

HB 1791-FN-A - AS INTRODUCED

2026 SESSION

26-2757

12/09

HOUSE BILL

1791-FN-A

AN ACT

directing the department of education to establish a grant program at the post-secondary educational level for individuals with developmental disabilities, and making an appropriation therefor.

SPONSORS:

Rep. Burton, Straf. 10

COMMITTEE:

Education Funding

ANALYSIS

This bill establishes the New Hampshire inclusive higher education program for students with developmental disabilities, the purpose of which is to award grants to public higher education institutions to increase programming and support for students with developmental disabilities. This bill also appropriates funds to the department of education for the program.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struck through.]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT directing the department of education to establish a grant program at the post-secondary educational level for individuals with developmental disabilities, and making an appropriation therefor.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Inclusive Higher Education Grant Program for Students with Developmental
2 Disabilities. Amend RSA 186-C by inserting after section 12 the following new section:

3 186-C:12-a Inclusive Higher Education Grant Program for Students with Developmental
4 Disabilities Established.

5 I. The department of education shall establish an inclusive higher education grant program
6 for students with developmental disabilities. The purpose of this competitive grant program is to
7 award grants to public institutions of higher education to increase available programming and
8 support available to students with developmental disabilities.

9 II. The department of education shall:

10 (a) Include in the administration of the grant program a representative of at least one of
11 the following offices within the bureau of special education support: the office of finance and data
12 management, the office of special education training and monitoring, and the office of special
13 programs;

14 (b) Develop and send to each public institution of higher education the following
15 materials related to the grant program:

16 (1) Materials describing the purpose and goals of the grant program;

17 (2) An application for the grant program;

18 (3) Compliance requirements and information concerning available funding; and

19 (4) Information specifying the requirements for qualifying as a comprehensive
20 transition and postsecondary program under the Higher Education Act of 1965, 20 United States
21 Code section 1140.

22 (c) Designate a person to be available to answer questions from public institutions of
23 higher education in New Hampshire concerning grant program qualifications and funding;

24 (d) Develop application requirements consistent with RSA 186:C-12-a, III;

25 (e) Develop employment opportunities for students participating in the program using
26 existing vocational rehabilitative services; and

27 (f) Review and approve applications and award grants to public institutions of higher
28 education in New Hampshire on a competitive basis.

1 III. For a public institution of higher education to qualify under the grant program, the
2 proposed program plan must:

3 (a) Offer support necessary to allow students with developmental disabilities equal
4 educational opportunities, rights, and privileges as students without developmental disabilities;

5 (b) Ensure that students with developmental disabilities have access to the academic
6 courses students without developmental disabilities may attend by complying with the course
7 selection guideline requirements of RSA 186:C-12-a, V;

8 (c) Ensure that students with developmental disabilities have access to and support for
9 participation in campus life, including social activities and organizations, institution facilities, and
10 other institution resources available to students without developmental disabilities;

11 (d) Provide students with developmental disabilities support and experience necessary
12 to seek and sustain competitive employment;

13 (e) Develop and promote self-determination skills for students with developmental
14 disabilities, including but not limited to life skills, independent skills, and vocational skills;

15 (f) Offer peer mentoring services to students with developmental disabilities if these
16 services are available to students without developmental disabilities;

17 (g) Adopt admissions standards that do not require students with developmental
18 disabilities to possess a high school diploma or to participate in curriculum-based achievement
19 college entrance examinations. For the purposes of this subparagraph:

20 (1) "Curriculum-based achievement college entrance examination" means a college
21 entrance examination composed of questions directly related to high school curricula; and

22 (2) "Curriculum-based achievement college entrance examination" does not include
23 an examination primarily designed to measure scholastic aptitude;

24 (h) Develop one or more meaningful credential for students with developmental
25 disabilities to earn upon successful completion of the program plan;

26 (i) Ensure program plans comply with the requirements for a comprehensive training
27 and postsecondary program under the Higher Education Act of 1965, 20 United States Code section
28 1140 to the extent practicable and to the extent that those requirements do not conflict with any
29 provision of this chapter;

30 (j) Ensure that students participating in the program meet weekly with a program coach
31 to discuss their overall progress and skill development, with a minimum of one meeting required per
32 month;

33 (k) Include an institutional commitment statement to becoming certified as a campus
34 with comprehensive transition and postsecondary programs if not already certified by the
35 department of education; and

36 (l) Include a statement that verifies the public institution of higher education engaged
37 with stakeholders in the development of the program plan.

1 IV. For a student to qualify as a recipient under the grant program, the student must
2 qualify as a person with a developmental disability as defined in RSA 171-A:2(V).

3 V. Public institutions of higher education must maintain course selection guidelines that
4 permit:

5 (a) Students with developmental disabilities the ability to enroll in a credit-bearing
6 undergraduate course that includes students without disabilities if the student has met the course
7 prerequisites and enrollment requirements; and

8 (b) Students with developmental disabilities the ability to audit a credit-bearing
9 undergraduate course that includes students without disabilities, consistent with campus policies
10 governing the selection of students for audit participation, if the student has not met the course
11 prerequisites and enrollment requirements.

12 (1) Public institutions of higher education shall not be required to include students
13 with developmental disabilities in graduate programs and courses, programs and courses with
14 selective admission, or continuing education courses; and

15 (2) Public institutions of higher education shall not be required to provide course
16 enrollment or audit preference to students with developmental disabilities relative to other
17 individuals seeking to enroll in or audit a course.

18 VI. Public institutions of higher education awarded funding under the grant program shall
19 use 25 percent of the funds received to provide scholarships to students with developmental
20 disabilities participating in the program plan. A scholarship recipient under this paragraph is not
21 required to possess a high school diploma. A scholarship recipient under this paragraph is not
22 required to participate in curriculum-based achievement college entrance examinations.

23 VII. A public institution of higher education participating in the grant program and the
24 department of education shall submit the following reports:

25 (a) Beginning September 1, 2027, and every 6 months thereafter, a public institution of
26 higher education awarded a grant under the grant program shall submit to the department of
27 education a report that includes:

28 (1) A strategy for sustainability of the institution of higher education's program
29 plan, including enrollment projections;

30 (2) Any needs for training, technical assistance, and any other support necessary to
31 provide for continuation of the program plan;

32 (3) An evaluation by the institution of higher education of the program plan and
33 identification of best practices with the goal of promoting the development of a statewide model
34 program plan for use by other public institutions of higher education in New Hampshire; and

35 (4) A presentation of data detailing the number of students participating each
36 semester and employment data as obtained to the best of the ability of the public institution of
37 higher education.

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1 (b) On or before January 1, 2028, and annually thereafter, the department of education
2 shall submit a report to the joint standing committee of the legislature having jurisdiction over
3 education matters on the effectiveness and success of the grant program.

4 VIII. There is established in the office of the state treasurer a fund to be known as the New
5 Hampshire inclusive higher education grant fund. The fund shall include any sums appropriated for
6 such purpose. The fund shall first draw upon any federal funding made available through the U.S.
7 Department of Education before accessing other moneys appropriated. In addition, the department
8 of education may accept public sector and private sector grants, gifts, or donations of any kind for
9 the purpose of funding the provisions of this section. The moneys in this fund shall be nonlapsing
10 and shall be continually appropriated to the department of education. The fund shall be expended
11 by the department of education to award grants to selected public institutions of higher learning in
12 accordance with this section. The state treasurer may invest moneys in the fund as provided by law,
13 with interest received on such investment credited to the fund.

14 IX. The department of education shall adopt rules pursuant to RSA 541-A, relative to the
15 operation of the grant program, including the application process and criteria.

16 2 Appropriation. The sum of \$100,000 is hereby appropriated to the department of education for
17 the fiscal year ending June 30, 2028, which shall be nonlapsing and expended for the purposes of
18 funding the inclusive higher education grant program for students with developmental disabilities.
19 The governor is authorized to draw a warrant for said sum out of any money in the treasury not
20 otherwise appropriated.

21 3 New Subparagraph; Application of Receipts; New Hampshire Inclusive Higher Education
22 Grant Program for Students with Developmental Disabilities Fund. Amend RSA 6:12, I by inserting
23 after subparagraph 410 the following new subparagraph:

24 (411) Moneys deposited in the New Hampshire inclusive higher education fund as
25 established in RSA 186-C:12-a, VIII.

26 4 Effective Date. This act shall take effect January 1, 2027.

**HB 1791-FN-A- FISCAL NOTE
AS INTRODUCED**

AN ACT directing the department of education to establish a grant program at the post-secondary educational level for individuals with developmental disabilities, and making an appropriation therefor.

FISCAL IMPACT:

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	Indeterminable	
<i>Revenue Fund(s)</i>	USNH and CCSNH Revenue			
Expenditures*	\$0	Indeterminable Increase		
<i>Funding Source(s)</i>	General Fund, USNH and CCSNH Expenses			
Appropriations*	\$0	\$0	\$100,000	\$0
<i>Funding Source(s)</i>	General Fund			

***Expenditure = Cost of bill**

***Appropriation = Authorized funding to cover cost of bill**

The Office of Legislative Budget Assistant is unable to provide a complete fiscal note for this bill as it is awaiting information from the Department of Education. The Department was initially contacted on 11/25/25 for a fiscal note worksheet, with follow-up contact made on 12/05/25. When completed, the fiscal note will be forwarded to the House Clerk's Office.

METHODOLOGY:

This bill establishes the New Hampshire inclusive higher education program for students with developmental disabilities, the purpose of which is to award grants to public higher education institutions to increase programming and support for students with developmental disabilities. This bill also makes a \$100,000 general fund appropriation to a newly established dedicated fund administered by the Department of Education for the purposes of funding the program.

The University System of New Hampshire (USNH) assumes that as a competitive grant program, participation by its institutions would be voluntary, not compelled nor guaranteed, and contingent on the successful submission of a grant proposal. USNH states fiscal impact is indeterminable, not to exceed the initial program funding level of \$100,000 in FY28 and assuming annual replenishment thereafter. USNH states the future participation of faculty and/or departments, the cost to deliver programming, the extent of funding requested, and the likelihood of proposal acceptance are unknown. Increased revenue in the form of grant funding

would be offset by increased expense to develop and support the specialized programming. USNH states that in years with insufficient or no state or other dedicated support, program activity may be paused for new students. Some continuing increased expenses may be incurred by USNH institutions to support students continuing in the pipeline.

The Community College System of New Hampshire (CCSNH) states this bill does not create an impact on CCSNH revenues or expenditures. Any impact would occur in the event CCSNH successfully competes for a grant to develop and sustain the opportunities described in the bill. Based on its experience and understanding of the needs associated with providing such services, CCSNH does not believe a one-time appropriation of \$100,000 would enable an institution to meet and maintain all the deliverables in the bill. CCSNH is unsure if the bill presupposes additional funds being available from State and/or federal subsidies for special education. CCSNH would expect an increase in expenditure beyond the amount appropriated. CCSNH estimates this additional need at between \$10,000 and \$100,000 per year. Primarily this would fund a coordinator to manage the program, support students, and ensure compliance with its requirements.

AGENCIES CONTACTED:

Department of Education, University System of New Hampshire, and Community College System of New Hampshire