STATE OF NEW HAMPSHIRE

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

Rulemaking Notice Form

Notice Number: 2026-192

Rule Number: Ed 507.41

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

3. **Federal Authority:** 34 CFR 300.156

4. **Action(s):** Readopt w/Amendment

5. **Short Title:** Early Childhood Special Education Teacher

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 of Education is proposing to readopt with amendment Ed 507.41 regarding the qualifications for licensure in the area of Early Childhood Special Education Teacher. In addition to modifying language throughout the proposal to be more measurable for candidates and programs, the following revisions are being proposed:

   - Delete (b)(1)b. regarding historical and philosophical perspectives;
   - Add (b)(1)e. regarding federal components of special education;
   - Add (b)(2) regarding the early childhood special education process, which includes former sections(b)(5)c., d., f., and g., respectively renumbered as (b)(2)c., d., h., and j.;
   - Renumber (b)(2) to (b)(3) and add (b)(3)a. regarding planning and implementing inclusive experiences;

- Amend (b)(3)b. to remove certain areas from the list, add others, and specify the types of practices being used;

- Renumber (b)(3) to (b)(4), add to the list in (b)(4)a., condense the language in (b)(4)b.;

- Delete (b)(4)f. regarding least restrictive environment and add the language to (b)(4)e. above;

- Renumber (b)(4) to (b)(5), amend (b)(5)a.-f. to move away from deficiency-based language, delete (b)(5)f. and add the removed language regarding feedback to (b)(5)c., and add new (b)(5)e. regarding behavioral interventions;

- Delete (b)(5) and move relevant language up to the new (b)(2) regarding special education process;

- Amend (b)(6)a. to remove specific instructional model and broad to include a variety of models and settings;

- Amend (b)(6)d. to add “high leverage practices”;

- Delete (b)(8) as these competencies are covered in other rules that apply to special educators;

- Renumber (b)(9) to (b)(8), rephrase (b)(8)a. for clarity, and add (b)(8)d. regarding the mentorship of paraprofessionals; and

- Amend (d)(2)-(3) to clarify which areas of special education are being referenced.

_ Does this rule implement a state statute for the first time?

This proposal does not implement a state statute for the first time.

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

Individuals seeking initial licensure or licensure renewal in this endorsement area, SAUs and school districts, and institutions of higher education with educator preparation programs in this endorsement area, and education students in the enrolled in a PEPP within this 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**
Ed 507.41	34 CFR 300.156; RSA 21-N:9, II(aa); RSA 186:8, IV

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, November 19, 2026

   _ **Fax**
   X **Email**
   _ **Other**

9. **Public hearing scheduled for:**
   Date: Thursday, November 12, 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 #: 26:212, dated: Monday, September 14, 2026

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

    There is no difference in costs when comparing the proposed rules to the existing rules.

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

    The Department states 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.