

Senate Education Committee

Ryan Meleedy 271-4151

HB 431, establishing a commission to study the costs of special education.

Hearing Date: April 29, 2025

Members of the Committee Present: Senators Ward, Sullivan, Abbas, Prentiss and Altschiller

Members of the Committee Absent : None

Bill Analysis: This bill establishes a commission to study the cost of special education in public schools.

Sponsors:

Rep. Damon

Rep. Cornell

Rep. Fellows

Rep. N. Germana

Rep. M. Hall

Rep. H. Howard

Rep. Luneau

Rep. Petrigno

Rep. Raymond

Rep. Woodcock

Sen. Altschiller

Sen. Fenton

Sen. Long

Sen. Prentiss

Who supports the bill: 18 People signed in support of House Bill 431. To access the full list, please contact the committee aide (ryan.meleedy@gc.nh.gov).

Who opposes the bill: 92 People signed in opposition to House Bill 431. To access the full list, please contact the committee aide (ryan.meleedy@gc.nh.gov).

Who is neutral on the bill: No one signed in neutrality to this bill.

Summary of testimony presented in support:

Representative Glenn Cordelli

- Representative Cordelli established the bill, as amended, creates a commission to investigate issues related to special education. The issues the commission will be charged to investigate revolve around costs, the increasing number of students categorized and identified as special needs students, and issues related to the processes of special education.
- Representative Cordelli explained that the costs that will be examined cover the Medicaid to Schools Program because there are schools that bill themselves, schools that outsource their billing, and schools that do not bill at all and instead submit claims to the Department of Education.

- He explained why the commission would be charged to investigate how students are being categorized as special needs. He compared New Hampshire student rates of ADHD, Autism, and Speech, with national averages and expressed that New Hampshire's numbers were higher than the national averages in these areas.
- He established that the commission would produce an interim report in November, a final report would be issued in July of 2026, and then this legislation would be repealed.
- Senator Altschiller referenced page two, line six, and asked what the intent was behind investigating who uses reimbursement funds. Representative Cordelli expressed that the intent of that line is to establish how much money is being reimbursed to school districts and how much is being reimbursed to third-party organizations. He established that if services are provided by the professional staff in-house, the school district handles the billing. However, if a third party is providing the services, they receive the reimbursement.
- Senator Altschiller asked what the intention of line ten is and what the definition of legal services is. Representative Cordelli explained that this line reflects the commission's charge to establish how much money school districts spend on legal services associated with special education Individual Education Plan (IEP) due process hearings.
- Senator Altschiller asked if school districts have legal representation at special education and IEP meetings. Representative Cordelli established that many school districts have legal representation at special education meetings and due process hearings.
- Senator Altschiller asked Representative Cordelli to clarify if the commission's charge is to produce a dollar amount spent on legal services or establish the frequency of legal services being brought in. Representative Cordelli responded that it is intended to answer whether insurance dollars are being used to contract for legal services and, if so, to what extent.
- Senator Prentiss asked if Representative Cordelli was implying that the Medicaid money that is being given to schools is being used for legal services. Representative Cordelli established that it was not what he was implying. He stated Section 'L' has no bearing on Section 'K'.
- Senator Altschiller referenced page one, line 21, and asked how the commission is going to access the relevant information without violating the confidentiality of the families established in IDEA. Representative Cordelli responded that it is meant to establish what types of disabilities would be categorized under "multiple disabilities and developmental delays".
- Senator Altschiller referenced part D, line 23, and asked if there was a reason MTSS was enumerated in the bill, and what other interventions the bill would

be referencing. Representative Cordelli responded that he did not find it necessary to mention Multi-Tiered Systems of Support (MTSS) specifically. He mentioned other subject area interventions that will be examined by the committee.

Summary of testimony presented in opposition:

Representative Hope Damon

- Representative Damon expressed that although she was the Prime Sponsor of the bill, the amended version completely replaced the original bill, and she no longer supports it.
- Representative Damon expressed that there are aspects of this legislation that are already being addressed by other legislative bodies without this legislation.