Amendment to HB 1513-FN

Amend the title of the bill by replacing it with the following:

AN ACT relative to the definition of a child with a disability under special education laws and providing funding for special education costs for students over age 21 until their 22nd birthday.

Amend the bill by replacing all after section 1 with the following:

2 Department of Education; Special Education; Students Age 21; Funding.

I. For the 2022-2023 school year, department of education shall be liable for all school district costs related to providing services to special education students over age 21 until their 22nd birthday. Upon application by a school district, the department shall provide reimbursement for any such costs, which were not otherwise compensated for through other forms of state education aid. To qualify for reimbursement, a school district shall have utilized any unexpended federal Individuals with Disabilities Education Act (IDEA) funds for the fiscal year 2022 and any available IDEA American Rescue Plan Act funds. Payments shall be made to school districts under the payment schedule of special education aid under RSA 186-C:18.

II. Notwithstanding any law to the contrary, any unexpended funds for biennium ending June 30, 2023, in account 06-56-56-560040-3043-629 (special education aid), shall not lapse and shall be made available to the department of education for the purpose of providing reimbursements under paragraph I. Any remaining unexpended funds after all reimbursements have been made shall be transferred to 06-56-56-562010-3015 (court ordered placements). If amounts available under this paragraph are insufficient to cover reimbursements approved under paragraph I, an amount equal to the shortfall is hereby appropriated to the department from the education trust fund created under RSA 198:39. The governor is authorized to draw a warrant from the education trust fund to satisfy the state's obligation under this section.

3 Effective Date. This act shall take effect upon its passage.
AMENDED ANALYSIS

This bill modifies the definition of "child with a disability" to include persons up to 21 years of age. The bill also provides for reimbursement from the department of education for special education costs for students over age 21 until their 22nd birthday and provides funding therefor.