HB 1176 - AS INTRODUCED

2024 SESSION

24-2062
02/08

HOUSE BILL ***1176***

AN ACT establishing a commission to study current funding for special education and potential other funding sources.

SPONSORS: Rep. Heath, Hills. 41; Rep. Cascadden, Coos 5; Rep. Myler, Merr. 9; Rep. Cornell, Hills. 22; Rep. Porcelli, Rock. 19; Rep. Wilhelm, Hills. 40; Rep. Rung, Hills. 12

COMMITTEE: Education

ANALYSIS

This bill creates a commission to study current funding for special education services, and recommend adequate funding sources.

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Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

24-2062
02/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT establishing a commission to study current funding for special education and potential other funding sources.

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

1 New Section; Commission to Study Special Education Funding. Amend RSA 186-C by inserting after section 1 the following new section:

186-C:1-a Commission Established. There is established a commission to explore the costs of special education within public schools to school districts based on annual reporting, and to study specific revenue sources for the state to provide greater funding to reduce the reliance on local property taxes.

I. The members of the commission shall be as follows:

(a) Six members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Two members of the senate, appointed by the president of the senate.

(c) One district administrator, appointed by the New Hampshire School Administrators Association.

(d) One special education educator, appointed by the New Hampshire Association of Special Education Administrators.

(e) One teacher, appointed by the National Education Association - New Hampshire

(f) One school principal, appointed by the New Hampshire Association of School Principals.

(g) One representative from the New Hampshire Association of School Business Officials, appointed by the New Hampshire Association of School Business Officials.

(h) The state director of Special education, or designee.

(i) One school board member, appointed by the New Hampshire School Board Association.

II. The commission shall study student referral rates for special education programs, why students may be labeled "other health impaired," and whether there are intervention services that can be implemented to address the number of referrals.

III. The commission shall study the cost to provide services which are not "medically necessary" as defined by Medicaid, including:

(a) Services which are required to meet a child's agreed upon goals as part of their Individualized Education Program (IEP).

(b) Services which are required to allow a child appropriate access to the general education curriculum as part of a 504 Plan.

(c) Services which are part of a multi-tiered system of support for academics of behavior.

(d) Services which are required by statute.

(e) Specialized services which are available to all students within a school, not provided by a general education teacher.

IV. The commission shall estimate annual costs for the following services:

(a) Specially designed instruction (certified special education teachers).

(b) Speech and language therapy (pathologists and speech assistants, assistive technology specialists).

(c) Occupational therapy (delivered by an occupational therapist or certified occupational therapist assistant), physical therapy, and vision therapy.

(d) Hearing services (teacher of the deaf, translator, transliterator hard of hearing services, audiology, etc).

(e) Reading specialists and reading teachers.

(f) Interventionists (such as math intervention, reading intervention, behavior intervention).

(g) Tutoring services provided by certified educators or licensed paraprofessionals.

(h) Evaluation services (including whether districts are doing increased evaluations or referrals due to recent legislation, and whether these services could be contracted out or kept in-house).

(i) Therapeutic counseling services provided by school psychologists, social workers, adjustment counselors, licensed alcohol and drug abuse counselors.

(k) Paraprofessional services as part of an approved program within a school (behavioral support programs, academic support centers, life skills programs, individual student participation in extracurricular programs, bus monitors who are student or case specific).

V. The commission shall study current funding sources for special education and potential alternative funding sources, including analysis of what other states use for revenue sources for public education generally or to help fund special education specifically.

VI. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

VII. The members of the commission shall elect a chairperson and vice chairperson from among the members. The first meeting of the commission shall be called by the first named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Thirteen members of the commission shall constitute a quorum.

VIII. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the

chairpersons of the senate and house committees with jurisdiction over education, the senate clerk, the house clerk, the state board of education, the governor, and the state library. An initial report shall be submitted on or before January 31, 2025, which shall include an overview of how the state could fund more special education costs and potential revenue sources. A final report shall be submitted on or before January 31, 2026. The final report shall include the following:

(a) An overview of how, and to what extent, other states fund special education services.

(b) Recommendations of how to employ intervention strategies to better analyze the rising number of students referred for special education services and efficiently address their individual needs.

(c) The costs to the state to fully fund special education costs, fund at 75 percent, or fund at 50 percent.

(d) Recommendations to raise the necessary funds to fully or partially fund special education.

(e) A draft of proposed funding legislation.

2 Repeal; 2026. RSA 186-C:1-a, relative to the commission to evaluate and recommend standards for public schools, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect January 31, 2026.

II. The remainder of this act shall take effect upon its passage.