



OFFICE OF LEGISLATIVE SERVICES
ADMINISTRATIVE RULES
STATE HOUSE ANNEX
25 CAPITOL STREET, ROOM 234
CONCORD, NH 03301

Rulemaking Notice Form

Notice Number: 2026-153

Rule Number: Ed 507.42 & Ed 507.44

1. **Agency:** Board of Education
Agency Address: c/o Department of Education
25 Hall St.
Concord, NH 03301
2. **RSA Authority:** RSA 21-N:9, II(aa); RSA 186:8, IV-V
3. **Federal Authority:** 34 CFR 300.156
4. **Action(s):** Readopt w/Amendment
5. **Short Title:** Advanced Special Education Endorsements: Intellectual and Developmental Disabilities, and Emotional and Behavioral Disabilities
6. **(a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:**

The board is proposing to readopt with amendment Ed 507.42 relative to special education licensure in the area of intellectual and developmental disabilities, and Ed 507.44 relative to special education licensure in the area of emotional and behavioral disabilities.

The proposed revisions include updated language that more precisely describes the competencies needed for these advanced endorsements that require an individual to already hold general special education licensure. Language is also revised to be more measurable for individuals and professional educator preparation programs (PEPPs) to clearly identify what needs to be demonstrated for licensure.

Revisions to Ed 507.42 include:

- Changing "certification" to "licensure" in (a);
- Specifying the student population served by the endorsement in (b);

- Removed language in (b)(2)a. and changed “movement” to “physical” in (b)(2)c.;
- Added language to (b)(3)a. and e. to specify the importance of practices and interventions, and added language to (b)(3)c. and removing (b)(3)d. now covered in the added language;
- Revised language in (b)(4)b.-c. to more broadly reflect transition planning beyond K-12 education and alignment with language from the Individual’s with Disabilities Education Act (IDEA);
- Revised language in (b)(5) to more accurately reflect accommodations and IDEA language;
- Revised language in (b)(6) to include alternative and augmentative communication (AAC) across all environments;
- Added (b)(7)a.4. to reflect the changing landscape of technology in curriculum;
- Added (b)(8)2. and 6. to reflect the need for these trainable and necessary skill sets;
- Switched 1. and 3. under (b)(8)f. to indicate the order of importance;
- Updated language in (b)(9) to reflect measurable actions and the importance of research;
- Added advocacy to (b)(10)a., added (b)(10)a.1.(iv) as transition skills are important part of work, and added reference to AI and other evolving technology to the new (b)(10)a.1.(v), and editorial changes to (b)(10)b.-c. for clarification; and
- Updated(b)(10)e. to align with current statutory requirements.

Revisions to Ed 507.44 include:

- Language change in intro and (a) to accurately reflect terms used in credentialing;
- Specific student population taught in the endorsement added in (b);
- Measurable terminology in (b)(1) and more expansive language in (b)(1)d.
- Combined(b)(2)b. and c.;
- Added b.-d. in (b)(3) to expand on the importance of having skills around IEPs;
- Added measurable terminology in (b)(4) and removed multiple instances of “emotional and behavioral disabilities” to avoid redundancy;

- Added measurable terminology, language mirroring that of IDEA, and combined d. and e. in (b)(5);
- Added measurable terminology and combined b. and c. in (b)(6);
- Removed b., j.-n. and broadened language as the area of instructional planning has changed significantly and will continue to change;
- Added measurable terminology and combined f. and g. in (b)(8);
- Updated language (b)(9) to reflect the professional practice sections in the other special education endorsements, Ed 507.42 and Ed 507.45; and
- Added measurable terminology, deleted f.-g., j.-l. as they were covered in other areas and added new h. in (b)(10) reflecting similar language used in Ed 507.42.

The rules are set to expire August 16, 2026 but are being extended pursuant to RSA 541-A:14-a. The rules do not implement a statute for the first time.

6. (b) Brief description of the groups affected:

Individuals seeking initial licensure or licensure renewal in this endorsement, SAUS and school districts, educator preparation programs enrolling and education students in the endorsement area.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	Statute or Federal Regulation Being Implemented
Ed 507.42	34 CFR 300.156; RSA 21-N:9, II(aa); RSA 186:8, IV-V
Ed 507.44	34 CFR 300.156; RSA 21-N:9, II(aa); RSA 186:8, IV-V

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: Julie Shea	Title: Administrative Rules Coordinator
Address: Department of Education 25 Hall St. Concord, NH 03301	Phone Number: (603) 931-9133
	FAX Number:
	Email: Julie.R.Shea@doe.nh.gov

8. **Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified:**

Thursday, October 15, 2026

☐ **Fax**
☒ **Email**
☐ **Other**

9. **Public hearing scheduled for:**

Date: Thursday, October 8, 2026

Time: 12:00 PM

Place: Department of Education Events Center
25 Hall St.
Concord, NH 03301

Electronic Access, if applicable: N/A

10. **Fiscal Impact Statement (Prepared by Legislative Budget Assistant):**

FIS #: 26:137, dated: Wednesday, July 22, 2026

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in cost when comparing the proposed rule to the existing rule.

2. Cite the Federal mandate. Identify the impact on state funds:

34 CFR 300.156 mandates that the state “establish and maintain qualifications to ensure that personnel necessary to carry out the purposes of this part are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities.” This has no impact on state funds.

3. Cost and benefits of the proposed rule(s):

A. To State general or State special funds:

None.

B. To State citizens and political subdivisions:

None.

C. To independently owned businesses:

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

This proposal does not mandate any new, expanded, or modified programs or responsibilities to any political subdivision in such a way as to necessitate additional local expenditures by the political subdivisions, and therefore does not violate Part I, Article 28-a of the New Hampshire Constitution.