

HB 76-FN - VERSION ADOPTED BY BOTH BODIES

2025 SESSION

25-0089

02/06

HOUSE BILL

76-FN

AN ACT relative to tracking special education complaints.

SPONSORS: Rep. Kuttub, Rock. 17; Rep. Ball, Rock. 25; Rep. Cordelli, Carr. 7; Rep. Ankarberg, Straf. 7; Rep. Sabourin, Rock. 30; Sen. Prentiss, Dist 5; Sen. Ricciardi, Dist 9; Sen. Ward, Dist 8

COMMITTEE: Education Policy and Administration

ANALYSIS

This bill requires the department of education to establish and maintain a tracking system for all state complaints related to special education services, and issue an annual report summarizing the complaint data.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to tracking special education complaints.

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

1 1 New Section; Special Education State Complaints and Findings; Complaint Tracking. Amend
2 RSA 186-C by inserting after section 5 the following new section:

3 186-C:5-a Special Education State Complaints and Findings; Complaint Tracking.

4 I. The department shall establish and maintain a tracking system for all state complaints
5 related to special education services. The tracking system shall include, but not be limited to, the
6 following information:

7 (a) The date the complaint was filed.

8 (b) The complainant's contact information.

9 (c) The respondent's information, including the name of the public school involved in the
10 complaint.

11 (d) The name of any law firm representing the school district in the complaint.

12 (e) A summary of the allegations.

13 (f) Key dates relevant to the complaint process, including acknowledgment, response,
14 investigation, and resolution.

15 (g) Status updates throughout the investigation process.

16 (h) The outcome of the complaint, including findings of fact and any corrective actions
17 required.

18 II. The department shall make available summaries of all state complaints and their
19 outcomes on the department's website within 30 days of the issuance of the final decision on the
20 complaint to the complainant. The department shall redact all personally identifiable information
21 (PII) related to students and complainants to ensure compliance with the Family Educational Rights
22 and Privacy Act (FERPA) and other state or federal privacy laws. The information shall be limited
23 to:

24 (a) The dates the complaint was filed.

25 (b) A summary of the allegations.

26 (c) The findings of fact and conclusions reached by the department.

27 (d) Any corrective actions required or taken by the respondent.

28 (e) The name of the school district.

29 (f) The name of any law firm representing the school district.

30 III. The department shall publish an annual report by July 1st each year beginning in 2026.
31 The annual report shall be made publicly available on the department's website and provided to the

HB 76-FN - VERSION ADOPTED BY BOTH BODIES

- Page 2 -

1 office of special education advocate, state advisory council on the education of children with
2 disabilities, and the chairmen of the house and senate education committees. The annual report
3 shall summarize the state complaint data, including:

- 4 (a) The total number of state complaints filed in the previous calendar year.
5 (b) The number of complaints resolved, with details on the nature of the resolutions.
6 (c) An analysis of patterns or systemic issues identified through the complaints.
7 (d) The actions taken by the department to address any identified systemic issues.

8 2 Effective Date. This act shall take effect September 1, 2025.

LBA
25-0089
10/25/24

**HB 76-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to tracking special education complaints.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation has a total fiscal impact of less than \$10,000 in each of the fiscal years 2025 through 2028.

AGENCIES CONTACTED:

Department of Education