't have any recollection of your
 3 conversations with the governor about HB 242?
 4 A None that I recall.
 5 Q What other times in your five years as
 6 commissioner of the Department of Education
 7 have you asked the governor to veto bills
 8 passed by the legislature?
 9 A Oftentimes in my role as the education
 10 commissioner, I receive questions from
 11 legislators as well as from the executive
 12 branch about what we think should be done to
 13 particular legislation. That is not an
 14 infrequent occurrence.
 15 Q What other times has the governor vetoed an
 16 education funding bill or an education bill of
 17 any sort based on his conversations with the
 18 department commissioner, with yourself?
 19 A So I have no knowledge as to what the governor
 20 considers when he is determining whether or
 21 not he is going to veto a bill. So any
 22 conversation that I may have with the governor
 23 or the governor's staff is that I respond to

Page 186

1 and answer their questions that they propose
 2 to me. Whether or not that information is
 3 factored into a decision that they may make
 4 relative to a bill, I am not privy to that.
 5 Q How often do you speak to the governor?
 6 A Not that frequently.
 7 Q Over the course of the year, how many times?
 8 A I don't know the answer to that.
 9 Q Ten, 50?
 10 A Maybe.
 11 Q 50 or 10?
 12 A Somewhere in-between there. It would depend.
 13 If we are in the middle of a pandemic, it may
 14 be more frequent. If we are not in the middle
 15 of a pandemic, it may be different. It is a
 16 little difficult to adjudicate that, given the
 17 recent history.
 18 Q You don't adjudicate anything?
 19 A Relative to what?
 20 Q I think you testified earlier you are not
 21 qualified to adjudicate?
 22 A I am not sure what the question is. You have
 23 to repeat the question.

Page 187

1 Q You said you can't adjudicate whether the
 2 statutes that you are authorized and you are
 3 responsible for administering are
 4 constitutional?
 5 A What I said was that as an agency, we
 6 administer the statutes with the assumption
 7 that the legislature has passed
 8 constitutionally valid laws, and we administer
 9 them until such time as they are adjudicated
 10 by an appropriate body to determine whether or
 11 not they are no longer constitutionally valid,
 12 in which case we would change our
 13 administration.
 14 When you make the statement, I am
 15 not able to adjudicate anything, I agree with
 16 Lawrence that I would have adjudicated that it
 17 was warm in here prior to the air-conditioning
 18 going on. I am able to adjudicate. I am
 19 trying to be very clear in terms of the types
 20 of things that are within the scope of
 21 responsibilities.
 22 Q You are not able to adjudicate what it would
 23 cost to provide an adequate education?

Page 188

1 A No, what I am saying, there is a constitution
 2 and there is a law, and we operate at the
 3 agency under the assumption that the laws that
 4 are passed by the legislature are
 5 constitutionally valid until such time as they
 6 are appropriately deemed not valid.
 7 So it is not within the scope of my
 8 responsibility to adjudicate when the
 9 legislature passes a law whether it is
 10 constitutional or not constitutional, and we
 11 administer the laws that are passed by the
 12 legislature.
 13 Q When HB 242 was passed, did you determine
 14 whether it was constitutional or
 15 unconstitutional?
 16 MR. GAGNON: Objection.
 17 THE WITNESS: My responsibility is
 18 not to determine whether or not the particular
 19 law that is passed by legislature is
 20 constitutional or not constitutional, but it
 21 is to administer the laws passed by the
 22 legislature under the assumption that they are
 23 constitutional until they are otherwise

Page 189

1 demonstrated not to be constitutional, and
 2 therefore, invalid for me to administer.
 3 Q If the legislature passed a law,
 4 hypothetically, that said New Hampshire state
 5 funds should only go to white students, would
 6 you presume that that is constitutional and
 7 administer that law as written?
 8 MR. GAGNON: Objection. We are
 9 getting into harassment territory, Counsel.
 10 You can answer.
 11 THE WITNESS: So what I would do if
 12 you recollect what I basically said is that we
 13 will administer the laws as if they are
 14 constitutional.
 15 The example that you have provided
 16 is what I would characterize as an absurd
 17 example, because it would be in violation of
 18 other statutes in the state.
 19 So my presumption in operation of
 20 the agency is that the law on its face upon
 21 passage would, through the appropriate
 22 adjudication processes, be determined to not
 23 to be constitutional because it potentially

Page 190

1 violates other statutes, both state and
 2 federal.
 3 It is difficult to respond to a
 4 caricature-type scenario, because we don't
 5 have a caricature-type scenario that I have
 6 had to deal with in my time as a commissioner.
 7 Q What is it about the \$3,786 provided in
 8 adequacy funding that is not laughable when
 9 you are providing much more funding to charter
 10 schools?
 11 MR. GAGNON: Objection. Form. You
 12 can answer.
 13 THE WITNESS: With all due respect,
 14 you have now provided a caricature of
 15 discriminatory laws that are being passed as
 16 opposed to mechanisms of operating the agency,
 17 which is my responsibility to pay to the
 18 districts the amount that has been determined
 19 by the legislature.
 20 I don't have statutory authority in
 21 my 21-N statutory authority to be able to draw
 22 funds for any amount that I choose whether I
 23 believe it's constitutional or not. I have to

Page 191

1 follow the law.
 2 If I were in a circumstance where I
 3 believe that the amount of adequacy funding
 4 was too high, I can't reduce it. If I think
 5 it is too low, I can't increase it. My only
 6 ability is to pay within law, the amount that
 7 they enable me to pay, and I believe that if I
 8 tried to draw funding beyond that, that the
 9 treasurer might question whether or not they
 10 would be able to allow me to do that because
 11 it would be outside the scope of my authority.
 12 Q For the fiscal year that ended June 30, 2019,
 13 what was the surplus in the Education Trust
 14 Fund?
 15 A I don't know the answer to that.
 16 Q I am going to ask you to look at Exhibit 13,
 17 and these are the State's discovery responses
 18 in this case, correct?
 19 A These represent the defendants' responses and
 20 objections to petitioners' first
 21 interrogatories and request for production of
 22 documents to defendants.
 23 Q And what did you do in order to answer these

Page 192

1 questions?
 2 A These are specific questions because there may
 3 have been different strategies to get
 4 information to be responsive, depending on the
 5 nature of the questions.
 6 Q Did you personally do anything to provide
 7 responses to any of these questions?
 8 A So I would have been involved in overseeing
 9 the gathering of data associated with the
 10 response to these questions.
 11 Q And answering the questions, you would have
 12 been responsible for overseeing the answers to
 13 these questions?
 14 A Along with counsel, and the other individuals
 15 in the agency who may have been working on
 16 these. And maybe not even all of them from
 17 myself personally.
 18 Q Did you review any of your own documents prior
 19 to producing documents responsive to these
 20 requests?
 21 A I don't recall that I did.
 22 Q Is there a reason why you didn't?
 23 A Because someone else would have prepared that

Page 193

1 for me.
 2 Q If you could turn to question 26, does that
 3 refresh your recollection as to the surplus in
 4 the Education Trust Fund at the end of June
 5 2019?
 6 A Let me just read this.
 7 Can you repeat the question?
 8 Q What was the surplus of the Education Trust
 9 Fund at the end of 2019?
 10 A I don't know the answer to that.
 11 Q What was the surplus of the state general fund
 12 in 2019?
 13 A Thank you. So this interrogatory states that
 14 the -- it is unclear what you mean by the term
 15 surplus.
 16 Q So in the complaint, the plaintiffs allege the
 17 state's general fund had a surplus at the end
 18 of the 2019 fiscal year in excess of 20
 19 million dollars, and you denied that, and we
 20 asked you why the state lacks knowledge or
 21 information sufficient to form a belief as to
 22 the truth of that statement.
 23 And your answer said that "upon

Page 194

1 further investigation, the defendants have
 2 learned," defendants includes you, "that for
 3 the fiscal year ending June 30, 2019, the
 4 general fund had a total balance of
 5 \$307,807,000."
 6 Am I reading that incorrectly?
 7 A No, that's correct.
 8 Q Do you think the general fund had a surplus of
 9 a different amount?
 10 A If I continue on to read, it says, "Of that
 11 \$307,800,000 approximately \$115,300,000 was
 12 reserved for the rainy day account, leaving an
 13 undesignated fund balance of \$192,500,000."
 14 So I think what we are trying to
 15 understand is what do you mean by surplus, and
 16 we are trying to answer the question without
 17 clarity in terms of what your intention was
 18 when you asked us for surplus information.
 19 Q What is the rainy day account?
 20 A So that question would be best answered by the
 21 controller of the State of New Hampshire, but
 22 it is an account in which funds are set aside
 23 and designated for anticipated future events.

Page 195

1 Q What anticipated future events?
 2 A I don't know. That would be determined by the
 3 legislature. They are the ones who put the
 4 funds in there.
 5 Q Help me understand this.
 6 How does the legislature put the
 7 funds in the rainy day account?
 8 A Again, I think that is a question best
 9 answered by the controller. The Department of
 10 Education doesn't have responsibility for
 11 putting funds into a rainy day account. That
 12 is work that is done by the controller and the
 13 legislature.
 14 Q But these are your answers?
 15 A Correct.
 16 Q And this is your deposition?
 17 A Yes.
 18 Q So what is your understanding of how 115
 19 million dollars gets moved at the end of the
 20 year into a rainy day account?
 21 Is that something the
 22 legislature --
 23 A I will speculate and tell you that my

Page 196

1 understanding, in the speculative basis, would
 2 be that the legislature may anticipate that
 3 some future event would result in a need for
 4 funds to be used. That could be something
 5 such as an economic downturn. It could be
 6 something such as an increase in energy rates
 7 resulting in a need for some type of relief
 8 program to the citizens of New Hampshire. So
 9 they may set that aside for that purpose.
 10 Once they make the determination to
 11 set that aside, then I imagine it is the
 12 controller, again speculating, the controller
 13 and the treasurer, probably working together,
 14 speculating, to set those funds aside in some
 15 type of an account.
 16 Q How does that differ than an undesignated fund
 17 balance of \$192,500,000?
 18 A As I described, the reserve for the rainy day
 19 account is something that is set aside with
 20 the anticipation of something that may go
 21 forward as opposed to an undesignated fund
 22 balance.
 23 Again, I am speculating, would be

Page 197

1 akin to working capital for a particular fund
 2 or particular business, right? So the state
 3 needs to make payroll every period. You need
 4 to have a certain amount of working capital in
 5 order to meet the payroll to balance the
 6 revenue receipts and the expenses that might
 7 be disbursed.
 8 Q Seeing this undesignated fund balance, did you
 9 request of the governor that an increased
 10 amount go to education funding?
 11 A I did not.
 12 Q Why not?
 13 A Because I am not the controller for the state.
 14 I am uncertain as to what the working capital
 15 requirements for the state might or might not
 16 be. I wouldn't know if the full \$192,500,000
 17 is required for simply sustaining the
 18 operations of the state and the working
 19 capital needs of the state, and so that would
 20 be outside of the scope of my ability to make
 21 that determination.
 22 Q The agency request as in the Department of
 23 Education's request for the budget was a total

Page 198

1 of 1.6 billion, correct?

2 A I don't have any knowledge. I don't know the

3 answer to that.

4 The exhibit that you showed me

5 previously had a different number. The

6 Exhibit 1 that you provided to me previously,

7 the agency request was 1.5 billion.

8 Q Do you know roughly how many pupils there are

9 in traditional public schools in the State of

10 New Hampshire?

11 A I believe there is 160 to 165,000.

12 Q If you were to take 1.5 billion and spread it

13 out equally between the 160,000 public school

14 students, what would that come out to?

15 A I don't know. I would have to use a

16 calculator to do that math.

17 Q Would it be more than \$9,000 per pupil?

18 A You want to just do the math?

19 Q Please.

20 A Please repeat the math that you would like me

21 to do.

22 Q If you took the 1.5 billion and divided it by

23 160,000 students?

Page 199

1 A Okay.

2 Q What would it come out to on a per pupil

3 business?

4 A I believe it is 9,375.

5 Q Is that what you asked to be included in the

6 budget as an equal distribution?

7 A As I previously said, my request to the

8 legislature in the budget process is what is

9 enumerated in the statute, 198 -- RSA 198,

10 yes, that is the request we put in there.

11 It does include a biannual budget

12 that goes over two years, so we do make

13 estimates of the number of students, the

14 number of pupils that we will have.

15 Q In that 1.5 billion, did you include funding

16 for Tutor.com?

17 A I did not.

18 Q Why not?

19 A That is a federally funded number.

20 Q Completely federally funded?

21 A It is.

22 Q Did you include in that 1.5 billion, 150

23 million in stabilization funds?

Page 200

1 A I would have to see my budget to see each of

2 the items that is in there to be included, and

3 even then, I may need to call in Tammy to

4 provide some support.

5 Q What are stabilization funds?

6 A Stabilization grants are another funding

7 program that the legislature has authorized

8 for us to provide funding on an enumerated

9 formula to specific school districts.

10 Q How does the formula operate?

11 A So I am not completely familiar with the

12 formula. I know it goes to some of the

13 districts and not other of the districts.

14 Q The formula is based on the number of pupils

15 in a particular district in 2012, correct?

16 MR. GAGNON: Objection. Asked and

17 answered. You may answer.

18 THE WITNESS: I am not completely

19 familiar with how that was derived.

20 Q Is stabilization grants based on students who

21 are being educated in 2023, or is it based on

22 some earlier number?

23 MR. GAGNON: Objection to form. You

Page 201

1 can answer.

2 THE WITNESS: I don't know the

3 answer to that.

4 Q Are there other spending items of over 100

5 million dollars that you don't know how it is

6 derived?

7 A There are allocation formulas for some of our

8 title programs, which are federally funded.

9 And I know principally how those work. Not

10 specifics of those calculations for those

11 pass-through funds.

12 Q How many contracts for outside vendors

13 have you asked the Executive Council to

14 approve in the last two years?

15 A I don't know the answer to that.

16 Q 100, 200?

17 A More than that probably.

18 Q More than 200?

19 A I am speculating, but yes.

20 Q More than 500?

21 A I don't think so.

22 Q And of these 200 contracts, approximately, I

23 understand we are approximating but of the

Page 202

1 approximately 200 contracts, are they all of
 2 better use of taxpayer dollars than base
 3 adequacy?
 4 A So those contracts that we enter into are
 5 contracts that allow the department to execute
 6 its statutory obligations, and so essentially
 7 just going back to the previous question, in
 8 executing my responsibilities under 21-N, I
 9 use certain contracts in order to be able to
 10 meet my implementation requirements and my
 11 management requirements for the agency.
 12 Q Are there any contracts that you believe, it's
 13 your opinion, that the money would have been
 14 better spent educating children instead of
 15 having whatever the contracts do?
 16 MR. GAGNON: Objection to form.
 17 THE WITNESS: You have to enumerate
 18 a specific contract. I can't recollect a
 19 specific contract that I think would fit in
 20 that category. It doesn't mean there is not
 21 one.
 22 Q You are not aware of any contract that you
 23 wish had gone to educating the children

Page 203

1 instead of to the contract.
 2 A What I would say, is that many of the
 3 contracts that are executed by the department
 4 go to educating students. You pointed out one
 5 of those contracts, the contract with
 6 Tutor.com that educates students. You pointed
 7 out the contract with Prenda.com, which
 8 educates students.
 9 So I am not aware of a contract
 10 among the 200 plus that is not educating
 11 students that somehow we believe it should be
 12 spent in a different way.
 13 (Whereupon, the court reporter
 14 marked Exhibit Number 18, Contract with
 15 Community and School Partners, for
 16 Identification.)
 17 Q Looking at what has been marked as Exhibit
 18 Number 18, this is a 4.1 million dollar
 19 contract to Community and School Partners,
 20 LLC?
 21 Can you explain to me how this
 22 educates children?
 23 A Let me read the contract.

Page 204

1 MR. GAGNON: Do you intend to
 2 provide the commissioner with a copy of the
 3 actual contract?
 4 MR. TIERNEY: I believe he has a
 5 copy. For the purposes of my question, that
 6 is the letter.
 7 THE WITNESS: I don't have the
 8 contract. I can get it. It is on the public
 9 website.
 10 If you can repeat the question, I
 11 will answer based on the letter.
 12 Q How does this 4.1 million dollar contract
 13 educate children?
 14 A Based upon the letter, not the contract that I
 15 have, I would say that the work that is done
 16 through this process is that we were seeking
 17 an individual or organization, to maintain,
 18 update proprietary data collection systems.
 19 So we have a variety of reporting
 20 obligations to both the state as well as to
 21 the federal government. Part of those
 22 reporting requirements, particularly to the
 23 federal government, enable us to access

Page 205

1 federal funding for a variety of programs that
 2 directly pass through to the students.
 3 So those data collection systems are
 4 needed in order to meet the federal reporting
 5 obligations, to be able to access federal
 6 programming, including the initiative for
 7 school empowerment and excellence. I am not
 8 familiar with that program specifically.
 9 A data division that collects
 10 student level data, an education survey
 11 system, which is a data collection system.
 12 The common database which is where we maintain
 13 our data for our students so when we need to
 14 make application to the Feds or have to
 15 provide information to the legislature so they
 16 can make determinations about the education
 17 system. These are data sets that allow that
 18 to happen and directly benefits the students
 19 because as we make those applications, as we
 20 make those cases for the student population
 21 that we are trying to serve, that allows them
 22 to, in many cases, pass through direct funds
 23 to the individual that will ultimately pass

Page 206

1 through to support individual students.
 2 So that is how it is. These are
 3 the -- this is a contract to support the data
 4 infrastructure that we use in order to
 5 administer the system of education, and
 6 administering the system of education well
 7 allows us to access various programming for
 8 our state, which then passes through to our
 9 students.
 10 Q What does it take to administer the Education
 11 Trust Fund?
 12 A I am not sure I understand the question.
 13 Q I think you testified throughout the day that
 14 there is a statute that says that each school
 15 district gets X dollars for however many
 16 pupils it has, and it has three or four
 17 differentials in addition to base adequacy,
 18 maybe five differentials in addition to base
 19 adequacy.
 20 Is that a complicated process to
 21 administer that?
 22 A It is complicated, and as well, it's one of a
 23 number of programs funded through the

Page 207

1 Educational Trust Fund, including, for
 2 example, building aid, special education aid,
 3 and some other programs that are funded or
 4 administered out of the Education Trust Fund,
 5 and so all of those combined, they require a
 6 degree of complexity.
 7 Q Help me to understand what this company is
 8 doing to do Education Trust Fund
 9 administration?
 10 A So the Education Trust Fund administration
 11 relies on the data systems that support that
 12 information. So school districts like Conval
 13 report information to the agency. The agency
 14 stores that information along with the
 15 information from Conval with the information
 16 from all of the other districts in order to be
 17 able to aggregate that information, to provide
 18 information in a variety of ways, including to
 19 the legislature, who may be responsive in
 20 designing a new program for the schools, or
 21 providing that information to the federal
 22 government who may be providing us funds for
 23 various programs that the federal government

Page 208

1 has, including many of our title programs.
 2 Q Why does this need to be an outside contractor
 3 instead of the staff that works for the
 4 Department of Education?
 5 A That is a great question. It has been very
 6 difficult to recruit individuals, particularly
 7 in the IT realm, in the State of New
 8 Hampshire. Part of that reason is just that
 9 the data systems we are supporting here are
 10 somewhat antiquated. It is hard to find
 11 vendors that have the skills and the
 12 capability to actually work on them.
 13 Q There is a reference in this letter to
 14 proprietary systems.
 15 What does that mean?
 16 A A proprietary system references something not
 17 off-the-shelf software but something that was
 18 built by the state.
 19 Q And the Community and School Partners, LLC, do
 20 you know how many people that company employs?
 21 A I don't.
 22 Q Do you know who the owner of that company is?
 23 A I believe it is Mike Schwartz.

Page 209

1 Q Are you aware of other contracts that the
 2 Department of Education has entered into with
 3 one of Mr. Schwartz' other companies?
 4 A I am.
 5 Q How many, approximately?
 6 A I don't know the answer to that.
 7 Q Have you personally had any financial dealings
 8 with Mr. Schwartz?
 9 A I have not.
 10 Q And do you know how long the Department of
 11 Education has been having contracts with
 12 Mr. Schwartz?
 13 A I do know it predated myself.
 14 Q What is an Extraordinary Need Grant?
 15 A So this, I believe, is a new grant that the
 16 legislature developed, and I don't know if it
 17 was in the last legislative session or the one
 18 before that, to provide support to the school
 19 districts.
 20 Q What type of support?
 21 A Financial support.
 22 Q For what purpose?
 23 A To support the school districts that were

Page 210

1 having -- I am not sure what the motivation
 2 was for the legislature to have done it, but
 3 to support the school districts, and the title
 4 itself determines extraordinary needs. I
 5 assume it is designed to help schools that
 6 have extraordinary needs.
 7 Q My question is, are these needs for the needs
 8 of providing adequate education or are these
 9 needs for providing extracurriculars or
 10 additional noncore educational needs?
 11 MR. GAGNON: Objection to form.
 12 THE WITNESS: I don't know the
 13 answer to that.
 14 Q You don't know.
 15 I think you stated earlier that as
 16 commissioner, you were the manager of the 290
 17 or so employees of the Department of
 18 Education, correct?
 19 A Correct.
 20 Q Do school districts need managers as well?
 21 A I imagine that would depend on the school
 22 district and the determination made by the
 23 elected board, the school district's board who

Page 211

1 would determine how that would be managed.
 2 Q State law requires that superintendent
 3 services be provided, correct?
 4 A I believe so.
 5 Q And a public school is required to have both
 6 superintendent services as well as a certified
 7 business administrator, correct?
 8 A I would have to reference the statute on that
 9 to make sure.
 10 Q Would you agree with me that larger school
 11 districts need more administrators to comply
 12 with the management and the reporting and
 13 everything that needs to be done by the
 14 superintendent and the business administrator?
 15 A It would be fact-dependent depending on how
 16 that particular school district was organized,
 17 the types of systems they had available to
 18 manage their organization. In fact, some of
 19 the larger districts may find they have
 20 economies of scale because of the larger
 21 number.
 22 Q Would it be fair to say that you would need at
 23 least one administrator per 1,000 students?

Page 212

1 A I have no way of knowing that.
 2 Q Would it be fair to say that you need at least
 3 one administrator per 290 employees?
 4 A I have no way of knowing that. It would
 5 depend on the context and the setting in which
 6 you are asking that question.
 7 Q Do you believe that student/teacher ratios and
 8 maximum classroom size are the same thing?
 9 A I don't.
 10 Q Why not?
 11 A Because they are two different things.
 12 One is student/teacher ratio and one
 13 is a maximum classroom size. We do have some
 14 learning environments, and we talked about
 15 this previously in terms of integration where
 16 you may have two teachers who are team
 17 teaching, so you may find that you have an
 18 English arts teacher and social studies
 19 teacher team teaching students, and so that
 20 may be something that happens.
 21 Q And so you would have two teachers who are
 22 working together for the same group. That
 23 would lower the student/teacher ratio,

Page 213

1 correct?
 2 A It would depend how they configure that.
 3 Sometime those team teachers have two rooms.
 4 I have seen circumstances where they are in
 5 adjacent rooms. So the students are switching
 6 and the teachers are staying there. I have
 7 seen circumstances where they team teach
 8 together in the same room in front of the same
 9 cohort of students.
 10 Q Would the size of a school district affect the
 11 efficiency of the school district?
 12 A It really depends how they configure the
 13 instructional environment.
 14 Q If they were to configure the instructional
 15 environment to be the minimums required by Ed
 16 306?
 17 A That is not what I mean by how they structure
 18 the structural environment. When I talk about
 19 structuring the structural environment, what I
 20 am talking about is how they go about
 21 delivering that instruction.
 22 The extent to which they provide
 23 stand and deliver type of instruction. The

Page 214

1 extent to which they may use project-based
 2 learning, the extent to which they may
 3 implement initiatives that would require a
 4 higher degree of student agency in the
 5 learning. Particularly when you find yourself
 6 at the secondary level.
 7 So there are a lot of different
 8 variables that go into them.
 9 Q Do you believe the size of the district has
 10 any effect on the cost of providing an
 11 adequate education?
 12 A I think it would be dependent upon how that
 13 district was governed and structured and the
 14 support systems that they have in place.
 15 Q Would you agree that a school district that
 16 can limit the enrollment can be run more
 17 efficiently, financially more efficiently than
 18 a school district that can't put any limits on
 19 its enrollment?
 20 A I would not agree with that. It would be fact
 21 dependent how that school district was
 22 governed and configured.
 23 Q Looking at Exhibit Number 12, I am going to

Page 215

1 ask you to turn to Exhibit A to Exhibit 12.
 2 And I will represent to you that Exhibit A is
 3 a copy of appendix A from the final report and
 4 findings of the Joint Legislative Oversight
 5 Committee pursuant to 2007 laws, Chapter 270.
 6 Have you seen this document before?
 7 A I have not.
 8 Q Never having seen this document before, is it
 9 fair to say you have no opinions as to whether
 10 this document accurately computes the cost of
 11 an adequate education?
 12 A Never having seen this document before, if you
 13 want me to familiarize myself with it.
 14 Q Why don't you take a minute to look through
 15 those three pages.
 16 Having taken a minute to review
 17 Exhibit A, does that refresh your recollection
 18 of ever having seen that document before?
 19 A I still have no recollection of having seen
 20 this.
 21 Q Am I correct in understanding from your
 22 testimony earlier that you are unable to
 23 determine what the cost components of an

Page 216

1 adequate education are?
 2 A My testimony previously said that is not a
 3 responsibility that the agency has, that the
 4 determination of an adequate education is a
 5 determination that is made by the legislature.
 6 Q Are you able to make that determination? Are
 7 you able to determine what the cost components
 8 of an adequate education are?
 9 A I have not been asked to do that.
 10 Q Are you able to make a determination of what
 11 the cost components of an adequate education
 12 are?
 13 A I don't know the answer to that. Not having
 14 tried to do that exercise, if I were to try to
 15 do it, I may find that there is information
 16 that is unknowable and therefore, not possible
 17 for me to come up with that answer.
 18 Q Are you anticipating testifying at trial as to
 19 what the cost components of an adequate
 20 education are?
 21 A I have no knowledge of that.
 22 Q Do you now or have you ever directly or
 23 indirectly invested in the Prenda Company?

Page 217

1 A I have not.
 2 Q Do you now or have you ever directly or
 3 indirectly invested in any entity that
 4 operates directly or indirectly any nonpublic
 5 or charter school presently operating in the
 6 State of New Hampshire?
 7 A I have not.
 8 Q Going back to the ongoing revisions --
 9 A Can I correct that?
 10 Q Please.
 11 A Can you repeat your question then?
 12 Q Do you now or have you ever directly or
 13 indirectly invested in any entity that
 14 operates directly or indirectly any nonpublic
 15 or charter school?
 16 A So nonpublic or chartered school, no.
 17 Q Any other kind of school?
 18 A So I do own bonds in the university system of
 19 New Hampshire.
 20 Q What role have you played in the ongoing
 21 revisions to Ed 306?
 22 A So initially, very little. The group proposed
 23 a draft to me several -- two months ago, I

Page 218

1 reviewed that revision, and I provided my
 2 markup back to that group. That group then
 3 took those markups and further marked up that
 4 document.
 5 Then they made a further proposal to
 6 include certain competency information in
 7 that, and then I worked with two members of
 8 that committee on those competencies to
 9 understand how they might be integrated into
 10 the document, and then that information was
 11 presented back to the committee, and I am not
 12 sure where it stands at this point.
 13 Q Can you give me the approximate dates of your
 14 markup?
 15 A I believe that this is activity that has
 16 happened over the last two or three months.
 17 Q Would your markup have been prior to or
 18 subsequent to the reaching higher release of a
 19 draft document?
 20 A Certainly prior to.
 21 Q Prior to.
 22 What professional educators are
 23 presently working on Ed 306 revisions?

Page 219

1 A So I don't know if I know the names of all of
 2 them, but there are representatives from the
 3 New Hampshire School Board Association, the
 4 New Hampshire School Superintendent
 5 Association, New Hampshire School Principal
 6 Association. I believe an organization called
 7 NHLI, and then there is a representative from
 8 a technology organization, and then I believe
 9 there are several other people, but I am not
 10 sure what their affiliations are.
 11 Q Did you appoint any of these task force
 12 members?
 13 A I did not.
 14 Q Did you recommend Dr. Bramante's group for the
 15 work?
 16 A I signed the contract for Mr. Bramante's group
 17 for the work.
 18 Q Who determined that it should be
 19 Mr. Bramante's group?
 20 A I believe internally in the agency, there was
 21 conversation about who might work on this
 22 project and who could be successful for it,
 23 and Mr. Bramante's organization seemed to be,

Page 220

1 as I described before, the reason why we did
 2 the sole source because of their experience
 3 with this particular document and in the State
 4 of New Hampshire.
 5 Q You say experience with this particular
 6 document, do you mean Ed 306?
 7 A Correct.
 8 Q And what experience did they have with Ed 306?
 9 A Fred Bramante was a representative of the
 10 state Board of Education both in the '90s, and
 11 through the 2000's. So he had experience with
 12 the role he played on the state Board of
 13 Education.
 14 Q Just to clarify, his role was when he was a
 15 state board member. There wasn't any role of
 16 his company prior to --
 17 A If there was, I am not aware of that. What I
 18 can say, that was his role in the state Board
 19 of Education process that was attractive to
 20 the agency.
 21 Q I think you spoke a little bit earlier about
 22 integrated education. I think that is the
 23 phrase that you used.

Page 221

1 Am I correct with integrated
 2 education?
 3 A That's correct.
 4 Q And does integrated education mean that you
 5 have multiple subject areas perhaps being
 6 taught together?
 7 A That may be an over simplification, but yes.
 8 Q And is it generally understood that integrated
 9 education is better education?
 10 A So I think that among the education community
 11 there are different opinions about that.
 12 Q In your opinion, is integrated education
 13 better or should it be strictly segregated
 14 between different subject areas?
 15 A I believe integrated education, which is, as I
 16 described previously, a more holistic
 17 approach, is more effective for students. It
 18 would also depend on each individual student,
 19 because different students access their
 20 education differently.
 21 Q If I am understanding your testimony
 22 correctly, one class may need more time in
 23 math, and one class may need more time in

Page 222

1 English, and schools should be teaching
2 students where they need the education,
3 correct?
4 A I am not sure I understand the question.
5 Q Should a school be spending X time on English,
6 Y time on math, Z time on science in order to
7 break it up, or should they be educating the
8 students so that they are able to master all
9 subject areas and be spending the necessary
10 time to get them to mastery?
11 MR. GAGNON: Objection as to form.
12 THE WITNESS: Can you repeat the
13 question? Sorry.
14 Q Is it better to be educating in an integrated
15 holistic format where you are meeting
16 students' needs in particular subject areas
17 depending on where they are at a given time,
18 or is it better to be having set times that
19 you are spending X amount of time on English,
20 Y amount of time on math, Z amount of time on
21 science and so forth?
22 MR. GAGNON: Objection to form.
23 THE WITNESS: There are different

Page 223

1 opinions among educators as to which is the
2 best approach to be able to do that.
3 Q What is your opinion?
4 A So as I have stated, I believe that integrated
5 education is an effective way to deliver
6 instruction for most students, recognizing
7 that some students are going to access their
8 instruction differently.
9 Q We talked awhile ago about Education Freedom
10 Accounts. My understanding of the statute is
11 that there is a 10 percent administrative fee
12 to the nonprofit that operates that, is that
13 your understanding?
14 A My understanding is that RSA 194-f allows the
15 scholarship organization that we are
16 statutorily allowed to contract with, to
17 charge an administrative fee up to 10 percent.
18 Q Do you know what administrative fee is being
19 charged by the scholarship organizations
20 currently operating?
21 A I believe in the first year of operation, it
22 was 10 percent.
23 Q Would a public school, a traditional public

Page 224

1 school, with a cost of 10 percent, be
2 appropriate in your opinion?
3 A I don't know. It would be facts and
4 circumstances dependent. You have to look at
5 the district, the methodology, the way they
6 deliver instruction. There would be many
7 factors.
8 Q The Department of Education requires financial
9 reporting and assessment reporting and
10 enrollment reporting and all sorts of reports
11 from traditional public schools, correct?
12 A I believe the statute has a variety of
13 reporting requirements both at the state level
14 as well as at the federal level.
15 Q Compared to the requirements imposed on the
16 EFA scholarship organization, are public
17 schools required to have more reports or fewer
18 reports?
19 A I would say those are not analogous
20 comparisons in terms of what is being
21 reported. There is a significant amount of
22 data that is reported by the scholarship
23 organization, but it was different types and

Page 225

1 nature of data than would be provided by a
2 public school.
3 Many of the reporting requirements
4 required by our public schools are as a result
5 of federal reporting requirements, and the
6 ability to access federal funds requires that
7 that reporting be complied with at the end of
8 the day.
9 Q Public chartered schools are required to
10 submit a DUE 25, correct?
11 A I believe so.
12 Q Is that information public information
13 available to any member of the public?
14 A I believe so.
15 Q Is there a reason why the Department of
16 Education doesn't provide that on its website
17 with all the information it provides about
18 traditional public schools?
19 A I don't know the answer to that.
20 MR. TIERNEY: Let's take a
21 five-minute break here. Off the record.
22 (an off-the-record discussion was had.)
23 Q (By MR. TIERNEY) Prior to agreeing to serve

Page 226

1 on the Ed 306 revision committee, did all of
2 the members of that committee agree they would
3 not financially benefit from the changes being
4 proposed?
5 A I don't know the answer to that.
6 Q Should they have?
7 A I would hope that they exercised prudent
8 decisions and are not in a situation to
9 benefit from them.
10 Q Would it be appropriate for the members of
11 this committee to then receive contracts from
12 the Department of Education implementing the
13 proposed changes?
14 A So we have not gotten to a place of whether or
15 not there would be a contract that would be
16 needed to implement the changes associated
17 with the contract. I can't speculate about
18 that.
19 Q You can't speculate whether it would be
20 appropriate for them to be receiving --
21 A I have no indication that there will be --
22 repeat the question.
23 Q Would it be appropriate for the members of

Page 227

1 this committee to financially benefit in the
2 way of contracts from the Department of
3 Education in the future, related to the
4 changes that are proposing now?
5 A I don't believe that would be appropriate.
6 Q Is there any school in the State of New
7 Hampshire providing a full-time education at
8 less than \$4,000 per pupil?
9 A Can you repeat the question?
10 Q Is there any school in the State of New
11 Hampshire providing a full-time education at
12 less than \$4,000 per pupil?
13 A I don't know the answer to that.
14 Q You are the commissioner of the Department of
15 Education?
16 A Correct.
17 Q And you can't identify any sitting here today?
18 A I don't know what the tuition rates are for
19 all of the schools, all 650 schools across the
20 State of New Hampshire.
21 Q You mentioned 650, does that include public
22 traditional, public charter, nonpublic
23 schools?

Page 228

1 A I believe it does, and it is an approximate
2 number.
3 Q Is there any public school providing a
4 full-time education at a cost of less than
5 \$4,000 per pupil?
6 A I am not aware of any.
7 Q And as commissioner of the Department of
8 Education, you would be aware if one existed,
9 correct?
10 A I would have the ability to look at a public
11 report that the department publishes that
12 indicates the cost per pupil per student. I
13 have not scanned it specifically with the
14 intent of determining what each district's
15 cost is and to determine if there are any that
16 are that low.
17 Q Subject to recalling you if you had --
18 A Subject to -- we are on the second subject?
19 Q I am just going to start over.
20 Recognizing that we would want to
21 call you back for another deposition if you
22 were disclosed as an expert in this matter, we
23 have no further questions at this time.

Page 229

1 A Thank you.
2 MR. GAGNON: Defendants would be
3 objecting to any future reopening of the
4 deposition, and I would ask that if there are
5 further questions, you ask them today.
6 Q Will you have any expert opinions that you
7 will be providing at trial in this matter?
8 A I am not aware of any.
9 MR. TIERNEY: Can you agree,
10 Counsel, he will not be called as an expert
11 witness or disclosed as an expert witness?
12 MR. GAGNON: Trial decisions are
13 still being made. Expert disclosures are due,
14 I believe, October 10. I expect all of those
15 disclosures will be made at that time.
16 MR. TIERNEY: Subject to the state's
17 expert disclosure, we will reserve the right
18 to ask for Mr. Edelblut, Commissioner
19 Edelblut, to give further deposition.
20 MR. GAGNON: The defendants would
21 object. So noted.
22 (TIME NOTED: 5:29 p.m.)
23

1 ERRATA SHEET AND CERTIFICATE OF WITNESS
 2 In accordance with the rules of procedure
 3 governing depositions, you are entitled to read and
 4 correct your deposition transcript. Please read
 5 your deposition, and on this errata sheet make any
 6 necessary corrections or changes, either in form or
 7 substance. Identify those corrections/changes by
 8 page and line number, stating the change and the
 9 reason. Please do not mark the actual transcript.
 10 (Make extra copies of this sheet if you need to
 11 indicate more changes or corrections than will fit
 12 on this one page.) When completed, date and sign
 13 the errata sheet and have your signature notarized.

14 I, LOUIS EDELBLUT, do hereby certify that I
 15 have read the foregoing transcript of my testimony,
 16 and further certify that it is a true and accurate
 17 record of my testimony given on September 30, 2022,
 18 (with the exception of the corrections listed
 19 below):

| 20 PAGE | 21 LINE | 22 CORRECTION AND REASON FOR CORRECTION |
|---------|---------|---|
| 23 | _____ | _____ |
| 24 | _____ | _____ |
| 25 | _____ | _____ |
| 26 | _____ | _____ |
| 27 | _____ | _____ |
| 28 | _____ | _____ |
| 29 | _____ | _____ |
| 30 | _____ | _____ |
| 31 | _____ | _____ |
| 32 | _____ | _____ |
| 33 | _____ | _____ |

34 _____
 35 LOUIS EDELBLUT

36 STATE OF _____
 37 COUNTY OF _____
 38 Subscribed and sworn to before me this _____
 39 day of _____, 20 _____.

40 Notary Public _____ J.P. _____
 41 My commission Expires: _____

CERTIFICATE

1 I, Rebecca Lynn Metea, a Licensed Court
 2 Reporter, in and for the State of New Hampshire, do
 3 hereby certify that the foregoing is a true and
 4 accurate transcript of my stenographic notes of the
 5 deposition of LOUIS EDELBLUT, who was first duly
 6 sworn, taken at the place and on the date
 7 hereinbefore set forth.

8 I further certify that I am neither counsel
 9 for nor related to or employed by any of the
 10 parties to the action in which this deposition was
 11 taken, and further that I am not a relative or
 12 employee of any attorney or counsel employed in
 13 this case, nor am I financially interested in this
 14 action.

15 _____
 16 Rebecca Lynn Metea
 17 Licensed Court Reporter
 18 Certificate Number 39

| | | | | |
|---|--|--|---|---|
| <p style="text-align: center;">A</p> <p>abilities 70:11 182:4 ability 14:18 59:1,3,8 59:15 66:18 70:16 92:23 117:7 191:6 197:20 225:6 228:10 able 26:18 28:3 33:1 43:8 50:5,18 52:14 66:20 75:20 88:6 96:14 99:12 100:19 102:22 103:6 104:2 111:1 150:22 151:17 151:19 152:4 162:23 169:2 170:6 175:11 176:20,22 177:4 180:22 187:15,18,22 190:21 191:10 202:9 205:5 207:17 216:6,7 216:10 222:8 223:2 absorb 50:23 absurd 189:16 academic 18:23 68:6 69:21 71:20 74:19 76:11,13,22 77:2,3 79:22 81:13,15,17 82:7 103:16,17 Academy 39:13,21 40:5,9,10,12,15,21 41:11,17 42:19 43:5 43:13,22 44:1 47:16 48:15,23 60:17 accelerate 98:14 accept 104:21,23 117:5 117:8 166:22 access 12:14 43:2,6 46:1,1 50:18 204:23 205:5 206:7 221:19 223:7 225:6 accessing 42:12 45:1,3 45:17 46:14,15 47:2 47:9,23 accommodation 50:9 account 13:7 107:4 108:12 109:7,14,17 109:21 110:3,21 111:3,4 179:12 180:15 194:12,19,22 195:7,11,20 196:15 196:19 accountability 21:5 144:23 145:1,2,8,20 151:22 154:3,4 accountable 19:10 accountant 7:12 Accounts 100:6 109:10 223:10 accuracy 26:6,9,11 165:15,17 accurate 11:5 22:23</p> | <p>26:3 28:3 53:9 79:4 176:23 230:9 231:6 accurately 215:10 achievement 18:23 acknowledges 119:20 119:22 acknowledging 120:16 act 14:18,19 64:22 65:3 action 14:9,21 15:3 231:12,16 actions 14:12,14 activities 85:14 94:5 102:13 152:2 178:14 activity 68:19 218:15 actual 9:15 23:8,10,11 75:11,14 76:21 79:21 82:7 108:8,16 179:10 204:3 230:5 add 27:12,15 50:14 64:3 65:9,19 68:14 68:14,15 110:13 added 28:15 65:22 66:15 148:6 adding 68:8 addition 206:17,18 additional 22:22 23:5 28:12 29:3 39:17,22 39:23 44:3,17 50:10 50:20 64:4 65:19,21 66:5,10,17,19,20 92:12,22 96:21 154:15 163:4 174:22 180:5 210:10 address 101:9 176:14 addressed 118:5 addresses 176:15 adequacy 84:3 139:13 139:16 162:12,15 190:8 191:3 202:3 206:17,19 adequate 12:5,14,17,22 13:21 14:4,10,16,23 15:6,8 30:23 31:10 31:12,16,17,22 32:5 32:8,15,16 33:6,12 33:15,18,22 34:8,21 35:12,15 36:2 37:18 55:1,5,9 56:11,14,18 56:19,21 57:2,4,8 58:17 59:4,9,16 61:1 61:5 64:22 65:10 67:2,23 68:19,21 69:7 70:4,19 72:14 78:20,23 79:5,9,16 80:6 83:19 99:15,22 100:11 102:20 103:3 103:7 121:20 122:4 134:5,18,22 135:14 135:20 136:9 137:18</p> | <p>138:7,15,20 139:22 143:23 144:21 145:6 145:18 147:12 148:21 158:6,10 159:11 160:1,5,6,8 160:11,12 161:10 162:9,19 172:23 180:1 181:9,14 187:23 210:8 214:11 215:11 216:1,4,8,11 216:19 adjacent 213:5 adjudicate 33:2 59:17 186:16,18,21 187:1 187:15,18,22 188:8 adjudicated 173:14 187:9,16 adjudicating 173:10 183:17 adjudication 161:19 173:4 189:22 ADMA 27:16 administer 12:15,18 92:13 178:11 184:15 187:6,8 188:11,21 189:2,7,13 206:5,10 206:21 administered 207:4 administering 46:12 187:3 206:6 administers 16:20 administrate 92:15 administration 12:1,11 134:21 187:13 207:9 207:10 administrative 35:17 37:1 92:9 223:11,17 223:18 administrator 211:7,14 211:23 212:3 administrators 211:11 adopted 4:9 36:18 123:5,10 151:3 153:5 153:13,14,19 158:4 160:20,22 adopting 161:14 adoption 153:17 159:19 adopts 159:8,15,16 adult 93:20 adults 12:9 advance 88:20 89:1,12 affect 67:22 158:5 213:10 affiliations 219:10 affirmatively 55:17 affluent 175:8 afford 108:21 afforded 108:17,19</p> | <p>agency 4:6 9:1,2,6,10 9:22 10:4,20 19:9,18 31:4,23 32:13 33:8 35:4,8 55:7 61:11 72:16,17 77:18 83:21 100:23 101:22 180:13,23 181:20 183:9,11 184:12 187:5 188:3 189:20 190:16 192:15 197:22 198:7 202:11 207:13,13 214:4 216:3 219:20 220:20 aggregate 207:17 ago 5:15 155:21 217:23 223:9 agree 24:1 29:19,21 34:2 35:14 36:22 37:8,10 49:9,18 80:19 81:2 82:1 89:16 95:4 109:1,4 126:9 174:21 175:11 175:14 176:20 187:15 211:10 214:15,20 226:2 229:9 agreeable 6:8 agreed 3:2,11 6:5 119:17 agreeing 225:23 agreement 1:11 4:17 111:10 112:5,22 115:21 117:18 119:1 119:6,9,10,15,17,19 119:20 120:2,5,11,13 agreements 112:11,15 112:18 115:16 117:13 120:10 ahead 126:20 127:2 132:9 133:11 aid 110:15 162:16 176:12 207:2,2 air 125:8 175:4,18,19 175:22 AIR's 164:6 air-conditioning 187:17 akin 197:1 AL 1:5,7 allegation 115:13 allege 193:16 alleged 113:14 allocated 90:12 allocating 176:14 allocation 89:2 201:7 allow 74:18 89:11 92:13 95:13 191:10 202:5 205:17 allowable 110:4,6</p> | <p>allowed 110:11 223:16 allowing 74:3 allows 49:21 104:15 119:18 205:21 206:7 223:14 alternative 45:2,15,18 124:17,19,20 amended 4:13 66:6 73:7 113:2,8 amending 159:9 amendment 27:12,14 96:18 amendments 65:7,9,20 66:23 amount 15:18 25:17,19 31:11,20,23 36:4 54:9,14 55:1,8,17,20 56:8,10,17,22 57:2,3 83:22 84:2 96:11 98:4,17 109:13,19 110:4,14,17 148:13 162:7,8 176:19 181:12 190:18,22 191:3,6 194:9 197:4 197:10 222:19,20,20 224:21 amounts 27:13 31:16 39:15 48:17 110:10 110:13 analogous 224:19 analogy 35:6 analysis 4:6,8 9:22 10:3 17:21 18:17 19:9,17 19:19 20:3,9,18 21:2 57:6,15 164:6 176:2 analytical 11:19 annotation 24:9 answer 24:21 29:6,18 30:17,19 31:5 40:23 54:19,21 55:14 58:19 62:9 85:19,21 94:18 107:12 108:9 110:8 112:17,21 113:20,21 114:6,13,14 117:2 137:19 139:23 151:4 152:8,12,22 169:17 181:17 183:2 186:1,8 189:10 190:12 191:15,23 193:10,23 194:16 198:3 200:17 201:1,3,15 204:11 209:6 210:13 216:13 216:17 225:19 226:5 227:13 answered 55:14 76:6 183:2 194:20 195:9 200:17 answering 6:14,20 130:10,11 181:19</p> |
|---|--|--|---|---|

| | | | | |
|---|---|---|--|---|
| <p>192:11 answers 5:23 76:21 192:12 195:14 anticipate 178:6 196:2 anticipated 97:8 99:3 194:23 195:1 anticipating 216:18 anticipation 196:20 antiquated 208:10 anyways 167:22 apologies 63:8 apologize 122:17 168:10 apparently 137:5 appear 13:17 121:15 APPEARANCES 2:1 appendix 215:3 applicability 58:5 applicable 63:16 64:11 64:12,14 124:7,12,13 125:1 126:22 132:11 132:16,19 133:5,12 142:17 application 64:20 104:4,5 126:5 205:14 applications 205:19 applied 76:23 77:2,4 109:2 126:2 132:8 applies 77:5 104:6 apply 46:13,17,19,23 47:15 58:10 65:1 89:5 123:16,19,21 126:3 131:4 141:20 142:2 appoint 219:11 approach 74:4 89:14 89:15,17 221:17 223:2 appropriate 30:5 33:15 46:19 50:19 81:21 99:5,14 124:21 125:21 187:10 189:21 224:2 226:10 226:20,23 227:5 appropriately 188:6 approval 56:1 98:6 100:14,16 101:1 104:9 105:7 112:4 119:21 121:18 122:1 122:6 136:1,7 137:15 138:5 141:1 142:6,11 149:1 161:8,12 approve 59:23 120:9 120:11 201:14 approved 104:12 111:11 119:1,10 154:17 approving 120:5 approximate 218:13</p> | <p>228:1 approximately 9:3 93:7 93:11,13 105:9 194:11 201:22 202:1 209:5 approximating 201:23 archives 23:21 area 58:3 64:23 77:3 81:14,16,18,22 87:11 87:13,16 89:18 areas 61:18 62:5,19,21 63:15 64:4 65:21 69:22 71:21,23 72:5 72:7,12 74:20 76:22 77:2 78:19 80:2,5,14 81:5 83:4 84:12 85:6 85:10 87:18 88:17 90:13 103:13,18,20 105:1,4 121:18 122:2 136:2,7,18 138:5 141:1 142:11 159:17 161:8 221:5,14 222:9 222:16 art 82:3 90:2 article 4:20 171:7,15 171:20,23 172:5,8,10 172:14,15,21 173:6 174:1,7 arts 70:22 71:18 82:2,5 82:10 136:12,14 212:18 ascertain 23:23 aside 179:9,11 194:22 196:9,11,14,19 asked 55:13 78:17 114:18 115:11 116:17,18 142:15 168:10,17 183:1 185:7 193:20 194:18 199:5 200:16 201:13 216:9 asking 6:15 46:10 51:13 56:8 63:23 72:15 105:14 142:5 212:6 aspect 82:6 142:4 aspects 25:15 126:3,4 138:9 140:4 172:12 174:20 assertion 64:18 162:6 assessment 224:9 assessments 19:10 assigned 167:16 assistants 35:18 37:2 assists 77:10 associated 70:23 81:13 192:9 226:16 association 149:21 219:3,5,6</p> | <p>associations 149:19 assume 37:11 46:5 71:2 72:15 81:14 87:4 98:9,17 139:11 148:1 210:5 assumed 170:2 assuming 22:23 37:23 159:8 assumption 172:3 183:10 187:6 188:3 188:22 attachment 20:8 attend 116:3 164:9,12 165:6 166:8,18 Attendance 4:12 107:18 attended 166:17 attending 51:20 52:20 110:19 152:20 attorney 2:7 231:14 attorneys 5:7 6:5 attractive 220:19 at-home 13:8 audit 7:20,23 August 142:16 authority 180:5 190:20 190:21 191:11 authorized 39:14 48:15 181:22 187:2 200:7 availability 99:3 151:20 available 22:11,13 58:23 61:7 74:6,13 76:19 87:1,3 100:2 102:17 127:6 169:23 211:17 225:13 average 175:1,7 awarded 103:19 151:10 awarding 110:17 awards 109:18 aware 14:3,5,6 36:1,5 41:4 48:6,12 57:14 57:16 60:12 85:20,22 85:22,23 94:21 98:22 105:19 106:7 112:23 113:1 117:15 151:13 169:22 174:5,8 177:20 202:22 203:9 209:1 220:17 228:6,8 229:8 awhile 223:9 a.m 1:14</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>b 22:18 33:22 35:7 128:2 156:6 bachelor 8:9 back 22:15 28:9 39:4</p> | <p>72:23 74:21 77:7 78:16 92:2 101:21 126:7 134:10 140:21 141:5 142:13 146:2 173:18 174:9 202:7 217:8 218:2,11 228:21 background 8:8 balance 194:4,13 196:17,22 197:5,8 bandwidth 152:3 base 35:14 36:11,23 110:14 118:9,16,18 145:1 162:12,14 202:2 206:17,18 based 17:14 19:5 47:11 47:18 51:9,22 52:7 57:8 80:12,21 81:5 84:6,7,23 85:7,15,17 86:10 96:1 108:19 123:21 149:22 185:17 200:14,20,21 204:11,14 basic 134:9 basically 7:7 12:20 143:9 144:22 189:12 basis 14:1 34:1 92:5 95:2 115:12 140:7 149:5 165:15,17 196:1 bathroom 6:17 bear 71:7 bearing 50:21 127:14 becoming 8:4 153:13 bedroom 45:23 began 69:13 beginning 136:11 behalf 72:16 181:6 183:11 belief 76:7 193:21 believe 9:3 11:1,3,4 19:2,5,9,17 20:11 21:10 24:5,7,11 25:1 25:4 26:20 28:6 32:20 33:13 38:8,9 38:11 44:20 49:2,8 51:4,16 53:10,20 57:5 59:2 60:15 61:7 61:19,21 62:1,7 63:17 64:12,16,18 67:11,15,16 74:16 75:2,14,15 76:2 79:4 81:7 88:14 93:15 95:11 96:12,18 102:3 102:11,12 106:22 109:16,23 112:6,12 114:20 119:11 120:22 121:3 122:7 122:15 125:5 126:10</p> | <p>126:15 129:5 131:5 133:5,7,10 139:9 140:22 143:5 144:1 146:7 148:16 149:14 149:23 152:17 154:20 156:3,17 157:2 158:18 160:5,7 161:18 164:22 167:14,16,21 168:4 169:10,14 172:2 173:13 178:1,13 181:19 182:10 183:22 190:23 191:3 191:7 198:11 199:4 202:12 203:11 204:4 208:23 209:15 211:4 212:7 214:9 218:15 219:6,8,20 221:15 223:4,21 224:12 225:11,14 227:5 228:1 229:14 believed 55:2,18 beneficial 73:20,22 benefit 106:2,8,9,11,11 226:3,9 227:1 benefits 35:20 37:4 106:15 205:18 best 22:6 67:12 78:10 150:10 182:4 194:20 195:8 223:2 better 76:2 95:14 202:2 202:14 221:9,13 222:14,18 beyond 68:18 69:7,10 69:16,19,23 70:1 84:4 139:21 142:3 174:3,3 182:6 191:8 biannual 199:11 big 75:7 150:2 bill 4:11 56:1 63:11,13 75:11 76:2 131:23 185:16,16,21 186:4 billion 9:17 10:19,21 198:1,7,12,22 199:15 199:22 bills 75:20 169:4,6,7,10 185:7 Bishop 4:12 107:17,20 107:23 108:2,4 109:1 109:5 bit 60:16 73:1 77:8 106:19 127:16 145:13 160:17 220:21 blush 140:20 board 59:19,22 91:22 100:14 104:10,13 105:2,4,7 111:11 119:9,12,18 126:18</p> |
|---|---|---|--|---|

| | | | | |
|---|---|---|---|--|
| <p>150:18 151:7 153:6 153:15,18,19 154:10 155:2 157:8 158:4 159:7,8,15,19 161:13 210:23,23 219:3 220:10,12,15,18 board's 112:4 Bodies 4:10 36:18 body 167:8 187:10 bonds 217:18 books 94:9 bottom 77:22 80:10 Brady 4:12 107:17,21 107:23 108:2,4 109:1 109:5 Bramante 151:1,2 153:2 220:9 Bramante's 151:11 219:14,16,19,23 branch 185:12 brand-new 147:22 148:5 break 6:17,21 26:5,8 27:22 72:10,23 78:17 133:16 140:13 143:5 144:1 222:7 225:21 breaking 133:17 breaks 6:19 bridge 70:23 Briefly 162:21 bringing 70:14 Brown 2:12 budget 4:6 9:5,7,12,13 9:23 10:4,16,19 11:9 11:11,21 77:11,18,20 77:21,22,23 78:3,4 96:10 197:23 199:6,8 199:11 200:1 building 45:15 46:14 47:6,7,8,8 140:5,7 141:19 207:2 built 208:18 bureau 145:7,12,19 151:22 154:3,4 157:15 bus 53:20 54:4,6,8 141:23 buses 52:7 141:23 business 69:14 197:2 199:3 211:7,14 B:11 16:16 26:13 B:12 48:4</p> <hr/> <p style="text-align: center;">C</p> <p>c 22:21 23:5 33:22 35:7 39:16 48:18 231:2,2 calculate 17:12 calculated 17:15 calculation 129:5</p> | <p>calculations 201:10 calculator 198:16 call 200:3 228:21 called 7:15,18 60:18 86:5,6 93:16 131:2 135:7 136:23 156:23 170:12 219:6 229:10 calls 131:18 capability 208:12 capacity 66:16 117:9 117:11 150:21 162:3 176:16 181:6 capital 7:17 197:1,4,14 197:19 Capitol 2:8 caption 3:7 caricature 190:14 caricature-type 190:4 190:5 Carney 101:3,7 case 5:15 47:1 91:1 101:10 113:3 114:19 161:21 162:5,11 166:20 173:13 187:12 191:18 231:15 cases 5:13 91:20 205:20,22 case-by-case 14:1 case-specific 89:10 90:14,23 126:5 Catalog 4:10 62:13 catch 98:14 categories 61:23 categorized 76:15,16 category 135:6 202:20 center 4:18 149:15,22 155:16 ceramics 82:3 certain 14:11,14,18 57:21,22 68:9 83:4,7 108:22 125:5 126:3 126:11 140:5 141:19 141:21 197:4 202:9 218:6 certainly 151:19 178:14 218:20 certificate 104:15 230:1 231:21 certified 7:12 57:19 58:2 211:6 certify 230:8,9 231:5 231:10 cetera 172:16,18 CFO 11:10 77:10,13,15 78:1 chairman 164:20 change 70:3 72:13 83:18 84:2 148:6</p> | <p>155:10 161:2 187:12 230:5 changed 7:7 67:13 101:20,23 121:14 132:23 133:1 154:8 159:12 182:18,19 changes 24:11,13,14,22 25:1,3,7,9,11,14,14 26:21,22 27:1 28:4 64:16 67:15 133:23 143:19 146:16 149:3 149:4 154:1,7 155:1 158:13,15 159:16,16 161:14 226:3,13,16 227:4 230:4,6 Chapter 4:7,11 16:1 27:9 63:3,14 215:5 chaptered 27:8 characterize 189:16 characterizes 35:1 charge 119:13 223:17 charged 111:8,13 223:19 chart 20:13,16,18 charter 13:4,20,21 14:3 14:9,22 15:9,10,16 17:3,6,7,18,21 18:19 18:22 19:11,15,20 20:15,20,23 21:1,4 21:16,20 22:7,9,14 22:19 30:5,11 39:13 39:21,23 40:5,6,12 41:8,11,11,17,18,21 42:15 43:17,21,22 44:1,4,18,23 45:19 48:15 50:21,23 51:5 51:14,20 53:8,13,15 60:2,6,8,12 80:20 99:17 100:5 116:11 116:15 123:19 152:21 190:9 217:5 217:15 227:22 chartered 13:10,11 14:15,22 16:17 23:6 28:13,18 29:2,10,15 41:1,4 42:17 44:15 47:7 48:5,6 49:2,5,11 49:17,21 54:2 58:5,8 58:18 217:16 225:9 check 26:1 38:5 chief 7:14 9:10 child 47:22 children 12:4,13,22 202:14,23 203:22 204:13 choose 60:8 190:22 chosen 34:7 167:9 Christopher 38:18 circumstance 68:13,16</p> | <p>71:8 106:15 125:3 191:2 circumstances 42:22 46:18 57:21,22 65:16 66:7,9,22 68:2,10 70:21 71:10 112:7 125:11 213:4,7 224:4 circumstantial 96:5 citizens 49:19 196:8 civics 67:20 Claremont 4:17 111:21 111:23 112:2 117:17 118:10,19,20 173:9 clarification 111:7 179:11 clarified 131:11 clarify 6:13 34:18 63:19 68:11 220:14 clarity 194:17 class 69:15 70:6,9,11 71:21 89:7,9 95:20 96:2 132:15 221:22 221:23 classes 44:2,16 47:3,9 71:19 83:10,10,15,18 83:20 85:17 125:23 126:11 135:12 classroom 41:8 212:8 212:13 classrooms 40:16,22 41:2,5 clear 26:10 51:1 58:14 65:11 107:5 132:1,2 160:14 167:23 170:23 172:3 187:19 clearing 8:7 clearly 130:11 clerk 161:6,15,17 code 134:15 137:9 codes 140:4,5,8 141:18 141:20 coherence 183:5 184:8 cohort 213:9 collection 204:18 205:3 205:11 collects 205:9 combined 71:19 207:5 come 13:2 54:17 72:23 77:7 92:2 109:18 119:19 127:16 139:17 158:2 198:14 199:2 216:17 comes 111:8 124:14 155:5 158:8 coming 146:2 173:18 commencing 1:14 comment 87:2 commerce 172:2 commission 4:19 5:16</p> | <p>163:19 164:20 165:1 165:4,5,7,11 166:9 167:3,6,13,16,20 168:3,18 169:16,19 170:10,15 171:2 176:1 230:23 commissioner 5:6 7:2,6 7:10 8:4,17 9:5 14:8 24:16 26:17 28:2 29:8 32:3 36:7 46:10 51:10 55:3 56:16 65:17 66:2 73:3 84:1 91:10 97:18 112:9,14 117:9,11 118:5 130:22 138:11 143:4 144:18 145:4 148:15 148:18 152:7,10 162:3 166:4,7,12,14 169:11 178:6,9,19 181:3,6 183:23 184:6 185:6,10,18 190:6 204:2 210:16 227:14 228:7 229:18 commissioners 167:9 commissions 164:10 commission's 162:19 168:21 committee 30:14 156:21 158:1 165:22 166:13,15,16 170:17 215:5 218:8,11 226:1 226:2,11 227:1 common 205:12 community 4:20 86:2 92:3 203:15,19 208:19 221:10 companies 151:11 209:3 company 7:15 86:5,6,7 87:5 88:3,6,6 106:10 106:12,16,17 151:11 207:7 208:20,22 216:23 220:16 compare 75:20 compared 19:11 224:15 comparison 21:8 comparisons 224:20 competencies 79:21 80:4,22 84:21 103:11 218:8 competency 149:15,22 154:10 218:6 Competency-Based 4:18 155:16 competent 3:5 competitively 150:2 compilation 9:11 77:20 compile 77:21</p> |
|---|---|---|---|--|

| | | | | |
|---|---|---|---|---|
| <p>complaint 113:2,11 160:18 193:16</p> <p>completed 156:15,18 158:4 230:7</p> <p>completely 199:20 200:11,18</p> <p>completeness 113:6</p> <p>completion 96:16,19,19</p> <p>complexity 207:6</p> <p>compliance 78:2 102:4 134:13</p> <p>compliant 88:14 145:15</p> <p>complicated 141:7 206:20,22</p> <p>complied 123:2 225:7</p> <p>complies 88:12</p> <p>comply 123:13 126:17 140:6,12 211:11</p> <p>complying 59:7 66:11</p> <p>component 158:20 175:20</p> <p>components 37:17 54:12,14,16,18 55:2 55:5,11,19 56:3,6 160:8 215:23 216:7 216:11,19</p> <p>comprehensive 4:8 20:3,9 62:2 163:6</p> <p>comprehensively 162:21,22</p> <p>computer 90:2 136:16 146:22</p> <p>computes 215:10</p> <p>concepts 44:22</p> <p>concerned 25:22</p> <p>concerns 119:2</p> <p>conclude 29:10 173:15</p> <p>conclusions 171:2,5</p> <p>Concord 2:8</p> <p>conditions 125:9</p> <p>conduct 91:7</p> <p>configure 213:2,12,14</p> <p>configured 41:9 214:22</p> <p>confines 14:11,17</p> <p>confirm 110:1</p> <p>confirmation 28:7</p> <p>conflated 44:22</p> <p>conflict 165:22 166:23</p> <p>confused 182:20 184:19</p> <p>conjecture 53:20 59:11</p> <p>connect 74:19</p> <p>connections 74:19</p> <p>considered 149:7</p> <p>considers 54:16 185:20</p> <p>consistent 135:18</p> <p>constitute 121:19 122:3 136:8 138:6 141:2</p> | <p>161:9</p> <p>constitution 32:23 171:8,10,19 172:9,11 180:17 182:9,11,13 188:1</p> <p>constitutional 102:19 146:5,6 173:5 174:1 180:11,21 181:1 182:15,22 183:3,12 183:13,15,19,19 184:3,9,14 187:4 188:10,10,14,20,20 188:23 189:1,6,14,23 190:23</p> <p>constitutionally 30:22 31:10,12,17,19,22 32:5,8,15,16 35:15 36:2 57:8 61:1,5 67:2 103:2 134:5 135:14 135:20 138:15 139:22 143:23 144:20 145:5,17 148:20 180:1 181:9 181:14 183:8 187:8 187:11 188:5</p> <p>constraints 14:19</p> <p>contemporaneous 26:4</p> <p>content 25:2 35:12 61:17 69:22 71:13 80:1 81:13,16,18,22 85:18 158:21 175:13</p> <p>contents 122:20,21,22 122:23 123:9 139:15 141:11,12 157:16 159:5</p> <p>context 125:14 145:13 173:23 212:5</p> <p>continue 125:20 194:10</p> <p>continuing 96:15 157:19</p> <p>Contoocook 1:5 133:21</p> <p>contract 4:12,18,20 86:4 87:7,15,21 92:7 92:16 95:6 97:13 98:4 99:5 149:13,20 150:3,4,5 151:23 154:17 155:11,13,15 155:18,19,20 156:2 202:18,19,22 203:1,5 203:7,9,14,19,23 204:3,8,12,14 206:3 219:16 223:16 226:15,17</p> <p>contractor 150:2 208:2</p> <p>contracts 151:10 201:12,22 202:1,4,5 202:9,12,15 203:3,5 209:1,11 226:11 227:2</p> | <p>contribute 60:2</p> <p>control 172:17</p> <p>controller 194:21 195:9,12 196:12,12 197:13</p> <p>Conval 124:2,3,7,18 125:1,5 126:2,22 132:12,17,21 133:14 207:12,15</p> <p>Converge 7:18</p> <p>conversation 38:17 99:7 144:2 168:4,5,6 168:8,11 185:22 219:21</p> <p>conversations 35:10 38:22 185:3,17</p> <p>coordinator 35:19 37:3</p> <p>copies 230:6</p> <p>copy 20:5 26:3 62:20 63:5 171:12 204:2,5 215:3</p> <p>core 76:17,22 77:1,3</p> <p>Corporation 7:15</p> <p>corporations 172:17</p> <p>correct 11:14 16:10 17:15 21:20 22:22 24:17,18 25:17,19 26:2 32:5,6 36:6,12 37:9,14,15 41:13 44:5,19,20 50:15,22 52:20,21 57:20 59:5 59:9 60:18,19 61:10 63:20 64:1,18 67:10 72:1 73:5,8 77:12 81:22,23 82:22 83:1 83:2,4,5,7,8,11 88:3 88:4,8,9 91:13 106:13 107:11 110:7 110:22 111:12 112:5 112:11 113:4 114:19 114:23 118:6 119:10 119:14 123:7 125:17 125:18 126:19 133:22 138:23 139:1 139:3 142:9,18 143:13,14 146:16,17 146:23 147:1,3 148:22 153:16 154:19 156:7 157:1,2 157:7 158:7 161:18 163:23 164:1 169:4 170:3,7 177:2,12,14 177:15,15 178:12 179:9,18 180:3 191:18 194:7 195:15 198:1 200:15 210:18 210:19 211:3,7 213:1 215:21 217:9 220:7 221:1,3 222:3 224:11</p> | <p>225:10 227:16 228:9 230:3</p> <p>CORRECTION 230:12,12</p> <p>corrections 230:4,6,10</p> <p>corrections/changes 230:4</p> <p>correctly 59:10 121:22 128:7 135:9 173:8 183:21 221:22</p> <p>cost 4:12 19:1,14,16,18 19:20 20:21 21:1 32:10,12 34:7 35:14 36:11,23 37:18 49:12 49:22 50:10,17 55:5 55:12 56:4,6 65:10 67:23 69:1 92:4 107:8,17 116:11 184:22 187:23 214:10 215:10,23 216:7,11,19 224:1 228:4,12,15</p> <p>costing 162:19</p> <p>costs 33:23 50:15,20,22 51:1,2 52:15 56:7 58:16 59:14 65:19 66:5,10,17,19,21 67:1 68:9,11,14,14 68:15 69:1 92:6 108:11</p> <p>council 97:7,17 98:5 150:8 154:18 201:13</p> <p>counsel 1:11 3:13 178:5 189:9 192:14 229:10 231:10,14</p> <p>counseling 128:2</p> <p>counselor 35:18 37:2 128:5,8,11,14,17,19 129:18 130:1,4,9,14 130:21 131:8,14 132:4</p> <p>counselors 129:2,10,13 129:15,21 130:18,19 131:6,20</p> <p>Country 43:22,23</p> <p>COUNTY 230:20</p> <p>couple 21:6 65:5 133:18</p> <p>course 62:1 66:14 80:10,13,13,17,20 81:3,6,11,19 82:8 84:21,22 102:22 186:7</p> <p>courses 60:23 61:4,9,12 61:16,21 62:3,4,16 62:18 78:18 79:15,23 82:3,11 84:4,11,14 84:17 85:4,18</p> <p>court 1:2 2:13 3:9 5:2</p> | <p>5:22 9:21 15:22 18:5 20:1 27:4 36:16 62:11 63:1,10 97:12 107:16 113:7 115:2 117:16 155:14 161:6 161:17 163:17 171:14 173:8 203:13 231:3,20</p> <p>cover 71:20 107:8 109:7</p> <p>covered 79:22 82:8</p> <p>COVID 98:11 125:17 125:18</p> <p>CPA 8:13,14</p> <p>create 99:10</p> <p>created 71:7</p> <p>creation 156:10,14 160:2</p> <p>credentialing 57:23 58:7,15 59:7,13</p> <p>credentials 11:20</p> <p>credit 103:19 104:2,15 104:18 109:22 110:5 110:21</p> <p>credits 82:17,19 102:23 103:8,10 104:21,23 135:3,5 137:1 143:12 143:21 146:2 147:9 147:10,17 148:4,19</p> <p>criteria 47:19</p> <p>Cross 8:11</p> <p>cross-referencing 141:8</p> <p>curiosity 98:13</p> <p>current 7:1,19 31:9 63:17,19 102:5 176:11,13</p> <p>currently 26:1 33:14 63:16 64:5 66:13 68:18 149:6 156:2 223:20</p> <p>curriculum 78:7,7</p> <p>curtailed 68:20</p> <p>custodian 35:19 37:3</p> <p>custody 46:8</p> |
| D | | | | |
| <p>D 33:22 35:7 48:19</p> <p>Damages 4:14 113:10</p> <p>data 176:19 177:3,17 192:9 204:18 205:3,9 205:10,11,13,17 206:3 207:11 208:9 224:22 225:1</p> <p>database 205:12</p> <p>date 24:10 63:21 96:17 96:19,20 178:2,4,8 230:7 231:8</p> <p>dated 10:5 97:15</p> | | | | |

| | | | | |
|--|--|--|---|--|
| <p>143:18 dates 218:13 David 164:16 day 194:12,19 195:7,11 195:20 196:18 206:13 225:8 230:21 days 3:12 65:4 67:9,13 deal 140:7 141:17 190:6 dealings 209:7 Dear 118:5 decade 18:1 decide 60:11 decided 71:11 173:8,23 decides 70:14 decision 26:4 31:13 173:22 186:3 decisions 173:9 177:22 178:3 226:8 229:12 Declaratory 4:13 113:9 declined 165:1,14 decrease 67:1 decreased 152:6,15,18 decreasing 78:7,12 deemed 183:13 184:16 188:6 deeper 163:2 default 160:3,10 defendant 162:2 defendants 2:6 4:14,16 115:3,6 178:1 191:19 191:22 194:1,2 229:2 229:20 defer 129:4 184:18 define 34:7 106:9 181:15 defined 56:13 69:7 78:19 79:17 86:3 134:6,19 135:14 147:12 defining 36:11 definition 32:21 33:5 33:13,15 34:21 41:7 41:14 65:20 78:21,23 79:5,16 106:11 158:5 159:10,23 160:4,6,8 160:11 degree 8:9 207:6 214:4 deliver 59:3,15 66:17 66:19 213:23 223:5 224:6 delivered 50:2 delivering 121:20 213:21 delivery 122:3 136:9 138:7 141:3 demonstrate 134:13 demonstrated 189:1 denial 114:22 115:13</p> | <p>denied 85:16,23 193:19 deny 23:8 165:15,17 department 1:7 2:7 7:2 8:18,20 9:14 11:7,15 12:12 14:8 16:19 17:6 18:18 24:16 29:9,23 31:1,14,19 36:7 46:11,11 51:11 55:3 56:16 57:12 59:17,20 61:15 65:17 65:18,21 67:5 77:9 83:21 84:6,10,18,23 85:4,7,9,12,16 86:4 86:21 87:8,9,22 88:2 88:10 89:22 91:10,13 91:16,20 96:9 99:21 100:9,13 101:7,12,12 101:14,17 104:7 112:10 114:8 117:11 129:4 130:22 131:2 138:12 142:22 144:19 148:15,18 149:7,13 151:15,19 152:1,5 161:2 162:4 166:5,8 167:7 170:8 178:10,19 179:1,3 181:3,4,7 183:23 185:6,18 195:9 197:22 202:5 203:3 208:4 209:2,10 210:17 224:8 225:15 226:12 227:2,14 228:7,11 depend 23:22 40:18 41:7,14 45:6 49:13 49:23 53:14 60:4,5 65:15 66:7,21 79:7 79:20 83:12 89:3,8 96:4 103:21 106:4,6 106:9 110:12 123:14 125:10 153:23 186:12 210:21 212:5 213:2 221:18 dependent 13:19 68:3 68:13,17 214:12,21 224:4 depending 71:10 84:3 90:14,20 110:15 192:4 211:15 222:17 depends 12:19 213:12 depicted 26:19 65:8 deployed 68:4 deponent 3:13 depose 5:3 deposition 1:10,11 3:2 3:11 5:9,10,13,20 134:4 195:16 228:21 229:4,19 230:3,3 231:7,12</p> | <p>depositions 3:5 230:2 derived 200:19 201:6 Derryfield 107:10 DES 101:8 describe 13:16 66:9 86:8 136:18 described 53:21 196:18 220:1 221:16 describes 48:4 DESCRIPTION 4:5 descriptive 81:12 designated 162:8 167:20 194:23 designed 138:17 210:5 designing 207:20 desire 104:17 detail 147:16 174:22 detailed 11:12 details 98:3 determinable 88:19 determination 13:23 16:22 26:7 28:21 33:5,7,19 42:5 46:20 50:5 72:19 131:13 142:22 157:13 161:15 169:9 180:23 181:11 196:10 197:21 210:22 216:4 216:5,6,10 determinations 205:16 determine 19:8,15 23:1 23:16 26:2,18 32:9 36:4 42:7,8 63:21 66:20 79:23 80:16 84:11 88:10,15 89:1 89:6 90:6,17,18 91:11 104:8 114:14 117:4 120:7 124:12 125:13 137:14 145:21 161:11 169:6 174:21 184:1 187:10 188:13,18 211:1 215:23 216:7 228:15 determined 17:14 19:19 31:20 33:21 50:7 54:11,15 55:10 56:6 79:19 90:22 91:17,21 105:1 174:6 182:17 183:15 189:22 190:18 195:2 219:18 determines 32:11 33:20 37:13,17 55:21 70:10 82:18 91:18 105:6 210:4 determining 33:17 54:13 145:14 181:12 185:20 228:14 developed 209:16</p> | <p>development 35:22 37:6 132:10 devote 90:1 dictate 58:1 91:6 dictates 29:22 differ 13:12 74:23 180:10 182:12 196:16 difference 40:4,7,11 77:1 136:21 137:6 169:11 differences 13:16 75:5 75:8,9,14,16,19 76:1 134:20 different 6:15 13:14 45:13,13,22 46:4,4 46:13 47:11 58:15 69:4 71:23,23 73:13 77:6 85:13 95:5 101:4,5,21 102:1 110:13 123:16 137:5 140:10 142:1 160:13 165:23 180:18 186:15 192:3 194:9 198:5 203:12 212:11 214:7 221:11,14,19 222:23 224:23 differential 162:12,15 differentials 206:17,18 differentiated 109:18 110:15 176:12 177:10 differently 13:18 41:9 76:15,16 123:19,21 221:20 223:8 differs 118:14 124:2 difficult 76:19 81:7,8,9 97:2 186:16 190:3 208:6 dig 163:2 digital 146:23 diploma 143:12 147:9 147:11 148:4,20 direct 40:2 61:19 205:22 directly 205:2,18 216:22 217:2,4,12,14 directors 77:23 Disability 12:1,10 disagree 33:7 34:1,3 95:3,4 168:22 174:19 174:21 175:11,14 176:8,20 disagreed 34:23 disagreeing 175:12 disagreement 34:5,20 35:1,2 disburse 181:21 disbursed 180:7 197:7</p> | <p>disbursements 180:14 disciplines 76:11,13 disclosed 178:3 228:22 229:11 disclosure 229:17 disclosures 177:23 229:13,15 discount 109:2 discounts 108:17,19,21 discovered 140:1 discovery 191:17 discriminatory 190:15 discussed 16:19 100:1 134:4 146:15 discussing 77:8 103:12 143:5 discussion 26:16 143:8 178:17 225:22 discussions 38:13 169:21,22 dispute 108:3 distance 41:18 distinction 47:18 162:13 distribution 176:13 199:6 district 1:5 15:4,5 28:20 29:4,12,17 30:20 31:3,7,11 32:14 49:4,6,18 51:4 52:8,9,10,17 53:10 53:16 54:3,10 55:21 57:7,17 58:10,23 66:15 67:3 70:21 72:21 80:20 82:15,18 82:20 83:22,23 84:9 85:15 86:1 89:5 90:15 91:3 92:10,11 92:14,18,18,21,22 93:3,4 99:8,13,19 110:20 111:5,9,17 112:1,3 116:22 123:2 123:3 124:3,4,7,8 125:1 126:19,23 132:3,12,13,17,17,20 132:21 133:14,22 138:22 139:11,21 140:11 141:20 142:3 200:15 206:15 210:22 211:16 213:10,11 214:9,13 214:15,18,21 224:5 districts 5:8 22:12 53:6 55:8 56:9 71:17 90:11 91:12 92:8 99:8,11 115:16 116:6 119:16 120:20 131:4 133:13,21 135:12 139:18 159:2 172:22</p> |
|--|--|--|---|--|

| | | | | |
|--|--|--|--|---|
| 175:4,8 190:18 200:9 200:13,13 207:12,16 209:19,23 210:3,20 211:11,19 district's 210:23 228:14 divide 129:6 divided 198:22 division 11:17,18,20,22 11:23 77:23 145:7 205:9 divisions 11:17 12:2,6 document 10:7,8,8 36:13 117:19,23 123:5 158:12 175:20 175:22 215:6,8,10,12 215:18 218:4,10,19 220:3,6 documents 4:16 114:7 114:19 115:6,12 118:2 191:22 192:18 192:19 doing 105:21 149:12 154:11,13 207:8 dollar 18:19 21:19 56:2 203:18 204:12 dollars 24:19 96:13 193:19 195:19 201:5 202:2 206:15 domain 82:15 domains 77:6 doubt 73:9 downturn 196:5 Dr 219:14 draft 134:1 151:2 153:22 156:6,7,19,22 157:4,10,16,20 158:2 158:3,8,15,16,22 217:23 218:19 drafted 153:21 drafting 150:19 draw 162:13 180:5 190:21 191:8 drink 6:17 drivers 142:1 due 178:2 190:13 225:10 229:13 duly 5:2 231:7 duties 7:7,11 8:22 178:9,18,20 | 200:22 210:15 215:22 220:21 earned 103:9,10 economic 196:5 economics 67:21 economies 211:20 Ed 67:8 122:7,20 123:1 123:10,11,23 124:6 124:23 126:17,17,20 126:22 127:2,4,13,17 127:19,21 128:1 131:22,23 132:10,15 132:19 133:11,20 137:3,7,15 139:4 143:6 146:4 148:23 149:3,4 151:3,18 154:1 156:20 159:9 159:16,16 213:15 217:21 218:23 220:6 220:8 226:1 Edelblut 1:10 4:3 5:1,3 97:17 118:6 229:18 229:19 230:8,18 231:7 edition 134:15 educate 204:13 educated 152:21 200:21 educates 203:6,8,22 educating 50:17 202:14 202:23 203:4,10 222:7,14 education 1:7 4:7,11 7:3 8:18,20 9:14 10:12 11:16,21 12:5 12:8,12,14,17,23 13:1,7,9,22 14:4,8,10 14:16 15:1,6,8,23 16:19 24:17 25:10,15 26:13 29:9 30:23 31:10,12,14,17,22 32:5,8,15,17 33:6,12 33:16,18,22 34:8,22 35:12,13,16 36:3,8 37:18 45:20 46:11,14 46:16 49:1,7,10,21 50:1,4,6,14,19 51:11 55:1,4,6,9 56:11,14 56:17,20 57:2,4,8,12 58:17 59:4,9,16,21 59:22 61:1,6,15 63:2 64:22 65:10,18,19 67:2,22,23 68:19,22 69:7 70:4,19 72:14 74:4 76:8 77:10 78:20 79:1,5,9,17 80:7 82:2,5 83:19,21 84:10,18 86:4,21 87:8 88:2,7,10,11 | 89:23 91:11,13,16,22 93:8,21,22 94:8 95:14 96:9 97:18 99:15,21,22 100:6,7 100:10,11,13,14 101:12,18 102:11,20 103:3,7 104:7,11,13 105:2,5,7 107:4 108:12 109:7,10,13 109:17,20 110:3 111:2,11 112:10 117:12 119:9,13,18 121:21 122:4 130:23 131:2 134:6,18,22 135:14,20 136:9,15 137:18 138:7,10,12 138:14,15,20 139:22 140:3 141:3 142:3 143:23 144:19,21 145:6,18 147:13 148:15,18,21 149:8 149:14,16,23 150:16 150:18 151:7,15 152:2,6 153:6,15,18 153:20 155:3 157:9 158:5,6,10 159:11,15 159:19 160:1,5,6,9 160:11,12 161:2,10 161:13 162:4,10,20 166:5,8,12 169:4 170:9,17 172:1 173:1 178:10,11,19 179:1,3 179:5,8,9,20,22 180:1,8 181:4,9,14 183:23 184:5 185:6,9 185:16,16 187:23 191:13 193:4,8 195:10 197:10 205:10,16 206:5,6,10 207:2,4,8,10 208:4 209:2,11 210:8,18 214:11 215:11 216:1 216:4,8,11,20 220:10 220:13,19,22 221:2,4 221:9,9,10,12,15,20 222:2 223:5,9 224:8 225:16 226:12 227:3 227:7,11,15 228:4,8 educational 8:8 11:20 40:18 45:3,5,8,12 46:7 50:8 61:17 74:1 84:2 86:7 100:2 102:8,9 110:21 111:4 149:18 184:2 207:1 210:10 educationally 179:18 Education's 11:7 87:23 101:8 114:9 197:23 educator 11:19 58:1 | educators 68:3 218:22 223:1 EEWING@WADLE... 2:5 EFA 106:21 107:1 224:16 EFAs 106:18 effect 18:18 58:16 169:13,15 214:10 effective 63:21 65:3 221:17 223:5 efficiency 10:16,19 213:11 efficiently 214:17,17 effort 92:13 97:5 149:16 150:6 efforts 92:22 either 21:7 34:7 68:23 79:17 80:2 141:12 166:22 175:14 177:12 230:4 elected 210:23 electives 83:7 135:5,7 135:13 136:23 electronically 23:20 elementary 123:18 124:5 elements 36:1 eligibility 175:6 eligible 104:14 Elizabeth 2:5,12 employed 129:3 152:1 231:11,14 employee 231:14 employees 151:15,17 151:19 152:5 210:17 212:3 employs 208:20 empowerment 205:7 enable 191:7 204:23 enables 179:17 enacted 40:3 170:15 182:14 encompass 147:17 encouragement 172:16 ended 191:12 energy 196:6 engaged 42:1,2,3 43:20 94:4 152:2 engineering 136:16 English 61:9 70:22 71:3,18 72:3 83:10 90:1 136:12 212:18 222:1,5,19 enroll 61:3 111:5 116:16 128:17 enrolled 13:5,6,8 98:17 111:2 enrollment 214:16,19 | 224:10 ensconced 146:7 160:7 ensures 99:21 entail 100:17 163:5 enter 202:4 entered 117:3 149:14 209:2 entering 87:7 92:19 entire 9:6 181:7 entirety 57:12 123:10 124:8,9 141:13 144:13 146:10 148:14,17 171:17,20 171:22 172:5 entitled 80:10 82:3 174:11 230:2 entity 22:13 217:3,13 enumerate 22:2 75:12 85:1 137:17 180:13 202:17 enumerated 15:18 31:2 32:1,18 48:2 52:11 58:9 68:21 80:2 83:22 92:7,16 98:10 106:22 120:17 128:13 130:15 144:3 144:5,6 145:2 147:16 150:8 155:13 178:13 178:20 199:9 200:8 enumerates 84:8 135:3 136:11,12 172:18 environment 45:21 66:13 72:20 86:13 88:20 90:16 91:8 96:6,7 101:13 125:13 131:6 213:13,15,18 213:19 environments 123:17 125:6,20 212:14 equal 58:5 199:6 equally 198:13 equivalent 29:20 128:4 errata 230:1,3,7 ESQ 2:4,5,9 essay 69:18 70:5 essentially 92:17 202:6 estimate 112:13 estimates 199:13 et 1:5,7 172:16,17 evaluated 78:2 104:8 event 196:3 events 194:23 195:1 EWING 2:5 exactly 130:14 131:1 Examination 4:1,3 example 45:14 47:22 69:11 111:19,23 124:14 125:4 134:10 134:11,16,23 138:21 |
| E | | | | |
| e 22:21 23:5 33:22 39:16 48:18 231:2,2 earlier 21:6 37:12,16 60:16 77:8 103:12 106:19 146:15 151:14 160:17 180:15 186:20 | | | | |

| | | | | |
|--|--|--|--|--|
| <p>141:18,19 174:23 180:16 189:15,17 207:2 examples 47:12 175:16 exceed 128:4 excellence 205:7 Excellency 97:16 exception 41:10,16 230:10 exceptions 125:16,18 127:22 excess 193:18 exchange 5:16 104:17 104:18 excluded 166:11 execute 182:3 183:9 184:6 202:5 executed 181:2 203:3 executing 202:8 execution 184:7 executive 97:6 185:11 201:13 exemption 127:8 exercise 141:16,17 142:14 216:14 exercised 226:7 exhaust 125:8 exhibit 4:5 9:20,22 10:3 15:21,23 16:3 18:4,6 19:23 20:2,8 20:10 22:16 26:19 27:3,5,7 28:3,9,11 36:17 39:4,6,7,8,9 44:7 62:12,14,17,23 63:2,9,11 64:3,8 65:6 65:9,11 73:4,4 78:16 78:17,21 79:2,3,3,5,6 79:9,10,15,17,18,20 80:2,3,3 97:11,13 107:17,20 113:8 115:3 117:17,20 121:6,10,12,16 122:10,11,11,14,15 122:16,17,17,19 140:18 141:11 143:17 144:4,7 146:13 155:15 156:6 160:17 163:18 171:15 174:9 191:16 198:4,6 203:14,17 214:23 215:1,1,2,17 exhibits 4:4 79:11 121:9 existed 228:8 existing 22:9 64:9 148:7 exists 121:9 expansion 17:22 expect 177:18 229:14</p> | <p>expectation 66:5 expected 178:1 expenses 197:6 experience 7:20 8:15 220:2,5,8,11 expert 176:1 177:18,23 178:6 228:22 229:6 229:10,11,13,17 expertise 174:4 Expires 230:23 explain 103:22 157:8 203:21 expressed 34:5,9,11,13 34:15,19 extend 96:16,18 extended 96:20,22,23 165:20 extent 71:4 151:20 163:7 180:19 213:22 214:1,2 extra 230:6 extracurriculars 210:9 extraordinary 209:14 210:4,6 e-mail 101:8,15 E-Sports 80:11 E-3 171:8 E:2-a-1 144:8 E:3-b 64:10</p> <hr/> <p style="text-align: center;">F</p> <p>F 33:22 231:2 face 189:20 facilitate 32:13 92:23 93:22 facilities 35:22 37:6 40:13,14,15 99:5,14 121:1 124:23 125:22 126:8,12,14,15,16,18 134:10,12 138:13 139:2,4,6 facility 99:10,16 134:17 138:20 139:1 fact 19:6,8 68:12,16 71:8 127:5 135:5 148:9 150:14 151:21 161:6 165:4 173:13 173:18 175:9 179:10 211:18 214:20 factored 186:3 factors 54:12 96:5 177:10 224:7 facts 46:18 68:2 70:20 71:10 125:11 224:3 factual 115:12 fact-dependent 211:15 fair 31:15 105:22 156:9 163:10,11 177:13 179:13 211:22 212:2</p> | <p>215:9 fairly 149:5 172:19 fall 64:6 falls 51:3 familiar 16:6,6 21:17 100:18 107:22 108:1 117:21,22 118:1 144:13,16 154:6 155:23 162:23 169:1 171:9,11 172:10,12 177:11 200:11,19 205:8 familiarize 163:15 174:13 215:13 familiarized 176:5 families 98:16 99:13 far 70:11 111:22 154:7 favor 76:4 February 7:5 74:15 federal 18:19 21:19,22 96:21 97:1 102:3 140:15,15 141:22 190:2 204:21,23 205:1,4,5 207:21,23 224:14 225:5,6 federally 199:19,20 201:8 Feds 205:14 fee 108:15 223:11,17 223:18 feel 13:18 fewer 76:14 82:21 95:13 224:17 figure 56:2 147:23 file 96:18 filed 113:3 filing 3:7 final 27:8 155:2 157:10 157:17 159:20 215:3 finance 64:20 65:1 66:14 147:2 financial 7:14 9:10 179:2 209:7,21 224:8 financially 214:17 226:3 227:1 231:15 find 62:10 100:22 102:14 124:16 143:14 208:10 211:19 212:17 214:5 216:15 findings 170:14 174:11 215:4 finds 67:3 finish 6:20 fire 137:9 140:4 141:18 firm 7:13 first 3:3 4:15 59:18 84:20 115:4 122:19 134:10 140:20</p> | <p>160:22 176:4,11 191:20 223:21 231:7 fiscal 4:6 9:23 10:4,16 17:21 191:12 193:18 194:3 fit 61:22 62:18 78:18 79:16 202:19 230:6 fits 80:13 81:4 five 72:11 83:9,10,14 83:17 112:13 185:5 206:18 five-minute 225:21 Florida 5:15 fluctuates 152:9 flush 126:7 153:12 focus 68:20 70:14 89:20 125:15 focused 12:9,10 follow 15:19 52:10,12 56:12 181:21 182:8 182:12,13,18 191:1 following 14:13 17:5 follows 5:4 15:10 52:4 118:10,19 footnote 163:3 force 156:5,7,10,14,15 219:11 foregoing 230:9 231:5 form 3:9 6:6 16:9 53:7 115:12 132:22 190:11 193:21 200:23 202:16 210:11 222:11,22 230:4 formal 153:7 formalities 3:8 format 222:15 formed 165:4 former 102:2 forms 22:13 formula 176:12 200:9 200:10,12,14 formulas 201:7 formulation 77:18 forth 82:23 146:4 222:21 231:9 forward 196:21 found 143:16 foundational 77:3,5 four 13:1 100:1 129:16 130:5,18 156:10 206:16 fourth 131:7 fractional 128:21 129:11 frame 154:23 Frank 97:17 frankly 54:22 76:18 139:19</p> | <p>Fred 151:1 220:9 free 50:19 111:14 175:5 Freedom 13:7 100:6 107:4 108:12 109:7 109:10,13,17,21 110:3,21 111:3,4 223:9 frequent 186:14 frequently 60:18 145:16 186:6 front 16:15 18:12 75:3 75:18 155:18,19 213:8 fruition 158:9 fulfilling 174:7 full 28:6 103:7 107:8 128:4 178:23 197:16 full-time 41:18,23 42:1 42:2,3,7,9 61:4 128:10,14,19 129:12 129:18,23 130:3,9,14 130:20 131:8,14 132:4 227:7,11 228:4 function 8:19 184:12 fund 70:18 72:13,18 178:12 179:6,8,20,21 179:22 180:8 181:13 191:14 193:4,9,11,17 194:4,8,13 196:16,21 197:1,8 206:11 207:1 207:4,8,10 funded 15:9 175:22 181:16 199:19,20 201:8 206:23 207:3 funding 4:19 5:18 15:10,12,17 16:17,20 17:4,7,18 25:12 28:19 29:5,11,16,20 29:21 30:5,10,21 31:20 36:2 46:13,20 47:11,15 48:2 54:1,7 56:14,17 57:2,9 61:8 61:11 70:4 84:13,19 85:16 87:14,23 88:3 88:5,16 89:2 90:12 96:21 105:17 159:3 163:19 164:21 166:9 167:6 172:23 176:11 184:2 185:16 190:8,9 191:3,8 197:10 199:15 200:6,8 205:1 fundraising 108:20 funds 17:6 31:2 32:14 54:9 55:20 83:19 84:6,7,8,23 85:7 97:1 111:4 162:7 176:14 178:14 179:8,11,14 179:16,23,23 180:3,6</p> |
|--|--|--|--|--|

| | | | | | | |
|---|--|--|----------|---|---|---|
| 181:7,13,21 189:5 190:22 194:22 195:4 195:7,11 196:4,14 199:23 200:5 201:11 205:22 207:22 225:6 further 3:11 194:1 218:3,5 228:23 229:5 229:19 230:9 231:10 231:13 future 194:23 195:1 196:3 227:3 229:3 | 196:20 197:10 203:4 213:20 214:8 goal 176:14 goes 47:5 199:12 200:12 going 5:21 6:3 10:17 15:20 18:3 20:12 22:15 32:10,12 36:20 39:4,5,5 48:13 62:22 63:8 70:20 72:17 77:7 84:22 87:15 88:16 91:19 107:19 107:19 109:14 113:11,12 117:10 121:4 122:10 123:20 140:3 141:20 146:1 169:7,8 171:7 174:9 185:21 187:18 191:16 202:7 214:23 217:8 223:7 228:19 good 5:6 72:9 Goshen 111:20 112:1 gotten 226:14 governed 214:13,22 governing 150:7 230:2 government 67:20 96:21 140:15 204:21 204:23 207:22,23 governor 38:18,21 73:8 78:5 97:16 98:1,5 99:1 154:18 167:11 168:12,16 180:4 184:21 185:3,7,15,19 185:22 186:5 197:9 governor's 168:12,13 185:23 grade 53:2,2 86:15 89:7,23 124:1,5 grades 118:10,19,20 graduation 82:12,14 82:17,19 83:1 102:23 135:4 143:22 146:3 grant 18:20 21:20,22 22:1,5,22 23:6 28:12 29:3 39:17,22 40:1 139:13 209:14,15 grants 22:11 139:16 200:6,20 great 141:17 208:5 greater 182:22 Greek 8:11 Greene 154:5,6,9 group 7:18 155:5 174:11 212:22 217:22 218:2,2 219:14,16,19 guess 39:1 guesstimate 151:16 guidance 35:18 37:2 | 128:5,8,11,14,16,19 129:2,10,13,15,18,21 130:1,3,9,14,17,19 130:21 131:6,8,14,20 132:4 guide 93:16,18 94:22 guides 93:18 94:11,16 94:19 | H | half 19:13 Hampshire 1:1,7,13 3:5 7:3 11:16 12:4,16 12:21,23 13:2 15:11 30:21 48:7 49:16,20 50:16 61:12 63:14 68:5 69:21 88:7,12 90:11 95:4 98:16 99:23 100:3 102:18 104:6,16,19,20 106:20 107:3,9,14 113:16 115:21 116:6 116:13,19,22 139:3 150:17 152:14 171:8 171:10,18 172:22 175:1,6 181:10 182:9 189:4 194:21 196:8 198:10 208:8 217:6 217:19 219:3,4,5 220:4 227:7,11,20 231:4 Hampshire's 8:20 hand 122:16 handed 10:2 16:2 97:15 172:7 Hang 143:14 happen 42:14 153:11 153:20 205:18 happened 154:21 218:16 happens 212:20 happy 166:18 171:12 harassment 189:9 hard 208:10 HB 36:10 37:8,10,22 38:14,18,23 64:3 65:8 73:5,7,10,13 74:17,22 76:5 121:14 170:16 184:20 185:3 188:13 head 17:13 110:13 heads 154:4 health 136:15 heard 157:3 held 7:4,9 help 93:22 98:11 153:12 195:5 207:7 210:5 helpful 175:17 | hereinbefore 231:9 high 82:9,11,14,17 83:1 104:16,19,20 107:2,3 107:21,23 108:1,2,4 111:21 113:15,23 114:2 116:2,3,10,18 116:21 117:4 119:3 119:14 123:18 124:5 126:13 128:3,23 129:1,22 131:19 143:12,21 146:3 147:9,11 148:4,19 191:4 higher 11:20 18:23 156:23 214:4 218:18 highest 175:4 hire 132:3 history 67:19,21 71:19 80:11 186:17 holistic 74:3,8,16 76:8 76:10 221:16 222:15 Holocaust 67:21 Holy 8:11 home 46:16 100:7 102:11 152:21 homes 47:4 Honorable 97:17 hope 226:7 hour 133:8 hours 67:9,14,18,20 house 4:11 63:11,13 73:8 170:17 hundred 105:10 hypothetical 47:1,12 47:13 53:22 70:8 71:1,6 131:10,16 hypothetically 128:23 189:4 | II(a) 22:21 23:5 39:16 48:18 56:18 imagine 69:12 78:13 131:10,16 140:9 170:11 196:11 210:21 immediately 124:16 144:16 impact 58:23 implement 12:20 33:9 33:10,20 34:3 35:5 37:13,15,19,20 51:11 55:19 66:2 72:17 183:4,14 214:3 226:16 implementation 66:4 156:1 202:10 implementer 51:13 84:1 implementing 66:6 183:11 226:12 implements 35:9 180:13 important 5:23 82:6 166:4,6,7 169:3 imposed 140:8 224:15 impossible 81:8 improve 21:15 73:23 inaccurate 11:2,4 177:1 inactive 8:14 inadequate 162:10 incident 30:12 34:17 include 36:11,23 64:23 100:4 122:8 131:12 135:21 140:14 179:2 179:5 182:5 199:11 199:15,22 218:6 227:21 included 21:14 150:13 150:13 160:9 163:3 182:2 199:5 200:2 includes 35:16 135:4 136:23 158:19 194:2 including 10:15 109:17 150:17 176:12 205:6 207:1,18 208:1 incorporate 136:17 incorporated 137:16 137:22 140:18 141:14 143:1,6 158:16 161:1,3 incorporates 135:23 138:9 incorrect 91:14 110:23 173:8 177:12,14,16 incorrectly 194:6 increase 68:9 191:5 196:6 |
| G | | | | I | | |
| G 33:22 GAGNON 2:9 6:9 20:5 20:7 55:13 65:11 72:9 122:13 133:15 177:21 178:8 183:1 188:16 189:8 190:11 200:16,23 202:16 204:1 210:11 222:11 222:22 229:2,12,20 Gaming 80:11 gap 70:23 gathering 192:9 general 2:7 180:3 193:11,17 194:4,8 generally 102:10 112:7 221:8 generate 177:10 genocide 67:22 geographic 113:16 114:1,2 116:7 geography 67:21 germane 87:20,22 169:12 getting 189:9 gist 163:13 give 18:16 63:8 72:11 170:16 174:23 175:16 218:13 229:19 given 27:18 30:11 56:10 79:2 161:6 183:17 186:16 222:17 230:10 giving 18:13 go 16:21,23 23:13,15 23:20 24:4 25:16 26:14 27:1,21 43:18 47:8 48:21 62:10 69:21 75:5 97:5 110:18 112:22 115:8 119:23 120:6 124:10 124:22 134:9 138:1 140:13,21 141:5 142:13 145:10 147:23 150:7,10 163:2 175:9 189:5 | | | | | | |

| | | | | |
|--|---|---|--|--|
| <p>increased 152:6,14 197:9</p> <p>increasing 78:6,12</p> <p>incumbent 173:4</p> <p>INDEX 4:1</p> <p>indicate 81:12 230:6</p> <p>indicated 144:2 156:6</p> <p>indicates 24:10 123:5 228:12</p> <p>indicating 114:9</p> <p>indication 226:21</p> <p>indications 27:17</p> <p>indirectly 216:23 217:3 217:4,13,14</p> <p>individual 12:19 13:19 45:6 50:6 65:16 66:8 66:22 89:3 93:18 102:22 150:6,14,15 150:23 204:17 205:23 206:1 221:18</p> <p>individuals 8:23 9:2 12:7 100:23 149:17 152:1 153:10 154:11 167:15,21 192:14 208:6</p> <p>information 25:23 76:18 86:20,22 87:1 87:2 90:6,7,10 91:19 91:22 93:1 94:13 95:10 101:14 102:14 175:13 186:2 192:4 193:21 194:18 205:15 207:12,13,14 207:15,15,17,18,21 216:15 218:6,10 225:12,12,17</p> <p>informed 169:18</p> <p>infrastructure 206:4</p> <p>infrequent 185:14</p> <p>inhibit 59:8</p> <p>inhibited 59:15</p> <p>inhibiting 59:3</p> <p>initial 99:2 118:9,16,18 135:16 153:17 156:5 156:7</p> <p>initially 153:5 217:22</p> <p>initiative 205:6</p> <p>initiatives 214:3</p> <p>Injunctive 4:13 113:9</p> <p>input 78:6 144:23 169:10,14</p> <p>inquiry 43:18</p> <p>inserted 64:22</p> <p>instance 3:3</p> <p>instructed 71:13</p> <p>instruction 41:22 42:13 43:2,6,14 44:5,16,19 45:1,3,17 46:2 48:1 67:10 71:12 96:8</p> | <p>120:21,23 121:2 213:21,23 223:6,8 224:6</p> <p>instructional 35:21 37:5 67:4 72:20 86:9 86:13 90:16 91:8 123:17 125:13 213:13,14</p> <p>instructions 44:2</p> <p>intangible 106:14</p> <p>integrate 71:18 92:23</p> <p>integrated 72:4,6 218:9 220:22 221:1,4,8,12 221:15 222:14 223:4</p> <p>integrating 72:12</p> <p>integration 71:9,14,22 72:8 212:15</p> <p>intend 204:1</p> <p>intended 21:22</p> <p>intent 65:18 228:14</p> <p>intention 194:17</p> <p>interactions 151:8</p> <p>Interconnect 76:11</p> <p>interested 231:15</p> <p>internally 219:20</p> <p>Internet 44:2,17 46:1 47:3,9</p> <p>interrogatories 4:15 5:5 115:5 142:15 191:21</p> <p>interrogatory 142:20 193:13</p> <p>interrupt 8:6</p> <p>invalid 171:3 189:2</p> <p>invested 216:23 217:3 217:13</p> <p>investigation 84:20 85:10 194:1</p> <p>invitation 165:14,19 166:23</p> <p>invited 164:12,23 165:5,6,9,14,18 166:19 167:7</p> <p>involved 97:4 150:16 150:19 151:12 192:8</p> <p>in-between 186:12</p> <p>in-person 41:12,15 45:20 120:21,23</p> <p>Irish 67:19</p> <p>Island 8:10</p> <p>issued 17:17 19:6 180:3</p> <p>issuing 17:20</p> <p>item 11:13 147:8 156:3 156:5,9,10,14,17</p> <p>items 78:7,8,11 135:21 144:3,5 147:5 156:13 200:2 201:4</p> <p>iterations 150:20</p> <p>I(a)(10) 64:21</p> | <p style="text-align: center;">J</p> <p>J 2:4</p> <p>job 7:7,8,9,10 8:22 9:4 77:15,16 178:9</p> <p>Joint 215:4</p> <p>judge 137:13 173:2,10 174:5</p> <p>Judgment 4:13 113:9</p> <p>judicial 182:16</p> <p>judiciary 33:3</p> <p>July 24:10</p> <p>jump 126:20 133:11 147:19</p> <p>Jumping 132:9</p> <p>June 38:19 191:12 193:4 194:3</p> <p>jurist 180:22</p> <p>JUSTICE 2:7</p> <p>justify 40:7</p> <p>J.P 230:22</p> <p style="text-align: center;">K</p> <p>K 118:10,19</p> <p>Keene 116:3</p> <p>keep 117:10 146:1 173:18 184:18</p> <p>keeping 52:15</p> <p>Kimberly 2:10</p> <p>kind 123:22 172:6 217:17</p> <p>kindergarten 90:7</p> <p>knew 63:7</p> <p>know 9:13 15:18 16:21 21:13 24:14,21,22 25:2 26:22 27:1 29:6 29:18 30:17,19 34:9 38:21 40:23 43:1 46:3 54:19,20 55:16 56:5,7 58:19 62:9 68:15 75:9 76:20 79:8 85:19,21 90:4 92:4 94:11,15,18 97:4 101:10,16 103:20 105:9 107:12 107:13 108:9,23 110:8,10 112:17,21 113:5,20,21 114:6,13 117:2 120:8 122:8,12 125:4 133:2 139:10 139:15,18,23 140:17 147:20 148:12 150:8 151:4,21 152:8,12,13 152:22 154:14 157:20,23 159:4,6 164:16 166:2 167:9 168:23 169:17,20 170:21 172:6 177:15 186:8 191:15 193:10 195:2 197:16 198:2,8</p> | <p>198:15 200:12 201:2 201:5,9,15 208:20,22 209:6,10,13,16 210:12,14 216:13 219:1,1 223:18 224:3 225:19 226:5 227:13 227:18</p> <p>knowing 212:1,4</p> <p>knowledge 15:14 40:2 40:4 61:20 67:12 75:17 77:4,4,5 143:2 175:10 185:19 193:20 198:2 216:21</p> <p>knowledgeable 100:20</p> <p>known 65:8</p> <p>K-12 152:17</p> <p style="text-align: center;">L</p> <p>labeled 10:3 20:8 39:10 44:11</p> <p>lacks 193:20</p> <p>language 70:22 71:18 75:2,4 76:5 136:12 138:9 148:8</p> <p>languages 136:15</p> <p>large 9:13</p> <p>larger 211:10,19,20</p> <p>laughable 190:8</p> <p>law 1:12 12:19 14:11 14:13,17,20 15:11 24:12 25:15 26:3 28:15 34:3,10 37:15 37:20,22,23 38:1,2,2 38:4,15 40:3 51:1 64:10 65:22,22 66:2 66:4,6 72:17 85:12 138:10 145:23 170:16 180:14 181:21 182:17 188:2 188:9,19 189:3,7,20 191:1,6 211:2</p> <p>Lawrence 2:9 187:16</p> <p>LAWRENCE.P.GA... 2:9</p> <p>laws 12:15,20 33:9,10 35:5 57:23 58:4 63:14 141:7 183:4,10 184:10,13,15 187:8 188:3,11,21 189:13 190:15 215:5</p> <p>lawsuit 162:1</p> <p>lawyer 137:23</p> <p>LCR 2:13</p> <p>lead 29:9</p> <p>leading 102:23 149:16 150:6</p> <p>leads 173:14</p> <p>Learn 102:12,15,16,20 103:1,3,5,10,22</p> | <p>104:3,9 106:1</p> <p>learned 194:2</p> <p>learner 11:18</p> <p>learning 4:10,18 39:13 39:21 40:5,9,9,12,15 40:21 41:10,12,15,16 41:19 42:19,20 43:5 43:13 47:16 48:15,23 60:17 62:12 64:23 66:13 76:23 77:2 86:2,10,12,13 92:3 95:22 96:2,6,7 98:12 98:14 99:6,8,12 105:22 124:4 125:6 125:12,20 138:23 155:16 212:14 214:2 214:5</p> <p>leaving 194:12</p> <p>led 76:1</p> <p>Leggett 2:11</p> <p>legislation 63:6,22 167:17,19 185:13</p> <p>legislative 23:18 28:4 30:14 34:21 78:23 146:16 162:18 164:9 169:15 170:9,14 176:1 209:17 215:4</p> <p>legislatively 31:20 78:19</p> <p>legislator 54:23 55:23 173:2</p> <p>legislators 185:11</p> <p>legislator's 55:16</p> <p>legislature 28:14,21 29:22 30:1,4,10,14 31:13 32:11,22 33:3 33:4,9,11,19,20,21 34:4,6,20 35:2,3,6 36:3,10 37:8,10,13 37:17,20 40:3 54:11 54:13,16 55:9,20 56:21 65:23 72:18 74:10 91:18 138:16 139:16 147:11,15 162:7 166:11 169:3 175:23 181:11,22,23 182:14 183:7 184:11 184:14,19,20 185:8 187:7 188:4,9,12,19 188:22 189:3 190:19 195:3,6,13,22 196:2 199:8 200:7 205:15 207:19 209:16 210:2 216:5</p> <p>lession 69:3</p> <p>letter 97:15,19 98:1,10 204:6,11,14 208:13</p> <p>let's 70:8 71:2 89:20 92:2 97:10 100:8</p> |
|--|---|---|--|--|

| | | | | |
|--|--|---|--|--|
| <p>111:23 125:15 126:7 126:20 225:20 level 70:12 72:21 124:1 145:9 179:12 205:10 214:6 224:13,14 levels 124:5 library 35:18 37:2 Licensed 231:3,20 licensure 141:22 life 13:17 134:14 limit 53:19 214:16 limitations 103:8 limited 52:6 limits 214:18 line 10:12,13,15 11:13 39:12 48:13 78:7,8 78:11 146:22 147:2,8 161:23 230:5,12 lines 27:11 36:21,22 39:7 44:9,12,13 64:16,19 linked 163:4 linking 163:5 list 63:17,17,20 79:20 144:9,10 listed 76:13 79:15 90:13 101:7 105:13 230:10 listening 154:19 155:6 155:7,9 literacy 64:20 65:1 66:14 90:2 146:23 147:3 literature 172:16 little 60:16 73:1 77:8 106:19 127:16 160:17 186:16 217:22 220:21 live 170:1 living 45:22 LLC 203:20 208:19 load 128:2 local 59:19 82:15 126:18 139:11 140:11 142:2 172:22 176:16 locally 59:19 location 45:2,16 46:5 locations 46:4 logo 109:5 Londonderry 173:9 long 7:4 17:1 78:15 82:4 150:17 169:1 209:10 longer 88:23 125:16 183:14 187:11 Long-Term 4:8 20:2,9 look 13:17 22:15 23:1 27:3,10 28:10 36:21</p> | <p>42:21 45:12 46:18 73:4 75:11 78:16 80:9 84:10 87:12,14 87:17 91:1 110:18 112:7,22 113:11 115:15 119:23 121:12 125:2,12 150:10 163:14 164:7 167:6,8 174:10 177:2 191:16 215:14 224:4 228:10 looked 85:8 137:10 160:17 164:5 168:23 176:3 looking 18:21 48:13 49:15,16,19 50:12 62:17 122:23 123:9 135:1 155:1 177:16 203:17 214:23 looks 85:4 Lorie 2:11 loss 98:12 lot 70:14 71:9,14 95:20 150:21 157:19 163:9 214:7 LOUIS 1:10 4:3 5:1,3 230:8,18 231:7 low 191:5 228:16 lower 19:1,14 20:21 49:12,22 212:23 luck 163:16 lunch 133:16 140:13 175:6 LUNCHEON 143:3 Luneau 164:16 Lynn 2:13 231:3,20</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>M 135:2 magistrate 173:3 174:6 maintain 204:17 205:12 maintenance 35:23 37:7 40:14 majority 44:1,4,16,19 47:3 making 12:3,7 42:23 46:20 65:19 136:3 165:2 168:13 manage 211:18 managed 211:1 management 11:21 69:14 202:11 211:12 manager 9:4 102:3 210:16 managerial 8:23 managers 210:20 Manchester 1:13 2:3 89:7,20,21,22 90:5,8</p> | <p>manner 42:13 mark 9:19 97:10 230:5 marked 9:22 10:2 15:21,23 16:2 18:4,6 19:23 20:2 22:16 27:5 36:17 62:12,14 62:22 63:2,9,11 97:13 107:17,20 113:8 115:3 117:17 117:20 121:6 155:15 163:18 171:15 203:14,17 218:3 Market 1:13 2:3 markup 218:2,14,17 markups 218:3 master 8:10 222:8 mastery 88:20 89:12,17 222:10 match 96:23 materials 35:21 37:5 math 61:9 83:9,14,18 83:20 90:1 198:16,18 198:20 221:23 222:6 222:20 mathematics 136:13 138:14 177:9 matter 33:2 173:16 177:19 228:22 229:7 maximize 96:2 maximum 93:14,15 95:21 110:4,6,10,17 212:8,13 mean 9:8 12:18 16:8 22:8 32:17 45:5,10 46:3 57:11 63:20 71:16 73:17 74:8 76:10 108:10,13 114:8 116:9 162:14 162:15 166:14 172:14 193:14 194:15 202:20 208:15 213:17 220:6 221:4 means 6:4 73:16 172:18 meant 117:10 measured 175:5 mechanism 60:10 mechanisms 190:16 media 35:18 37:2 meet 40:17,22 41:2,5 56:18 80:8,18 82:1 82:11 84:12 85:5 93:4 103:11,14,15 129:19 180:6 197:5 202:10 205:4 meeting 145:22 157:9 165:6 170:2 222:15 meetings 158:1 164:10</p> | <p>164:13 165:1 170:1,5 meets 80:22 82:5 104:8 member 7:17 165:5 166:16 167:3,8 168:18 169:19,23 170:7 181:22 220:15 225:13 members 170:8 218:7 219:12 226:2,10,23 memorized 144:17 memory 117:23 142:19 171:6 mentioned 8:13 21:5 77:9 106:18 142:7 227:21 merely 120:15 met 80:1,4 81:12,18 Metea 2:13 231:3,20 methodology 224:5 Michael 2:4 5:7 microschool 93:16,18 94:19 95:2 microschools 86:2 92:2 99:18 middle 20:13 128:3 186:13,14 Mike 208:23 million 10:17,20,21 18:19 21:19 96:12,12 193:19 195:19 199:23 201:5 203:18 204:12 millions 24:19 mind 52:15 55:16,23 71:7 75:23 124:14 127:14 Mine 118:14 minimum 67:9 82:16 82:23 84:4,7 103:14 103:15,17 121:17 122:1,5 129:7,20,23 133:8 135:22 136:1,6 136:17 137:2,14,21 138:4 140:17,23 142:5,10,17,23 143:10,11,21 146:2 147:8,10,17 148:4,10 148:19,23 156:11 161:7,11 minimums 213:15 minute 17:1 100:8 155:21 215:14,16 minutes 21:6 133:18 165:10,13,16 misrepresent 163:7 misspoke 65:14 misunderstanding 160:15 model 86:9</p> | <p>Modeling 4:8 20:3,9 modifications 64:9 modify 99:4 money 31:8,11 96:14 175:7 184:22 202:13 monitoring 85:13 monopolies 172:17 months 75:23 217:23 218:16 morning 5:6 motivation 210:1 mouth 120:3 move 65:6 101:4 161:20 moved 195:19 moving 127:2 MTIERNEY@WAD... 2:4 multiple 72:12 82:10 112:10 173:14 175:21 221:5 multi-age 86:15 94:6 multi-subject 86:16,17 municipalities 7:23</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>name 4:2 5:6 7:19 149:23 167:12 named 162:2 167:21 names 219:1 naming 168:2,7 Nate 154:5 national 4:18 149:15 149:20,22 154:10 155:16 nature 49:13,23 50:4 192:5 225:1 NCC 154:10 necessarily 95:16 134:20 147:19 necessary 110:18 163:2 222:9 230:4 need 6:16,19 17:1 24:2 26:9 27:21 30:20 31:8 43:8 50:21 51:5 51:11,17 53:6 54:20 54:22 57:18 60:2 63:21 70:15 81:18 83:3 91:12 92:14 93:3 96:16 98:18 99:14,16 112:3 120:6 121:1 123:1,12 125:21 126:15 128:16,18 129:2,10 129:22 130:17,18 131:5,7,21 132:3 139:1,2,4 140:2 153:14,20,22 155:4 159:10,20 177:2,8</p> |
|--|--|---|--|--|

| | | | | |
|---|---|--|--|--|
| 178:15 196:3,7 197:3 200:3 205:13 208:2 209:14 210:20 211:11,22 212:2 221:22,23 222:2 230:6 needed 50:1 99:4 180:6 205:4 226:16 needs 31:11 50:11,12 50:14 111:10 126:16 157:17 176:15 197:3 197:19 210:4,6,7,7,9 210:10 211:13 222:16 negotiate 113:22 negotiated 120:16 negotiation 119:19 negotiations 117:3 neither 95:4 119:12 231:10 never 85:4 166:17 168:16 215:8,12 new 1:1,7,13 3:5 7:3 8:19 11:16 12:4,16 12:21,23 13:2 15:11 30:21 48:7 49:16,20 50:16 61:12 63:14 68:5 69:21 88:7,11 90:11 95:4 98:16 99:23 100:3 102:17 104:6,16,18,20 106:20 107:3,9,14 113:15 115:20 116:6 116:12,19,21 139:3 150:16 152:14,23 153:1 161:3 171:8,10 171:18 172:21 175:1 175:6 181:10 182:8 189:4 194:21 196:8 198:10 207:20 208:7 209:15 217:6,19 219:3,4,5 220:4 227:6,10,20 231:4 NFPA 134:14 NH 2:3,8 NHLI 219:7 Niagra 7:15 nine 174:18 noncharter 19:12 123:20 nonconstitutional 180:20 nonconstitutional 182:17 184:17 noncore 210:10 nonjudicial 173:15 nonprofit 223:12 nonpublic 13:5 100:5,8 100:10 101:1 106:18 106:21 107:2,8,13 | 108:13 217:4,14,16 227:22 nonresident 111:5 nonVirtual 40:9 normal 52:11,13 92:20 93:1 North 43:22,23 notarized 230:7 Notary 230:22 noted 175:3,18 229:21 229:22 notes 231:6 notice 3:7 94:5 November 97:15 98:5 number 9:15,20,22 15:23 18:6 20:2 27:5 27:7 36:17 54:17 62:12 63:2,11 64:19 67:9,13,14,18,19 73:4,5 75:9 82:16,19 82:20 83:7 90:16 93:14 97:7,13 107:17 113:8 115:3 117:17 121:10 139:19 142:1 146:22 147:8 152:5 152:13,17,19 155:15 156:4,5,17 163:18 171:15 177:7 198:5 199:13,14,19 200:14 200:22 203:14,18 206:23 211:21 214:23 228:2 230:5 231:21 numbers 10:15,22 11:2 25:12 119:2 numeral 121:23 140:22 <hr/> O O 122:11,12,17,19 140:18 141:11 143:17 160:17 oath 5:3 184:9 object 229:21 objected 119:13 objecting 229:3 Objection 55:13 183:1 188:16 189:8 190:11 200:16,23 202:16 210:11 222:11,22 objections 3:8 4:15 6:6 115:4 119:4 191:20 objective 32:2 obligation 32:3 70:3,18 71:5 72:13 120:1,4 146:5,6 182:8 184:9 obligations 120:9 173:5 174:7 180:7,9,10,11 180:12,17,18 182:22 182:23 202:6 204:20 | 205:5 obtain 102:19,22 127:10,11 obtaining 100:16 obviously 141:4 occurrence 185:14 October 178:2 229:14 odd 167:5 offer 41:12,22 62:2 66:14 69:11 165:23 offered 61:16,22 62:4 81:3 84:11 85:11 offering 42:23 62:1,2 83:12,17 offers 62:15,16 83:14 83:20 office 2:7 11:21 165:19 166:22 168:12 officer 7:14 9:10 Offices 1:12 official 23:2,13,16 24:6 24:7 162:3 181:5 off-record 26:16 off-the-record 178:17 225:22 off-the-shelf 208:17 Oftentimes 185:9 oh 85:5 137:13 okay 7:16 17:2 25:11 26:12 31:7 39:11 44:8 51:10 58:14 64:2 74:14 79:14,19 89:20 92:11 95:12 111:18 114:21 115:10 118:17 121:13 122:18 124:3 126:21 131:17 133:5 146:14 160:19 163:16 199:1 old 127:14 134:1 136:14 once 128:8,12,17 196:10 ones 21:14 64:14 141:14 154:12 160:23 180:12 195:3 ongoing 157:23 173:19 173:21 217:8,20 online 48:5,5 94:8 open 135:5,7,12 136:23 operate 13:14 20:20 49:11 126:12 180:23 183:8 184:12 188:2 200:10 operates 217:4,14 223:12 operating 6:3 190:16 217:5 223:20 operation 35:23 37:7 | 189:19 223:21 operations 178:23 179:2 197:18 opine 174:4 opinion 34:17 40:7 95:12 98:7 138:11 159:11 170:23 176:22 202:13 221:12 223:3 224:2 opinions 28:23 29:2,8 31:15 34:9,11,15,19 170:16 173:7,12 177:13 215:9 221:11 223:1 229:6 opportunities 67:3 74:1 127:6 opportunity 56:19 72:7 76:8 98:13 99:11,12 121:20 122:3 136:8 138:6 141:2 147:12 161:10 opposed 11:13 190:16 196:21 optimal 96:3 optimum 96:1 order 23:15 24:1 30:22 32:7 43:8 54:20 82:11 92:22 99:15 120:23 158:1 175:23 179:23 191:23 197:5 202:9 205:4 206:4 207:16 222:6 organization 110:16 156:23 204:17 211:18 219:6,8,23 223:15 224:16,23 organizations 223:19 organized 211:16 organizes 90:15 original 73:19 74:17,22 75:2,4 76:2,4,14 originally 97:8 Orthodox 8:12 outcome 90:20 outcomes 175:2 outdated 26:20 outdoor 125:19 outer 125:8 outlined 47:19 output 145:1 outside 125:7,23 158:22 191:11 197:20 201:12 208:2 oversee 8:19,21 9:7,8 145:7 178:23 overseeing 151:22 192:8,12 oversees 102:7 Oversight 215:4 | owner 208:22 <hr/> P P 2:9 page 4:2,5 10:11 20:12 20:13 36:20 39:6,7,8 39:9,10 44:9,10,11 44:11 80:9 115:9 118:8,8,12 122:19 132:1 143:17 146:18 146:19,19,20,20 174:18 230:5,7,12 pages 174:10 215:15 paid 94:20 95:1 108:8 painting 82:4 pandemic 125:17 186:13,15 paper 16:15 27:18 109:4 paragraph 18:22 19:3 19:4 113:13,14 114:22 118:12 121:19 122:2 136:2,8 136:10,10,19,20,22 138:3,6 141:2 142:8 142:12 159:18 161:9 176:7,8 177:6,7 paragraphs 113:12 174:18 parameters 78:3 parent 94:16 parents 47:5 part 56:3 59:11 62:14 70:6 71:2 78:20 80:6 84:22 105:20 134:5 134:18 135:13 138:14 143:22 144:22 145:19 146:4 148:20 159:23 160:4 171:7 172:4 178:9 204:21 208:8 participate 52:14 60:6 60:9,11,13 92:8 104:13 170:6,9,13 participated 170:4 particular 22:17 25:12 27:10 46:6,9 48:3 50:11 58:2,4 70:12 75:6 78:11 80:5 81:22 83:9,13 84:21 88:23 89:9 90:15 103:17 105:1 106:4 110:2 113:12 123:14 125:16,22 135:2 145:11 146:18 147:22 152:3 160:3 174:10 183:18 185:13 188:18 197:1 197:2 200:15 211:16 |
|---|---|--|--|--|

| | | | | |
|--|---|--|--|---|
| <p>220:3,5 222:16 particularly 204:22 208:6 214:5 parties 231:12 Partners 4:21 7:18 203:15,19 208:19 parts 16:6 123:1 part-time 128:8 pass 56:8 205:2,22,23 passage 189:21 passed 35:5 36:10 37:8 37:10 38:1,3,4 57:1 72:18 73:10,11,14 75:1 183:7 184:11,13 184:20,21 185:8 187:7 188:4,11,13,19 188:21 189:3 190:15 passes 33:10,11 34:4 37:21 65:4 188:9 206:8 pass-through 201:11 Paul 107:10 pave 85:2 pay 23:4 31:1 39:15 48:17 106:21 107:1 115:14,18 116:2 145:10 176:17 190:17 191:6,7 paying 108:17 112:2 139:7,10,12 payment 85:14 payments 22:19 payroll 197:3,5 pays 52:1,1 83:21 peers 98:15 pending 6:20 people 34:13 35:11 101:4 132:2 157:15 181:5 208:20 219:9 percent 87:17 89:6 175:2 223:11,17,22 224:1 percentage 87:14 88:15 89:18,23 perfectly 100:18 performance 19:10 21:16 89:4 96:22 97:1 period 78:15 96:22,23 125:5 152:15 197:3 periods 75:7 permitted 111:3 person 34:6 38:14 44:5 44:19 77:17 100:20 129:12 173:15 personal 64:20,23 66:14 147:2 personally 192:6,17 209:7</p> | <p>personnel 35:20 37:4 Peters 1:12 2:2 Petition 4:13 113:9 petitioners 4:15 115:4 191:20 phrase 45:8,11 220:23 physical 136:15 physically 25:20 pick 167:18 picks 167:12 168:2,13 picture 75:8 piece 16:15 27:17 109:4 place 71:9,15 72:21 78:15 89:2 95:18 115:20 150:10 153:6 169:21 214:14 226:14 231:8 plaintiffs 2:2 5:8 160:18 193:16 planning 133:15 play 12:6 played 217:20 220:12 please 6:12 26:11 73:4 75:22 79:13 198:19 198:20 217:10 230:3 230:5 plus 22:21 23:5 28:12 39:16 203:10 pod 86:23 92:10,13,15 92:18,19 93:5,12,19 94:16,17,19 99:6,12 Pods 86:2,11,12,13 87:23 92:3,8 93:4,8 93:14 94:2,12 96:10 96:15 97:3,5,22 98:8 98:9 99:9 point 9:16 68:23 133:18 136:21 138:18,19 148:2 149:11 154:16 179:19 183:13 218:12 pointed 137:8 138:3 140:4,22 141:18 144:5 203:4,6 population 205:20 portfolio 102:14 position 7:1,4 33:1 77:19 102:1,2,5,7 positions 8:3 positive 38:6,7 150:1 169:12,15 possession 114:7,8,9 possible 71:17 80:16 81:10 82:10 138:19 165:19 216:16 post 108:14 potential 17:23 24:22</p> | <p>95:22 96:2 potentially 68:11,23 72:5 189:23 practice 3:6 practices 22:7 67:4 precisely 52:12 predated 209:13 Prenda 4:12 86:5,6,7 87:4,5,8,9,23 88:3,5 88:6,19 92:2,8 93:8 94:12,15,19,22,23 96:10 97:14,22 98:3 216:23 Prenda.com 203:7 preparation 9:7,9 77:11 prepare 9:5 11:12 prepared 11:9 192:23 present 2:10 64:11,14 66:7 presented 38:12 78:4 87:18 109:5 132:22 218:11 presently 217:5 218:23 preserve 6:5 president 168:7,9,17 press 4:7 17:17,20 18:6 18:9 19:6 21:18 presume 189:6 presuming 6:3 presumption 56:9 181:1 182:15 183:6 184:13 189:19 previous 202:7 previously 85:8 101:17 114:18 121:5 138:19 151:5 158:20 183:6 198:5,6 199:7 212:15 216:2 221:16 price 175:5 PriceWaterhouseCo... 7:13 primarily 9:11 primary 46:6 76:1 principal 8:22 35:17 37:1 77:17,19 219:5 principally 12:3 91:17 201:9 printed 16:9 prior 7:10,20 8:3 78:16 87:7 109:2 112:1 119:8 120:4 144:1 153:13,19 187:17 192:18 218:17,20,21 220:16 225:23 private 87:5 109:7 privileged 6:9,10 privy 169:20 186:4 probably 33:3 196:13</p> | <p>201:17 procedure 230:2 process 54:23 59:16 78:14 100:16 104:4,5 105:8 112:8 119:21 140:2 152:23 153:7 153:16 154:13 156:1 167:15 177:23 182:16 199:8 204:16 206:20 220:19 processes 127:23 176:13 189:22 produce 114:18 115:11 produced 18:17 producing 192:19 production 4:16 115:5 191:21 productive 105:21 professional 35:22 37:6 132:9 218:22 program 13:7,9 40:18 45:15 50:6 102:12,15 102:16,17,21 103:1,4 103:5,9,11,21,23 104:3,7,8,10,12,14 105:21 106:1,3,4,6 111:3 145:19,20 175:6 196:8 200:7 205:8 207:20 programming 102:8,9 102:11 205:6 206:7 programs 13:1 40:20 100:2 105:9,17 106:5 106:7 124:17,19,21 201:8 205:1 206:23 207:3,23 208:1 program's 99:2 prohibit 161:13 project 219:22 project-based 214:1 proper 125:8 property 175:4 proportion 88:21,23 proportional 128:21 131:13 proposal 149:2,6,10 153:3 155:2 156:6,8 156:19 157:11 159:6 159:9 218:5 proposals 149:4 propose 186:1 proposed 153:1 154:1 154:7,7 158:2,3 170:15 217:22 226:4 226:13 proposing 152:23 227:4 proprietary 204:18 208:14,16</p> | <p>provide 13:21 14:4 15:12 18:23 30:22 31:9,12,16 40:13,16 42:19 44:4 48:23 49:10 51:5,15,17 52:18,23 53:7,11 54:1 55:8,21 57:7 59:8 61:1 62:20 67:9 70:4 76:7 84:19 87:9 88:7 91:12 93:3 95:14 98:12 106:10 120:21,23 121:1 125:21 126:8,19 135:12 138:22 147:16 172:22,23 175:23 179:23 180:2 181:8 187:23 192:6 200:4,8 204:2 205:15 207:17 209:18 213:22 225:16 provided 15:8,17 20:19 31:9 32:21 44:1 46:21,22 49:3,14 50:7 51:8 53:18 54:10 56:14,17 57:9 60:23 63:4 64:8 74:5 74:9,10 84:3,5 87:15 88:2,5,11,16 91:16 91:23 96:8 98:10,16 108:11 109:13 115:19 121:5 124:4 139:13,17 141:9 144:4 159:3 162:8 181:7,13 189:15 190:7,14 198:6 211:3 218:1 225:1 provider 104:6 105:5 106:2,8 providers 105:16 provides 31:23 44:15 44:18 47:20 49:6 61:8,11 64:9 225:17 providing 14:10,15,23 15:5 31:19 35:15 49:20 50:17 53:17 54:7 58:17 65:10 67:1,23 84:13 100:11 126:14 144:20 145:5 145:17 148:3 177:18 190:9 207:21,22 210:8,9 214:10 227:7 227:11 228:3 229:7 provision 12:16 25:9 31:21 32:13,14 33:12 51:3 56:11,19 70:18 80:6 85:14 162:9 171:9 provisions 143:11 proximity 113:16</p> |
|--|---|--|--|---|

| | | | | |
|--|--|--|--|---|
| 114:1,3 116:7 prudent 226:7 public 7:12 13:3,4,4,10 13:11,13 14:9,15,22 14:23 15:4 16:17 18:9,22 20:14,15,19 20:23 21:11 22:12,20 23:6 28:13,18 29:12 29:15,17 30:20 31:3 31:7,8 41:1,17,20,21 41:21 42:14,15,17,18 43:2,17,21 44:4 45:14 47:6,23 48:6 49:2,5,11,18 50:19 51:5 52:6,8,17 53:6 54:2,10 55:21 57:18 58:6,8,10 59:6,12 61:13 80:19 81:4 83:23 95:8 99:19 100:4,12 104:16,19 104:20 110:19 111:5 111:9,14 120:20 121:18 122:1,5 123:2 123:3,12 124:2 126:13 132:11,16,20 133:13,20 134:17 135:11 136:1,6 137:15 138:4,22 139:20 140:23 142:6 142:10 144:20 149:1 152:20 154:19 156:20,22 157:3 159:1 161:8,12 169:23 170:2,7 198:9 198:13 204:8 211:5 223:23,23 224:11,16 225:2,4,9,12,13,18 227:21,22 228:3,10 230:22 publicly 74:6,13 published 23:16 publishes 228:11 pulled 149:17 pupil 19:1,14,16,18 20:14,21 21:1 49:12 49:22 92:5,6 112:20 113:18 114:5,12 115:22 116:8 117:14 198:17 199:2 227:8 227:12 228:5,12 pupils 116:14 198:8 199:14 200:14 206:16 purpose 196:9 209:22 purposes 3:4 71:1 204:5 pursuant 22:18 23:3,4 24:19 27:14 39:14,15 43:23 48:16,17 53:18 | 56:20 139:4 154:17 181:14 215:5 pursue 126:17 purview 91:6 put 16:15 84:9 195:3,6 199:10 214:18 putting 195:11 p.m 143:3,3 229:22 <hr/> Q <hr/> qualified 13:1 186:21 qualify 110:20 question 6:7,11,12,15 6:20 17:2 18:8 29:1 29:13 31:5,6,18 34:23 43:11 44:14 52:16 61:2 64:2 66:1 69:3 70:7,20 72:2,16 73:12 76:3,6 79:7,11 79:14 80:23 83:15 84:15 88:1,18 89:19 97:23 104:1 105:23 109:9 114:17 115:10 115:17 116:4,17,17 116:20 123:8 126:1 130:10,16 133:19 135:17 137:19 155:22 158:14 159:14 161:5 174:12 174:16 181:18 186:22,23 191:9 193:2,7 194:16,20 195:8 202:7 204:5,10 206:12 208:5 210:7 212:6 217:11 222:4 222:13 226:22 227:9 questioning 161:23 questions 65:5 90:21 105:15 131:3 172:6 173:19,21 185:10 186:1 192:1,2,5,7,10 192:11,13 228:23 229:5 quick 101:15 quite 54:22 132:1 139:19 141:7 145:12 150:17 166:10 167:2 quote 39:12 <hr/> R <hr/> R 231:2 rainy 194:12,19 195:7 195:11,20 196:18 raise 119:2 176:17 ran 8:4 rate 108:16 rates 118:9,16,18 175:5 196:6 227:18 ratio 212:12,23 | ratios 212:7 Reach 156:23 reached 128:17 156:12 168:16 171:2 reaching 168:19 218:18 read 17:12 22:1 36:12 95:20,23 113:2,5,13 121:23 124:11 132:1 136:10 144:15,15 146:10 147:4,6 193:6 194:10 203:23 230:2 230:3,9 reading 19:3 118:12 121:22 136:13 141:13 194:6 reads 23:3 real 13:17 111:23 really 54:15 125:10 154:9 161:5 164:15 213:12 realm 208:7 reason 6:16 11:1,3,4 28:18 40:10 73:9 99:2 108:3 170:19,21 181:17 192:22 208:8 220:1 225:15 230:5 230:12 reasonable 113:16 reasons 98:20 108:18 108:22 Rebecca 2:13 231:3,20 recall 17:20 19:19 21:8 21:11 38:17 97:6,9 143:8 150:11 164:4,8 170:11 185:4 192:21 recalling 228:17 receipt 18:19 receipts 197:6 receive 12:5,22 17:3,8 28:19 29:3,11,11,15 29:21 32:4,8 39:23 43:14 44:3,17 48:1 61:5 92:9,11 99:15 99:22 100:13 103:2,7 104:14 105:17 106:2 109:20 138:19 185:10 226:11 received 44:5 96:20 110:2 receives 22:19 29:5 39:22 106:8 receiving 12:7 29:20 93:8,21 94:8 118:1 226:20 recess 28:1 73:2 143:3 recognize 117:19 recognizing 223:6 228:20 | recollect 15:15,16 34:12 117:22 119:4 168:5,8,11,15 170:18 189:12 202:18 recollection 11:6 15:2 15:7 17:19 18:13 21:3,7,13 25:6 30:7,9 34:16 38:16,20 39:2 74:12 75:7 78:10,14 97:21 98:2 165:8,18 166:21 168:19 169:2 171:4 176:4 185:1,2 193:3 215:17,19 recommend 219:14 recommended 78:11 record 23:2,13,17,18 26:14 30:8 63:4 132:6 177:22 225:21 230:10 recorded 5:21 recruit 208:6 recruitment 97:5 redrafting 151:18 reduce 191:4 reduced 68:23 175:5 refer 60:20 86:10 131:22 reference 48:21 74:7,9 79:12 95:7 120:6,12 120:18 121:11,15 133:2 136:4,20,22 138:1 139:8 155:11 164:2 165:3 171:11 174:22 178:16 208:13 211:8 referenced 141:9 142:8 163:22 175:21 180:15 references 141:6 146:11 163:3 208:16 referencing 36:19 44:6 44:7 referred 108:7 164:3 referring 16:18 36:14 58:4 111:15 143:20 144:10 147:15,18,20 148:1,8 155:20 reflect 95:19 158:9 165:13 refresh 11:6 18:13 97:21 98:2 142:19 150:7 171:6 193:3 215:17 regard 134:12 141:23 regarding 16:20 17:21 38:18 58:15 97:22 Regardless 74:14 75:6 117:7 regular 53:20 54:4,6,8 | 140:7 149:5 regulated 100:12 regulation 59:2 128:6 regulations 67:8 134:3 138:13 141:13 regulatory 140:10 141:21 142:2 rehabilitation 11:22 rekindle 98:13 relate 172:4 related 179:18 227:3 231:11 relating 134:14 159:17 relationship 95:5 relative 18:18 23:23 25:13,15 35:11 96:5 117:23 124:15 173:23 184:10 186:4 186:19 231:13 release 4:7 17:20 18:6 18:9 19:7 21:18 218:18 released 157:7,10 releases 17:17 relief 4:14 113:10 196:7 relies 207:11 rely 70:22 remain 92:18 remember 96:11 remind 25:18 143:10 143:15 reminding 143:18 rendition 28:4 renumbered 148:9 reopening 229:3 repair 179:15 repeat 29:1,13 31:6 76:3 79:14 80:23 84:15 97:23 186:23 193:7 198:20 204:10 217:11 222:12 226:22 227:9 rephrase 43:10 replicate 22:10 replication 22:6,8 report 4:19 162:19 163:10,13,14,18,22 168:21 175:4,18,19 175:22 207:13 215:3 228:11 reported 91:19 224:21 224:22 reporter 2:13 5:2,22 9:21 15:22 18:5 20:1 27:4 36:16 62:11 63:1,10 97:12 107:16 113:7 115:2 117:16 155:14 163:17 |
|--|--|--|--|---|

| | | | | |
|---|---|--|---|---|
| 171:14 203:13 231:4 231:20 reporting 92:20 93:1 204:19,22 205:4 211:12 224:9,9,10,13 225:3,5,7 reports 91:12,15,17 163:22 164:2 171:5 224:10,17,18 represent 27:8 160:21 191:19 215:2 representative 164:19 219:7 220:9 representatives 219:2 represented 172:8 request 10:20 59:1,12 191:21 197:9,22,23 198:7 199:7,10 requested 91:2 requests 4:6,15 9:23 10:4 114:21 115:5 192:20 require 28:7 50:19 54:4 67:8 82:20 85:9 87:9 130:9 131:14 135:11 137:3 141:17 172:21 207:5 214:3 required 52:18,23 68:7 68:18 69:23 70:2 71:3 82:13,17,19,21 93:6 104:21,23 120:21 126:18 128:10 130:13,20 133:20 135:3,19 137:4 140:6,11 143:12,21 146:3 147:9,10 148:19 159:2 197:17 211:5 213:15 224:17 225:4 225:9 requirement 64:21 128:21,22 134:17 148:7 requirements 58:7 80:1 80:8,18,22 82:2,5,12 82:14 84:5,7 85:1 104:9 132:10 133:8 134:22 139:2,20 140:5,16 141:23 145:15,22 147:7 148:11 158:10,19 159:1 197:15 202:10 202:11 204:22 224:13,15 225:3,5 requires 32:23 53:10 54:3 85:12 137:5 153:17 211:2 224:8 225:6 requiring 138:13 | research 95:18,20,23 96:1 researched 24:15 reserve 141:4 196:18 229:17 reserved 3:9 194:12 reside 47:4 111:17 residence 46:6 resident 49:4,6 51:4 52:8,10 53:16 residential 45:22,23 46:5,16 resources 11:19 respect 25:9 47:15 120:1,13 137:8,9 173:4 190:13 respond 116:19 185:23 190:3 responded 115:23 116:1 responding 115:17 response 115:19 192:10 responses 4:14 115:4 191:17,19 192:7 responsibilities 178:22 182:3 183:9 184:6,8 187:21 202:8 responsibility 14:7 29:23 31:1 32:12 33:8,17 34:2 46:9 51:2 91:9 120:13,15 120:17 178:11 181:20 183:4,16,17 184:1 188:8,17 190:17 195:10 216:3 responsible 9:11 12:3 46:12 67:6 101:1,6 139:6,9,10,12 145:8 150:15 178:15 181:4 187:3 192:12 responsive 192:4,19 207:19 rest 65:3 177:4,6,7 restaurant 69:14 result 17:22 50:9 66:17 67:1 68:22 173:5 196:3 225:4 resulting 196:7 results 19:11 retirement 60:3,7,14 return 104:15 returned 101:21 revenue 176:17 197:6 review 162:18 163:6,21 164:6 165:10 171:13 182:16 192:18 215:16 reviewed 135:21 | 158:19 175:19 218:1 revision 156:11 218:1 226:1 revisions 217:8,21 218:23 Rhode 8:10 right 9:17 51:21,23 89:20 123:5 141:5 154:2 197:2 229:17 rightly 173:22 roads 179:15 ROCKINGHAM:SS 1:2 role 12:6 35:4 101:20 101:21,23 151:6,9 185:9 217:20 220:12 220:14,15,18 roles 101:5 150:18 167:22 rolled 77:22 Roman 22:17 121:7,8 121:12,14,17,23 136:5 140:22 room 45:23 213:8 rooms 213:3,5 rough 112:13 roughly 9:13 118:1 198:8 route 52:14 54:8 routes 53:21 54:4,6 routing 52:7 RSA 13:15 15:13 16:3 16:6 22:15,17,21 23:3,4 26:18 32:20 32:22 33:14 34:10 39:14,16 43:23 48:3 48:16,17,21 56:18,20 57:5,9 60:3 61:18 62:5,19,21 63:5,18 64:9,21 65:7 81:5 85:6 88:12 90:13 103:13 109:21,22 110:3,5 121:4,7 134:6 135:15 137:4 137:16,17 139:13 140:19 141:14 143:7 144:7,12,14 146:7,16 153:4 158:6,16,20,22 159:18 160:22 161:1 178:16,20 180:15,21 181:8 199:9 223:14 rule 124:11,22 125:14 126:1,6 128:13,18,20 130:15 131:11 132:8 153:7,23 rules 12:15 58:1,10,15 59:7,14 91:21 120:18 122:8,9,20 123:16,23 124:6,11,20 127:14 | 131:4 134:21 139:5 143:6 149:5 150:20 151:5,9,18 153:1,1,5 153:14 160:2,21,23 161:3,3,14 230:2 rule-making 153:16 run 54:3 214:16 running 5:17 54:6,7 69:15 <hr/> S <hr/> Safety 134:14 Saf-C 134:14 salary 35:20 37:4 SAU 119:16,16 Saunders 2:10 savings 17:23 saying 56:3,5 135:16 166:19 167:19 175:12 184:18 188:1 says 28:12 39:12 73:6 83:3,6 85:5 94:23 118:9 121:17,23 131:19 136:6 138:4 146:20 147:7,8 155:12 161:7 175:18 194:10 206:14 SB 4:9,9 27:5,9 36:17 39:8 scale 211:20 scanned 228:13 scenario 109:16 190:4 190:5 schedule 165:21 scheduled 155:7 178:2 schedules 52:11,13 scheduling 166:3 schema 140:10 schemas 142:2 Schmidt 2:11 scholarship 109:22 110:5,16,22 223:15 223:19 224:16,22 scholarships 107:1,5 school 1:5 4:19,20 5:8 5:18 8:12 13:3,4,4,6 13:13,20 14:2,9,12 14:15,22,23 15:4,4 15:16 17:3,7,22 18:20 22:7,9,12,14 22:19,20 29:3,4,10 29:12,15,17 39:13,21 40:6,13 41:1,4,11,17 41:18 42:4,4,8,15,17 42:18,22 43:4,12,17 43:21 44:15,18,23 45:7,14,19 46:9,14 47:5,7,7,8,23 48:5,6 48:15 49:2 51:7 52:6 | 52:8 53:6,13,15 54:2 54:10 57:7,18 58:18 58:18 59:6,12,19 60:2,8 61:13 63:20 64:4,6,11,15 65:2,16 66:8,12 71:11 80:19 81:4 82:9,11,14,15 82:17 83:1,13,14,20 83:23 84:5 90:10,15 91:3,12 99:11 100:5 101:2 104:16,19,20 106:18,21 107:2,3,10 107:14,21,23 108:1,2 108:4,5,13 109:8 110:20 111:6,9,17,21 112:1,2 116:3,3,15 116:18,21,22 120:20 121:18 122:1,6 123:2 123:3,12,14,18 124:2 124:3,3,6,7,23 125:1 125:21 126:8,11,13 126:16,18,23 128:3,3 128:23 129:1,22 131:3,20 132:3,12,12 132:16,17,20,21 133:13,14,21,21 134:10,12 135:11 136:1,7,11 137:15 138:5,22 139:11,20 140:11 141:1 142:3,6 142:11 143:12,22 145:9 146:3 147:7,9 147:11 148:4,19 149:1 152:21,21 159:1 161:8,12 163:19 164:21 166:9 167:6 169:12 172:22 176:11 198:13 200:9 203:15,19 205:7 206:14 207:12 208:19 209:18,23 210:3,20,21,23 211:5 211:10,16 213:10,11 214:15,18,21 217:5 217:15,16,17 219:3,4 219:5 222:5 223:23 224:1 225:2 227:6,10 228:3 schools 5:18 7:21 8:4 13:10,11,21 14:3 15:9,10 16:17 17:6 17:18 18:23 19:12,12 19:16,20 20:20 21:1 21:4,11,16,20 23:7 28:13,19,20 30:5,11 30:20 31:3,7,8,21 39:23 40:6 41:8,12 41:20,21,21 42:3,12 42:16 43:2 44:4 |
|---|---|--|---|---|

| | | | | |
|--|---|--|---|--|
| 45:13 49:6,11,17,18 49:22 50:21,23 51:5 51:14,20 52:17,20 53:8,11 55:22 58:6,8 58:11 59:1 60:6,12 67:8 71:23 73:21 89:5,11,12 91:7 95:8 99:17,19 100:6,11,12 101:2 107:9 111:14 113:15,23 114:2 116:10,11 117:4 123:19,20,21 125:19 131:18 144:20 145:5 145:11,13,17,22 162:9 176:17 181:10 190:10 198:9 207:20 210:5 222:1 224:11 224:17 225:4,9,18 227:19,19,23 school's 20:23 27:16 83:17 Schwartz 208:23 209:3 209:8,12 science 8:9 90:3 136:13 136:13 146:23 222:6 222:21 scope 69:16,19 103:8 158:22 174:3 178:23 182:6 187:20 188:7 191:11 197:20 scores 21:9,12 seat 89:13,14 seats 167:18 second 16:23 18:21 19:4,4,13 128:1,8,16 143:14 228:18 secondary 53:3 108:14 214:6 Secretary 26:1 28:7 section 16:14,16 24:9 124:15 133:6 135:1 135:23 143:15 171:23 sections 123:11 secure 99:5 Security 5:16 12:1,10 see 10:6,7,13,22 11:9 20:16 36:13 39:18 94:3,4 118:22 121:8 122:21,22 124:15,16 128:20 136:19,21 141:5 153:10 155:4 155:12 165:4 200:1,1 seeing 157:14 197:8 seek 59:1,6 seeking 204:16 seen 10:8 16:4,5,11 157:2,5,6 213:4,7 215:6,8,12,18,19 | segregated 221:13 self-explanatory 172:20 semicolons 75:6 senate 168:6,17 send 116:14 sense 125:14 sent 142:15 sentence 18:22 19:4,13 23:3 27:15 118:15 176:11 separate 45:15,20 179:12 September 1:14 125:15 152:11 157:9 230:10 series 57:23 serve 205:21 225:23 served 128:5,11,15,20 129:14,19 130:1,4,6 130:8,13,21 131:9,15 132:5 service 98:19 services 25:10 49:1,3,7 49:10,14,21 50:1,2,5 50:18 51:3 101:13 211:3,6 session 27:10 155:6 209:17 sessions 154:19 155:7 155:10 set 56:2 59:16 127:14 146:3 179:9,11 194:22 196:9,11,14 196:19 222:18 231:9 sets 82:23 205:17 setting 45:4,5,9,12,20 46:7,8,16 47:23 50:8 212:5 settings 47:17 sheet 230:1,3,6,7 Short 28:1 73:2 show 18:2 107:19 showed 198:4 shows 55:17 sic 65:8 sign 119:6 230:7 signature 3:13 230:7 signed 3:12 73:8 98:8 98:20 112:10,15,19 117:12 219:16 significant 224:21 signing 119:8 similar 10:9 45:18 108:14 118:2 Similarly 58:12,13 simple 141:16 simplification 221:7 simply 14:6 47:19 174:21 197:17 | site 145:10 sitting 22:4 25:7 55:4 74:15 85:20 89:21 95:12 112:23 116:5 120:8 163:12 171:1 178:21 227:17 situation 226:8 six 135:5,12 136:23 size 96:2,3 132:15 212:8,13 213:10 214:9 sizes 95:21 skills 71:2 208:11 Skip 176:7 skipped 48:20 slower 99:3 smaller 88:21 social 11:23 12:10 67:17 68:17 69:2,5 69:12,15,16,18,20 70:5,6,8,10,13 71:4,6 72:3 90:3 136:13 212:18 software 208:17 sole 150:3,4,5,9 220:2 solely 61:3 81:6 somebody 46:13 94:1 somewhat 16:6 208:10 soon 133:16 sorry 6:10 10:17 20:6 28:10 39:5 58:13 65:13 83:16 118:15 146:1 155:22 171:18 182:21 222:13 sort 6:18 8:1 106:2 108:20 159:8 185:17 sorts 224:10 sought 59:18 123:22 sound 9:17 sounds 161:5 166:19 source 47:10 220:2 sourced 150:3,4,5,9 space 93:3 99:4,9 spaces 41:9 spare 20:5 speak 43:10 186:5 speaker 168:1,17 speaker's 168:2 speaking 181:5 special 25:10 49:1,7,10 49:21,23 50:4,14 207:2 specialist 35:19 37:3 specialty 35:16 37:1 specific 14:17 15:14 25:8 30:12 34:16,17 42:21 47:14 70:21 71:8 74:11 75:5,17 77:16 91:1 95:10 | 96:11 104:1 117:23 125:4,12 129:5 142:20 192:2 200:9 202:18,19 specifically 47:15 75:12 107:15 117:21 142:6,8 147:14 164:12 166:11 170:11 205:8 228:13 specificity 47:20 68:8 specifics 90:17 201:10 specified 17:9,10 specifies 82:16 specify 22:2 speculate 9:15 25:4,13 40:8 58:20,21,22 69:9,10 75:22 93:10 100:19 138:16 150:12 195:23 226:17,19 speculating 9:18 75:21 76:20 196:12,14,23 201:19 speculation 25:8 69:13 76:18 101:16 speculative 196:1 spend 88:21,22 145:12 spending 11:8 67:18,19 90:8 201:4 222:5,9 222:19 spent 24:19 86:18,23 87:10,12 89:18 96:14 175:7 202:14 203:12 split 89:17 spoke 60:16 220:21 sponsors 93:4 spots 146:12 spread 198:12 spreading 22:6 spring 113:3 SSDI 11:23 12:6,9,10 SSDIA 12:1 St 107:10 stabilization 199:23 200:5,6,20 stabilize 98:13 staff 185:23 208:3 stage 152:23 stand 213:23 standard 122:1 129:23 138:4 140:23 161:12 standards 68:6,7 69:22 70:1 71:3,6,13,20 79:22 81:13,16,17,21 82:7,23 103:14,15,16 103:17 121:17 122:5 129:8,20 135:22 136:1,6,18 137:2,14 137:21 140:18 142:5 | 142:10,17,23 143:11 148:23 156:11 161:7 stands 134:23 218:12 Starr 1:12 2:2 start 10:17 25:21 52:16 64:6 81:1 83:15 99:2 228:19 started 152:10 starts 118:14 startup 22:6 state 1:1 7:3 8:19 12:4 12:13,16,20 15:17 17:3,5 22:20 23:4,14 23:21 26:2 28:8 29:5 29:12,16 30:21 35:11 36:22 38:21 39:15 48:7,16 49:16,17,20 50:13 54:1,7 59:20 59:22 60:3 61:8 72:1 72:15 82:16,21,23 83:3,6,19 89:11 90:11 91:21 94:11,15 99:22 100:12,14 104:10,12 105:2,4,7 105:18 107:3,14 111:11 112:4 113:15 115:20 116:6,12,18 116:21 119:9,12,18 120:1 135:10 139:3 140:14 141:22 149:11 150:18 151:7 152:14,20 153:3,6,15 153:17,19 155:2,6 157:8 158:4 159:2,3 159:6,8,15,19 161:13 172:21 174:6 177:21 179:12 181:10 189:4 189:18 190:1 193:11 193:20 194:21 197:2 197:13,15,18,19 198:9 204:20 206:8 208:7,18 211:2 217:6 220:3,10,12,15,18 224:13 227:6,10,20 230:19 231:4 stated 37:12,16 108:7 108:10,15 137:3 163:21 164:23 183:6 210:15 223:4 statement 18:9,14,16 19:2,5 20:20 21:18 53:9 105:22 113:19 163:10 176:9,18,21 177:1,1 187:14 193:22 states 140:23 172:15 175:3,3 193:13 statewide 95:6 state's 23:15 70:3,17 |
|--|---|--|---|--|

| | | | | |
|---|--|--|---|--|
| 72:13 114:22 120:4 180:17 191:17 193:17 229:16 stating 59:10 230:5 statistical 91:11,15 status 8:14 statute 13:14 15:11,13 15:18,19 16:4,5,8,11 16:18 17:5,9,10,11 17:12,14 22:18,23 23:2,8,10,12,23 24:2 24:6,8,23 25:1,17,19 26:6,10,20,23 27:20 28:12 31:2,9 32:1,18 32:19 46:17,19,23 47:14,20 48:2,3 51:9 51:12,14,19,22 52:4 52:5,12,18 53:4,5,10 53:18 54:3 55:18 56:12 57:1 61:23 66:11 68:9 69:8 80:8 80:15 83:23 84:8 85:8,9,15 106:23 110:1,4,6 112:8 120:6,12,17 134:19 135:6,19,23 137:22 139:8 142:7 143:1 144:22 145:3 146:7 146:11,12 147:20,22 148:3,7 158:11,18 160:7 161:4 165:3 179:17 180:19 182:19 183:18 199:9 206:14 211:8 223:10 224:12 statutes 14:18 16:20 26:13 59:13 84:2 180:2 182:7,11,14 183:7 184:2 187:2,6 189:18 190:1 statutorily 111:10 112:3 179:14 223:16 statutory 27:12 85:1 91:9 119:23 137:11 138:8 141:6 145:15 148:8 180:6,9,10,12 180:18 182:23 190:20,21 202:6 staying 213:6 stenographer 5:21 stenographic 231:6 stereotype 3:3 step 92:19 159:20 steps 154:15 stick 128:1 stipend 92:9 stipulate 110:9 stipulations 3:1 6:4 stop 72:22 | stores 207:14 strategies 192:3 street 1:13 2:3,8 141:21 strictly 221:13 strike 69:3 structural 45:21 213:18,19 structure 67:4 71:11 213:17 structured 72:20 103:6 214:13 structures 93:2 structuring 213:19 student 19:10 42:5,5,7 46:6 47:5 50:2,12,14 54:2 61:3,4 82:9 83:9 84:17 85:17 95:1 102:19,22 103:2,6 104:2,5 106:10,12,17 106:20 109:15,20 110:2,12,15,19 111:2 111:16 175:1,7 176:15 205:10,20 214:4 221:18 228:12 students 13:5,6,8 25:10 32:4,7 40:17,22 41:2 41:5,19,22,23 42:1 42:12,20 43:1,6,14 43:19 44:23 45:2,16 47:2 49:15 50:11,13 50:16 51:6,8,20,22 52:2,3,6,9,13,19 53:1 53:8,12,13,15,22,23 61:12,14 70:15,23 71:12 73:20 74:1,18 76:9,12 86:14 88:8 88:12,19,21 89:8,11 92:17,18 93:7,11,20 93:23 94:4,6,8,16 95:9,13,15 96:6 97:3 97:7 98:7,11,17,18 98:20 99:14,16,21 100:2,7 102:17 104:13 105:20 106:3 108:9,16,18,22 111:14,19 113:18 114:4,10 116:3,12,16 116:23 117:5,8 128:5 128:9,11,12,15,19 129:1,13,17,19 130:1 130:4,6,8,13,17,21 131:9,15,19 132:5,6 152:13,17,19 189:5 198:14,23 199:13 200:20 203:4,6,8,11 205:2,13,18 206:1,9 211:23 212:19 213:5 213:9 221:17,19 222:2,8,16 223:6,7 | student's 49:3 89:4 student/teacher 212:7 212:12,23 studies 8:11 67:17 68:17 69:2,6,12,15 69:17,18,20 70:5,6,8 70:10,13 71:4,6 72:3 90:3 163:4 212:18 studio 82:3 study 4:19 21:5,15 162:18 163:19 164:9 164:20 166:9,12 169:15 170:10,14 176:1 subject 62:5,20 63:15 64:4 71:21,23 72:5 72:12 78:19 80:5,14 81:5 83:4 84:12 85:6 85:10 86:19,23 87:11 87:13,16,18 88:17,22 89:1,18 90:13 95:23 96:5 103:13,18,20 105:1,4 125:7 127:5 127:7,12,22 133:23 221:5,14 222:9,16 228:17,18,18 229:16 subjects 57:19 68:20 76:17 submission 3:12 78:4 submissions 78:1 submit 225:10 Subscribed 230:20 subsequent 63:6 64:12 218:18 subsequently 59:20 substance 230:4 substantial 50:15 149:6 substantially 10:9 118:2 substantive 61:17 successful 219:22 suffering 98:11 sufficient 107:1,7 172:23 176:19 179:22 181:8 193:21 sufficiently 81:11 suggesting 129:9 summary 11:13 Sununu 38:19,21 97:16 98:2 99:1 superintendent 131:18 211:2,6,14 219:4 SUPERIOR 1:2 superseded 63:6 supplies 35:21 37:5 support 11:18 50:20 200:4 206:1,3 207:11 209:18,20,21,23 210:3 214:14 | supporting 208:9 suppose 139:23 supposed 84:9 85:2 154:18 Supreme 173:8 sure 12:3,7,13 30:15 32:4,7 54:15 60:10 61:2,16 65:23 70:7 71:12 72:2 73:12,15 77:16 79:10 84:15,17 86:9 88:1 89:19 93:20 95:6 100:10 101:5 102:6 105:23 107:7 109:9 110:8,17 111:15 114:16 115:1 117:10 123:4 131:21 135:8 144:19 145:4 145:16 147:7,14 152:8 158:14 159:13 166:21 167:23 168:13 183:20 186:22 206:12 210:1 211:9 218:12 219:10 222:4 surplus 191:13 193:3,8 193:11,15,17 194:8 194:15,18 survey 205:10 sustaining 197:17 switching 213:5 sworn 5:2 230:20 231:8 Sydney 2:11 system 53:3 60:7,14 138:17 144:23 145:1 145:2 152:18 205:11 205:11,17 206:5,6 208:16 217:18 systems 92:20 204:18 205:3 207:11 208:9 208:14 211:17 214:14 <hr/> T <hr/> t 126:17 231:2,2 table 122:20,21,22,23 123:9 135:2 136:22 137:8 141:11,12 144:6 147:18 tailed 86:14 take 6:16,18 14:9,12,14 16:23 26:5,8 27:22 53:23 70:8,17 72:23 82:3,10,12 83:9,10 85:17 89:2 124:2 129:6 153:5 184:10 198:12 206:10 215:14 225:20 taken 1:11 3:3,9 5:11 5:14 14:21 15:3 | 61:12 84:14 95:18 215:16 231:8,13 takes 71:9 72:20 77:4 78:15 talk 11:11 21:19 100:8 168:1 213:18 talked 99:17,18 212:14 223:9 talking 11:12 60:21 105:10,12 111:16 213:20 talks 48:14 Tammy 77:14 200:3 tangible 106:14 targeted 114:21 task 156:5,7,10,14,15 219:11 taught 69:2,18 221:6 tax 109:21 110:5,21 taxpayer 17:23 202:2 teach 68:7,20 69:6,14 71:5 213:7 teacher 35:22 37:6 60:3,14 67:17 68:17 69:2,6,13,18,20 70:5 70:9,10,13 71:5 95:9 212:18,19 teachers 35:16,17 36:23 37:1 57:18 58:16 60:2,13 68:6 90:1,8 212:16,21 213:3,6 teaching 8:15 57:19 58:3 67:18,20 68:18 70:5 212:17,19 222:1 team 50:6 212:16,19 213:3,7 technology 35:19,21 37:3,5 101:14 136:16 219:8 tell 24:5 44:6 55:4,7,11 80:12,21 81:3 86:18 89:22 121:10 128:18 129:7 131:5 135:18 136:3 140:20 150:11 157:18 174:17 175:14 195:23 telling 130:12 166:10 167:2,4 temperature 125:9 ten 83:20 95:9 105:12 105:16 106:5,7 175:2 186:9 term 87:20 161:7,11 193:14 terms 22:1 43:19 46:19 68:3 72:19 75:18 86:3 91:22 94:6 95:5 103:8 119:17 126:5 |
|---|--|--|---|--|

| | | | | |
|---|---|--|---|---|
| 139:9 180:14 181:12 182:1 187:19 194:17 212:15 224:20 territory 189:9 test 21:9,12 testified 30:1,13 73:19 151:14 186:20 206:13 testify 76:4 165:7 169:3 169:7,8,9 170:19,22 170:22 testifying 30:9 135:10 170:18 216:18 testimony 74:5,9,12 135:9 177:19 215:22 216:2 221:21 230:9 230:10 Thank 20:7 44:12 111:7 144:13 146:21 193:13 229:1 theological 8:11 Theology 8:12 thing 6:18 96:3 108:20 124:21 212:8 things 11:15 35:8 135:5 137:10 141:22 157:19,21 158:9 187:20 212:11 think 6:14 8:13 34:23 44:22 47:13 53:21 58:14 68:16 73:22 74:4,18 75:19 76:6 90:14 105:12 130:11 131:13 137:17 143:15 146:11 150:13 151:14 155:12 156:13 160:14 172:19 185:12 186:20 191:4 194:8,14 195:8 201:21 202:19 206:13 210:15 214:12 220:21,22 221:10 thinking 57:17 82:9 third 4:13 80:9 113:2,8 118:15 thirty 3:12 thought 54:23 73:20,23 135:16 150:20 166:10 167:5 184:22 thousand 105:11 129:6 129:16 130:7,16 131:19 132:5 thousand-person 129:22 three 129:12,15 130:5 131:6,7 206:16 215:15 218:16 | throat 8:7 Tierney 2:4 4:3 5:5,7 6:10 9:19 15:20 18:3 19:22 20:6 26:17 28:2 36:15 63:7 65:13 72:11,22 73:3 97:10 133:17 143:4 178:5,18 204:4 225:20,23 229:9,16 Tim 101:3,7 time 3:10 9:16 19:6,12 41:23 42:20 43:7 70:14 72:10 78:15 79:9 86:18,22 87:10 87:12 88:22,23 89:14 89:14 90:1,9 125:5 128:4 131:3 142:21 145:13 148:13,14,17 149:11 150:17 152:15 153:9 154:16 154:23 164:4 165:22 165:23 166:8 169:1 174:5 176:6 179:19 183:12,14 184:16 187:9 188:5 190:6 221:22,23 222:5,6,6 222:10,17,19,20,20 228:23 229:15,22 times 30:13,15 173:14 175:21 185:5,15 186:7 222:18 time-to-time 125:23 title 4:7,11 10:7 15:23 63:2 77:15,16 80:12 80:17,21 81:6,11 82:4,6 102:6 201:8 208:1 210:3 titled 16:14,16 today 5:9 17:13 22:4 25:7 48:7 55:4 74:15 75:18 85:20 93:9 95:12 96:15 101:6 112:23 116:5 120:8 125:15 134:4 135:22 152:11 163:12 171:1 178:21 227:17 229:5 told 30:4 157:15 176:5 184:20 tool 98:15 top 73:6 109:6 118:8 118:13 146:19 175:2 topic 160:3 topics 163:1 total 11:7 20:14,23 107:2 152:19 194:4 197:23 town 111:20 trade 172:2 traditional 13:3,12 | 15:4 20:14 22:11 29:4,16 30:20 31:7 41:20 42:14,18 45:14 47:6 52:17 53:6 57:17 58:8,18 59:6 59:12 81:4 95:8 99:19 100:5 110:19 111:9 120:20 123:3 123:12 126:13 132:11,16,20 133:13 133:20 135:11 198:9 223:23 224:11 225:18 227:22 transaction 94:21 transcribed 3:4 transcript 6:13 230:3,5 230:9 231:6 transfer 101:15 158:11 transportation 35:23 37:7 51:6,8,15,17,21 51:23 52:2,3,5,19 53:1,7,11,17,19 54:18 transporting 54:1 treasurer 191:9 196:13 trial 3:10 177:19,22 216:18 229:7,12 tried 113:22 191:8 216:14 true 113:19 176:10,10 230:9 231:5 trust 178:12 179:5,8,10 179:20,21,22 180:8 191:13 193:4,8 206:11 207:1,4,8,10 truth 193:22 try 34:18 158:1 169:9 216:14 trying 23:22 99:10 116:19 136:20 137:20 182:5 187:19 194:14,16 205:21 tuition 4:17 22:19 23:4 27:13 39:15 48:17 106:21 107:2,10,13 108:4,7,8,8,10,15,16 109:1,6,8 111:8,10 111:13,14 112:2,4,11 112:15,18 113:17,22 114:4 115:14,15,18 115:21 116:7,23 117:13,18 118:9,16 118:18 119:1,6,8,10 119:13,15,17 120:5 120:10,11 227:18 tuitioned 111:20 114:11 turn 10:11 16:13 20:12 28:9 36:20 39:4,6,6 | 118:8 121:4,7 122:10 146:13,18 174:9 193:2 215:1 Tutor.com 199:16 203:6 twice 165:13 two 10:22 44:22 47:12 75:20 121:9 127:6 147:5 156:13 171:7 199:12 201:14 212:11,16,21 213:3 217:23 218:7,16 type 50:8 98:18 99:16 102:9 124:1 131:12 154:23 155:10 173:3 196:7,15 209:20 213:23 types 11:15 85:13 140:10 187:19 211:17 224:23 typical 50:8 <hr/> U <hr/> ultimately 60:1 74:23 77:23 78:3 82:18 145:7 158:8 205:23 unable 176:13 215:22 unaware 160:2 uncertain 197:14 unclear 108:6 193:14 unconstitutional 188:15 underlying 79:21 177:3 177:9,16 understand 6:1,12 17:11 28:14,16 42:22 48:19 54:22 60:20 61:2 65:23 70:7 72:2 73:12,17,18 79:10 84:16 86:1 88:1 89:19 105:23 109:9 109:10 112:8 114:16 120:12 128:6 129:9 158:14 159:13 161:21 162:11,14 163:12 172:14 173:20 177:3,8 179:21 194:15 195:5 201:23 206:12 207:7 218:9 222:4 understanding 22:4,5 25:6 28:11 29:7,14 39:20 43:19 51:19 52:4 53:3,5 92:1 124:1 132:7 135:8 162:1,5,6 178:21 180:4 183:20 195:18 196:1 215:21 221:21 223:10,13,14 | understood 6:22 134:2 163:9 221:8 underway 149:9 undesignated 194:13 196:16,21 197:8 unfamiliar 124:18 167:14 Unity 4:17 117:17 118:10,19,20 university 8:10 217:18 unknowable 216:16 unsettled 173:16,17 update 24:10 204:18 updated 25:23 127:15 133:3,6 up-to-date 27:19 use 6:17 35:6 106:20 111:3,23 145:21 180:3 198:15 202:2,9 206:4 214:1 usual 6:4 <hr/> V <hr/> vaguely 171:11 Vaillancourt 77:14 valid 171:3 183:8 187:8 187:11 188:5,6 validate 140:21 VALLEY 1:5 variables 90:19,20 214:8 variations 176:15,16 varies 152:9 variety 40:20 85:13 94:4 102:7 133:23 140:9 151:8 204:19 205:1 207:18 224:12 various 25:15 108:18 108:18,22 110:14 127:22 135:3 140:16 149:18 206:7 207:23 vendors 201:12 208:11 ventilation 125:8 venture 7:17 veracity 25:22 26:18 verbal 5:23 verification 28:6 verify 23:9,11 24:4 25:16,18 26:6,9,11 27:1,19,21,22 28:3 43:15,16 138:1 175:9 vernacular 107:6 version 4:9,9 27:5,9 36:17 73:13 74:17,22 76:14 136:14 151:2 157:21 versus 40:9 46:15 47:5 47:17 58:18 67:19 83:19 90:1,2,2,2,3 |
|---|---|--|---|---|

| | | | | |
|--|--|---|--|---|
| 123:18,19 veto 185:7,21 vetoed 185:15 violates 190:1 violation 189:17 virtual 39:13,21 40:5,8 40:12,15,21 41:10,16 41:22 42:13,19,20 43:5,13 44:23 45:1 45:17 46:1 47:10,16 48:14,23 60:17 138:23 virtually 43:3,6,14 45:4 visits 145:10 VLACS 4:10 47:16 48:10,11 60:18,20,23 61:3,4,9,13,13,16,22 62:4,12,15,16 84:11 84:13,18,19,23 85:1 85:5,7,17,18 138:21 vocational 11:22 vote 182:1 voted 54:23 55:16 voting 56:1 VS 1:6 | 184:11,12 203:12 212:1,4 223:5 224:5 227:2 ways 12:22 207:18 website 23:15 25:21 62:15 94:23 101:8 105:13 204:9 225:16 weeks 156:10,11 weigh 67:7 weighed 54:13 weight 177:10 went 163:7 weren't 166:14 167:2 We'll 133:17 white 189:5 wide 62:1 willing 117:5 Winchester 113:17,17 114:1,3,3,10 115:13 115:18 116:1,2,14,16 116:22 117:5,8 wish 202:23 witness 4:2 5:2 55:15 65:15 122:15 133:19 178:7 183:3 188:17 189:11 190:13 200:18 201:2 202:17 204:7 210:12 222:12 222:23 229:11,11 230:1 word 27:13 worded 88:18 words 52:11 120:3 132:1 137:17 work 9:1,2 47:13 94:1 105:21 147:23 149:9 149:12 150:15,22 151:5,18,23 174:11 195:12 201:9 204:15 208:12 219:15,17,21 worked 157:20 218:7 working 40:19 106:10 106:12 123:4 153:2 153:10 154:2,11,15 156:3,16 192:15 196:13 197:1,4,14,18 212:22 218:23 works 103:23 150:14 153:4 208:3 world 108:13,14 136:14 wouldn't 44:3 67:22 95:2 100:19 166:2 197:16 write 97:19 99:1 writing 69:19 70:6,11 70:16 71:2 74:11 76:19 written 33:14 114:18 | 189:7 wrong 59:5 131:23 wrote 98:1 | <hr/> 0 <hr/> 03101 2:3 03301 2:8 <hr/> 1 <hr/> 1 4:6 9:20,22 10:3,17 10:19,20 22:18 33:23 35:7 121:19 122:2 136:2,8,10,10,19,20 136:22 138:6 141:2 142:8,12 156:4,5 159:18 161:9 198:6 1st 24:10 53:1 89:6,23 1,000 129:1 211:23 1.1 156:9,14 1.2 156:10,17 1.5 198:7,12,22 199:15 199:22 1.6 9:17 198:1 10 4:6,12 64:17 93:13 93:15 97:13 146:22 186:11 223:11,17,22 224:1 229:14 10th 178:2 10/2/2020 10:5 100 30:18 98:7,20 201:4,16 100:A 60:3 101 134:14 102 119:16 107 4:12 11 4:12 107:17,20 112 113:12,13 114:22 113 4:13 114 4:14 115 195:18 117 4:17 12 4:13 64:17 113:8 118:20 122:16,17 214:23 215:1 120 113:13,14 13 4:14 64:17 115:3 122:15 147:8 148:6 191:16 14 4:17 117:17,20 122:10,11 15 4:18 64:17 74:15 155:15 150 93:10 199:22 155 4:18 16 4:7,19 44:9,13 146:22 163:18 174:10 160 49:15 198:11 160,000 198:13,23 163 4:19 165,000 198:11 1661 65:8 1671 4:11 63:11,13 | 64:3 65:12 73:5,7,10 73:13,19 74:17,22 76:5 121:14 1680 170:16 17 4:20 115:9 147:2 171:15 170,000 49:15 171 4:20 175 27:9 18 4:7,20 147:7 171:15 203:14,18 19 125:17,18 147:8,8 193 146:16 193-E 4:11 63:3 80:18 144:14 193-E:2-a 32:20,22 33:14 34:10 56:20 61:18 62:6,19,21 63:5,18 64:10,21 65:7 81:5 84:13 85:6 88:13 90:13 103:13 121:4,8 134:6 135:15 137:4,7,16,17 140:19 141:15 143:7 146:8 158:6,17,23 159:18 160:22 161:1 180:15 193-E:2-a-1 144:7,12 158:21 194-B 4:7 13:15 16:1,3 16:7 58:9 194-B-11 16:13 194-B:11 15:13 16:16 22:16,17 24:13,20 26:11,18 43:23 48:4 194-B:3-a 23:3 39:14 48:16 194-f 109:21 110:3 223:14 198 199:9,9 198:40-a 22:21 23:5 39:16 48:17,22 56:18 57:5,9 139:14 180:21 181:8 1994 16:16 |
| <hr/> W <hr/> Wadleigh 1:12 2:2 wait 155:4 waiting 174:12 waived 3:8,14 waiver 59:2,6,13 123:22 127:6,7,10,11 127:23 waivers 59:18 walk 94:2 want 6:13 25:16 79:8 79:11 107:5 110:9 121:10 123:4 138:1 141:4 163:6 172:6 174:13,17 181:17 184:21 198:18 215:13 228:20 wanted 22:10 73:10,11 73:13,15 wanting 85:17 warm 187:17 warrant 180:2,5 wasn't 14:9,15 87:22 97:4 115:23 116:16 163:1 169:20 220:15 water 6:18 way 23:9 64:17 66:23 67:5 70:19 72:14 81:10 88:18 99:20 105:18 107:22 121:14 138:17 153:4 160:13 173:11 176:14,22 177:5 | <hr/> X <hr/> X 33:6 67:18 206:15 222:5,19 XV 4:7,11 15:23 63:2 <hr/> Y <hr/> Y 222:6,20 year 4:6 9:23 10:4,16 25:16 63:20 64:4,6 64:11,13,15 65:2,2 67:13 107:11 108:5 109:15 110:7 142:21 147:7 186:7 191:12 193:18 194:3 195:20 223:21 years 5:15 95:19 112:14 136:11 185:5 199:12 201:14 <hr/> Z <hr/> Z 222:6,20 Zoom 170:1 <hr/> \$ <hr/> \$10,000 112:20 113:18 114:4,11 115:22 116:8 117:1,6,13 \$115,300,000 194:11 \$14,000 109:8,14 \$14,023 115:18 116:2 \$14,100 118:20 \$14,350 108:5 109:3,6 109:19 \$15,300 118:21 \$19,720 20:15 \$192,500,000 194:13 196:17 197:16 \$2,000 92:9,12 \$2,036 39:17,22 \$3,286 22:22 23:6 25:12 28:13 29:4 40:1 44:3,18 \$3,400 95:1 \$3,786 190:7 \$30,000 107:11 \$307,800,000 194:11 \$307,807,000 194:5 \$4,000 227:8,12 228:5 \$5,000 92:6 \$5,750,000 98:4 \$62,278,000 17:23 \$8,000 110:7 \$9,000 198:17 \$9,473 20:15,23 | <hr/> 2 <hr/> 2 4:7 10:11 15:21,23 16:3 22:16 26:19 33:23 35:7 39:5,7,10 44:9,10,11 128:2 133:4 146:18,19,20 2-a 146:9 2:05 143:3 20 4:8 30:16 156:11 193:18 230:21 20-22 64:19 200 201:16,18,22 202:1 203:10 2000 134:15 | | |

| | | | | |
|--|--|--|--|--|
| <p>2000s 151:7 2000's 220:11 2005 123:6,10 143:18 151:3 160:20 2007 160:21,23 215:5 2012 200:15 2017 7:5,8 24:11 152:10,16 2019 191:12 193:5,9,12 193:18 194:3 202 4:20 2020 162:18 169:16 2021 36:10 38:19 97:16 98:5 113:3 142:16 2022 1:14 4:6 9:23 10:4 27:9 28:5 63:14 125:15 152:11,16 230:10 2022-2023 108:5 2023 4:6 9:23 10:5,16 64:7 200:21 2023-2024 65:2 21 44:9,13 21-N 178:16,20 182:4 183:10,17 184:7 190:21 202:8 213-2019-CV-00069 1:6 22 28:9 22-23 109:6 24 27:11 143:17 242 4:9 36:10,17 37:9 37:10,22 38:14,18,23 184:20 185:3 188:13 25 225:10 26 193:2 27 4:9 270 215:5 273 63:14 29 27:11 290 9:3 151:15,17 181:5 210:16 212:3</p> <hr/> <p style="text-align: center;">3</p> <p>3 4:7 18:4,6 20:10,12 33:23 35:7 36:21,22 39:7,7,8,9,12 44:11 80:9 146:19,20 3.3 129:10 130:17 3:09 143:3 30 1:14 3:12 125:15 142:16 152:11 191:12 194:3 230:10 300 128:5,9,11,14,19 129:6,13,19 130:1,4 130:8,12,21 131:8,15 132:4 301 128:12,17 306 67:8,16 122:7,20</p> | <p>123:1,10,11 124:6 137:3,7,12,15 139:4 143:6 146:4 148:23 149:3,4 151:3,18 154:1 156:20 159:9 159:16,17 213:16 217:21 218:23 220:6 220:8 226:1 306's 138:10 160:9 306-2 135:2 136:22 306.07 124:23 126:17 306.10 127:2 306.11 127:4 306.12 127:13 306.13 127:17 306.14 127:19 306.15 127:21 128:2 306.15(b)(2) 131:23 306.16 132:10 306.17 132:15 306.18 132:19 306.18(b)(1) 133:4 306.2 143:20 144:6 147:19 306.27 133:11,20 306.7 126:17 131:22 306.9 126:20,22 33 2:8 36 4:9 386 27:9 39:8 386-Final 4:9 27:5 39 231:21</p> <hr/> <p style="text-align: center;">4</p> <p>4 4:8 19:23 20:2,8 33:23 35:7 36:20 48:13 118:8 121:7,8 121:12,14,17 176:7,8 177:7 4(8) 140:23 4-A 121:23 135:23 136:5 138:3 161:7 4.1 203:18 204:12 4.5 96:12 40 156:11 44 174:10,18 45 174:10,18 46 18:19 21:19</p> <hr/> <p style="text-align: center;">5</p> <p>5 4:3,9 27:5,7 28:3,11 33:23 39:6,7,7,8,9,12 44:7 64:17 96:12 118:11,19 5:29 229:22 50 186:9,11 500 201:20 513 10:17,19 515 10:21</p> | <p>541-a 153:4</p> <hr/> <p style="text-align: center;">6</p> <p>6 4:9 10:12 33:23 36:17 118:20 119:16 60 65:3 6000 134:14 62 4:10,11 63 4:11 650 227:19,21</p> <hr/> <p style="text-align: center;">7</p> <p>7 4:10 36:21,22 62:12 62:14,17 64:17 78:16 78:18 79:15,20 77-g 109:22 110:5</p> <hr/> <p style="text-align: center;">8</p> <p>8 4:11 62:23 63:2 79:3 79:5,10,17 80:3 97:15 98:5 121:6,12 144:4,7 157:9 8th 53:2 86:14 83 4:20 171:20,23 172:8,10,14,15,21 174:7 8306 158:18</p> <hr/> <p style="text-align: center;">9</p> <p>9 4:11 63:9,11 64:3,16 65:6,9,11,12 73:4,5 78:22 79:2,3,6,9,18 80:3 121:6,16 146:13 9,375 199:4 9:52 1:14 90s 151:6 220:10 95 1:12 2:3 97 4:12</p> | | |
|--|--|--|--|--|