

SB 148-FN - AS AMENDED BY THE HOUSE

03/18/2021 0764s  
3Jun2021... 1637h

2021 SESSION

21-0956  
06/08

SENATE BILL        ***148-FN***

AN ACT            adopting omnibus legislation relative to vocational and career education, environmental education, and emergency plans for cocurricular related injuries and emergencies.

SPONSORS:        Sen. Ward, Dist 8

COMMITTEE:       Education

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AMENDED ANALYSIS

This bill adopts legislation relative to:

I. Vocational rehabilitation.

II. Career and technical education.

III. Emergency plans for cocurricular related injuries and emergencies..

IV. Private postsecondary career schools.

V. Environmental science education.

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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 148-FN - AS AMENDED BY THE HOUSE

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT                adopting omnibus legislation relative to vocational and career education, environmental education, and emergency plans for cocurricular related injuries and emergencies.

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

1                1 Sponsorship. This act consists of the following proposed legislation:

2                Part I: LSR 21-0956, repealing provisions relating to vocational rehabilitation and  
3 authorizing the state board of education to adopt rules relative to the provision of vocational  
4 rehabilitation, sponsored by Sen. Ward, Prime/Dist. 8.

5                Part II: LSR 21-0270, relative to career and technical education, sponsored by Sen. Watters,  
6 Prime/Dist. 4; Sen. Carson, Dist. 14; Sen. Rosenwald, Dist. 13; Sen. Whitley, Dist. 15; Sen. Sherman,  
7 Dist. 24; Sen. D'Allesandro, Dist. 20; Sen Prentiss, Dist. 5; Sen. Hennessey, Dist. 1; Rep.Ladd, Graf.  
8 4; Rep. Moffett, Merr. 9.

9                Part III: Relative to emergency plans for cocurricular related injuries and emergencies.

10              Part IV: LSR 021-0987, relative to the definition of private postsecondary career school,  
11 sponsored by Sen. Ward, Prime/Dist. 8.

12              Part V: Relative to environmental science and outdoor recreation as criteria for an adequate  
13 education.

14              2 Legislation Enacted. The general court hereby enacts the following legislation:

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PART I

17              Repealing provisions relating to vocational rehabilitation and authorizing the state board of  
18 education to adopt rules relative to the provision of vocational rehabilitation.

19              1 Repeal. The following are repealed:

20              I. RSA 200-C:7, relative to telecommunications equipment.

21              II. RSA 200-C:9, relative to definitions.

22              III. RSA 200-C:10, relative to the establishment and amount of subsidies.

23              IV. RSA 200-C:11, relative to eligibility standards.

24              V. RSA 200-C:12, relative to appeals.

25              VI. RSA 200-C:13, relative to insufficient funds.

26              VII. RSA 200-C:15, relative to rulemaking.

27              VIII. RSA 200-C:19, III, relative to administering the telecommunications equipment  
28 program.

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2 Worker's Personal Care Assistance Program; Rulemaking Authority. Amend RSA 200-C:8 to read as follows:

200-C:8 Rulemaking Authority.

The board of education shall adopt rules, under RSA 541-A, relative to[:

~~I. Procedures for disbursement of moneys from the program established under RSA 200-C:7.~~

~~II. Eligibility criteria for equipment under the program, including priority criteria assigned to persons seeking equipment under the program.~~

~~III. Procedures for the purchase, maintenance and repair of special telecommunications equipment]~~ **the provision of vocational rehabilitation services.**

3 Vocational Rehabilitation Programs; Rulemaking Authority. Amend RSA 200-C:8 to read as follows:

200-C:8 Rulemaking Authority. The board of education shall adopt rules, under RSA 541-A, relative to:

~~I. [Procedures for disbursement of moneys from the program established under RSA 200-C:7.~~

~~II.]~~ Eligibility criteria for equipment under the program, including priority criteria assigned to persons seeking equipment under the program.

~~III.]~~ **II.** Procedures for the purchase, maintenance and repair of special telecommunications equipment.

4 Effective Date. Part I of this act shall take effect 60 days after its passage.

**PART II**

Relative to career and technical education.

1 Regional Career and Technical Education; Definitions; Sending District. Amend RSA 188-E:2, VIII(b) to read as follows:

(b) If a student attends a chartered public school, **private school, or is home schooled**, the sending district shall be the school district in which the student resides.

2 Construction or Renovation of Career and Technical Education Centers. Amend RSA 188-E:3, I to read as follows:

I. The commissioner, department of education, shall make grants available to designated regional centers for construction of career and technical education facilities or renovation, **expansion, or replacement** of existing regional career and technical education centers. The state board shall adopt rules, pursuant to RSA 541-A and RSA 21-N:9, II, which the commissioner shall carry out, relative to requirements for approval of regional career and technical education centers to receive funds for construction ~~[or]~~, renovation, **expansion, or replacement** of such facilities. The rules shall include criteria which guarantee potential sending districts an opportunity to enroll students in the regional career and technical education program, and basic criteria for planning such

facilities through cooperative development of plans by the career and technical education staff of the state department of education and the local school district's staff. When such plans appear to be both educationally and financially acceptable, the department's career and technical education staff shall recommend to the commissioner that they be approved for funding.

3 Regional Career and Technical Education; Program. Amend RSA 188-E:5, II to read as follows:

II. Career and technical education of consistent quality shall be equally available to students and across the state. Each career and technical education program pathway shall include embedded rigorous academic skills and technical core competencies aligned with national business and industry standards delivered through a relevant sequence of courses. ***New Hampshire students are encouraged to access career and technical education to learn and apply technical, academic, and employability skills needed for career and life.***

4 Career and Technical Education; Transportation. Amend RSA 188-E:8 to read as follows:

188-E:8 Transportation. The department of education is authorized to reimburse from its regular budget the ***full*** cost of transportation, ***subject to availability of funding*** for (a) regional career and technical education students who attend regional career and technical education centers and for (b) at-risk students who attend alternative education programs located at a regional career and technical education center or other comprehensive high school. Transportation costs shall not exceed the rate adopted pursuant to RSA 541-A by the state board. The ~~[sending]~~ ***student's resident*** district shall be responsible for ***providing transportation and*** paying the transportation costs and shall ***then*** be reimbursed from state funds. ***If a student is permitted to self-transport, the student's resident district shall reimburse the student in accordance with rules adopted pursuant to RSA 541-A. The department of education shall then reimburse the district from its regular budget.***

5 Payment of Tuition and Transportation Funds. Amend RSA 188-E:9, I to read as follows:

I. The state shall pay the receiving district for its portion of the tuition charge upon receipt by the department of education of forms showing the charges as requested by them. Payment of transportation shall be made to the ~~[sending]~~ ***resident*** district by the department of education upon certification of payment or liability of payment of transportation charges on forms prescribed by the department. School districts shall report actual tuition and transportation costs for reimbursement by the state to the department by September 30 of each year. Failure to file such information on the forms required under this paragraph shall result in withholding of funds.

6 Career and Technical Education; Funding for Construction, Renovation, Expansion, and Replacement. Amend RSA 188-E:10, I to read as follows:

I. The department of education is responsible for maintaining a statewide system of regional ~~[vocational]~~ ***career and technical*** education centers to provide and allow for a variety of career and technical education programs funded within state budget appropriations. The treasurer of the state

of New Hampshire is hereby authorized to make funds available to the department of education for the **construction**, renovation [~~and~~], expansion, **or replacement** of qualified regional career and technical education centers or regional career and technical education programs authorized in the capital budget, provided that:

(a) The commissioner of the department of education shall ensure that all requests submitted are both educationally and financially appropriate within the state capital project authorization process;

(b) The commissioner of the department of education submits on a biennial basis in a capital budget request a priority list of facilities and programs eligible for **construction**, renovation [~~and~~], expansion, **or replacement** provided that priority shall be given to programs that have been certified by an approved standard or that need additional funds to become certified by an approved standard;

(c) Each request for funding follows the capital budget procedure pursuant to RSA 9:3-a, provided that no qualified project funded in a state capital budget as required in this section shall have additional funds for the same project included in a subsequent proposal for capital appropriation under RSA 9:3-a unless directed by the priority list of the department of education;

(d) Each school district requesting funds from the department of education establishes and funds a **construction**, renovation [~~and~~], expansion, **and replacement** reserve fund, which shall be used by the school district to pay **construction**, renovation [~~and~~], expansion, **and replacement** costs not funded by the state, and which may include funding for the replacement of equipment; and

(e) The state shall fund not less than 50 percent nor more than 75 percent of the cost of a qualified project approved pursuant to this section.

(f) In this section, "qualified" means the project:

(1) Demonstrates need connected to the labor market.

(2) Accepts students from sending schools.

(3) Demonstrates adequate numbers of students through enrollment figures based on 3-year averages.

(4) Demonstrates alignment with program competencies and academic competencies required by the department of education.

(5) Allows for matriculation into a postsecondary venue.

(6) Meets all industry and building standards.

(7) Meets the procedural requirements for requests under this section and any other requirements in rules of the department of education.

(8) Is a regional career and technical education center within a public school, or a public academy as defined in RSA 194:23, II, in the state of New Hampshire.

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(9) Has the capacity to provide academic courses for students from the sending districts who are approved for full-time attendance at the center.

7 New Subparagraph; Advisory Council on Career and Technical Education. Amend RSA 188-E:10-b, I by inserting after subparagraph (h) the following new subparagraph:

(i) A high school counselor from a sending school district, appointed by the president of the New Hampshire School Counselor Association.

8 Advisory Council on Career and Technical Education. Amend RSA 188-E:10-b, III to read as follows:

III. Members of the advisory council appointed under subparagraphs I(f)-~~(h)~~**(i)** shall serve for terms of 3 years and may be reappointed, except that terms of initial appointments by the commissioner under subparagraphs (f) and (h) shall be staggered.

9 New Paragraph; Career and Technical Education; Rulemaking. Amend RSA 188-E:10-b by inserting after paragraph VI the following new paragraph:

VII. By June 30, 2021, upon recommendation of the council, the department shall adopt rules, pursuant to RSA 541-A, establishing requirements for a career readiness credential.

10 Secondary Career and Technical Education Programs; Federal Authorization. Amend RSA 188-E:12 to read as follows:

188-E:12 Secondary Career and Technical Education Programs; Federal Authorization. In accordance with 20 U.S.C. section 9271, the state shall include in its unified plan, all secondary career and technical education programs authorized under 20 U.S.C. 2301 et seq., known as the Carl D. Perkins Career and Technical Education Act of 2006 ***as amended***.

11 Pre-Engineering and Technology Curriculum and Pre-Engineering and Technology Advisory Council; Membership and Terms. Amend RSA 188-E:16, I(d) to read as follows:

(d) The ~~[president]~~ ***chancellor of the community college system*** of ~~[the]~~ New Hampshire ~~[technical institute]~~, or designee.

12 Advanced Manufacturing Education Advisory Council; Membership and Terms. Amend RSA 188-E:22, I(e) to read as follows:

(e) The ~~[president]~~ ***chancellor of the community college system*** of ~~[the]~~ New Hampshire ~~[technical institute]~~, or designee.

13 Dual and Concurrent Enrollment Program; Program Established. Amend RSA 188-E:26 to read as follows:

188-E:26 Program Established. There is established a dual and concurrent enrollment program in the department of education. Participation in the program shall be offered to high school and career technical education center students in grades 10 through 12. The program shall provide opportunities for qualified New Hampshire high school students to gain access and support for dual and concurrent enrollment in ***career and technical education courses***, STEM (science, technology, engineering, and mathematics) and STEM-related courses that are fundamental ***and***

1 *necessary* for success in postsecondary education, *career path opportunities*, and to meet New  
2 Hampshire's emerging workforce needs.

3 14 Dual and Concurrent Enrollment Program; School Board Policy. Amend RSA 188-E:28, I to  
4 read as follows:

5 I. ~~[No later than July 1, 2018,]~~ The school board of each school district shall develop and  
6 adopt a policy permitting students residing in the district who are in grade **10**, 11 or 12 to  
7 participate in the dual and concurrent enrollment program. The policy shall, at a minimum, include  
8 compliance with measurable educational standards and criteria approved by the CCSNH and that  
9 meet the same standard of quality and rigor as courses offered on campus by the CCSNH. The  
10 policy shall also comply with the standards for accreditation and program development established  
11 by the National Alliance for Concurrent Enrollment Partnerships. The policy shall include, but not  
12 be limited to, student eligibility criteria, standards for course content, standards for faculty  
13 approval, program coordination and communication requirements, tuition and fees, textbooks and  
14 materials, course grading policy, data collection, maintenance, and security, revenue and  
15 expenditure reporting, and process for renewal of the agreement.

16 15 Department of Education; Community College System of New Hampshire; Dual and  
17 Concurrent Enrollment Agreement. The department of education and the CCSNH shall develop and  
18 approve a model dual and concurrent enrollment agreement that shall be used by the CCSNH and  
19 the school board of a school district participating in the dual and concurrent enrollment agreement  
20 program. The model agreement shall include standards established by the CCSNH, shall include  
21 elements, standards, and criteria that have been approved by the department of education and  
22 CCSNH, and shall serve as the framework for the development, implementation, and administration  
23 of the dual and concurrent enrollment program in each school district by clearly defining the  
24 procedures related to concurrent and dual enrollment of high school students in college classes. The  
25 department shall further develop guidelines for the program relating to reporting, accountability,  
26 and payment of available funds to the CCSNH.

27 16 New Paragraph; Delivery of an Adequate Education. Amend RSA 193-E:3 by inserting after  
28 paragraph VII the following new paragraph:

29 VIII. Beginning in September 2021, and each year thereafter, school districts shall, for  
30 entering high school freshman: assess student career interests; document school pathways to career  
31 readiness credentials; advise all entering high school students how to achieve a career ready  
32 credential upon graduation; and record on a student's transcript progress towards the credential.  
33 School districts shall report the following annually: the number of students who complete CTE; the  
34 number of dual enrollments, concurrent enrollments, extended learning opportunities, and work  
35 based learning enrollments; and the number of career ready credentials awarded.

36 17 Repeal Date Extended. Amend 2019, 247:3 to read as follows:

247:3 Repeal; [2022] **2026**. RSA 188-E:9-a, relative to donations to regional career and technical education center programs, is repealed.

18 Effective Date Change. Amend 2019, 247:4, I to read as follows:

I. Section 3 of this act shall take effect June 30, [2022] **2026**.

19 Effective Date. Part II of this act shall take effect 60 days after its passage.

### PART III

Requiring emergency action plans for cocurricular related injuries and emergencies.

1 New Section; Health Services; Emergency Plans for Cocurricular Related Injuries and Emergencies. Amend RSA 200 by inserting after section 40-b the following new section:

200:40-c Emergency Plans for Cocurricular Related Injuries.

I. The local board of each school district or chartered public school or the governing body of each nonpublic school shall establish an emergency action plan for responding to cocurricular related injuries and emergencies. In this section “cocurricular” shall include those activities which are designed to supplement and enrich regular academic programs of study, provide opportunities for social development, and encourage participation in clubs, athletics, intramurals, performing groups, and service to school and community. Each school plan shall:

(a) Document the proper procedures to be followed when a student sustains an injury or emergency while participating in school sponsored cocurricular activity.

(b) Identify the employees, team coaches, and licensed athletic trainers in each school who are trained in first aid or cardiopulmonary resuscitation.

(c) Identify the employees, team coaches, or licensed athletic trainers responsible for attending to cocurricular injuries or emergencies connected with cocurricular activity.

(d) Identify the activity location, address, or venue for the purpose of directing emergency personnel.

(e) Identify the equipment and supplies and location thereof needed to respond to the emergency;

(f) Identify the location of any automated external defibrillators and personnel trained in the use of the automated external defibrillator.

(g) Document procedural policies regarding injuries sustained in cocurricular activities such as but not limited to: sprains and strains, muscle injury, ligament tear, heart-related illnesses, bone injury, exhaustion and fatigue, head trauma, and heat-related illnesses.

II. The plan shall be posted within each school and disseminated to, and coordinated with emergency medical services, fire department, and law enforcement. In addition, each school district shall adopt procedures for obtaining accurate disclosure of student-participant medical information and communicating relevant student-participant medical information to cocurricular employees, team coaches, or licensed athletic trainers responsible for carrying out the emergency action plan.



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1 Access, filing, and confidentiality of student-participant medical information shall be managed in  
2 accordance with the Health Insurance Portability and Accountability Act (HIPAA) and the Family  
3 Educational Rights and Privacy Act (FERPA).

4 III. The plans shall be implemented by the beginning of the first full school year after the  
5 effective date of this section.

6 2 Effective Date. Part III of this act shall take effect September 1, 2022.

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PART IV

Relative to the definition of private postsecondary career school.

1 New Subparagraph; Private Postsecondary Career Schools; Definitions. Amend RSA 188-G:1,  
II by inserting after subparagraph (l) the following new subparagraph:

(m) Entities that have annual gross tuition of \$100,000 or less.

2 Effective Date. Part IV of this act shall take effect 60 days after its passage.

PART V

Environmental Science Required for Adequate Education

1 Criteria for an Adequate Education. Amend RSA 193-E:2, III to read as follows:

III. Knowledge of the biological, physical, and earth sciences, ***including environmental sciences that investigate the complex interaction of physical, chemical, and biological processes that take place on the earth***, to enable them to understand and appreciate the world ***and the engineering, socio-economic, and geopolitical challenges*** around them.

2 Criteria for an Adequate Education; Science. Amend RSA 193-E:2, VI-VII to read as follows:

VI. Sound wellness and environmental practices, ***including outdoor recreation***, to enable them to enhance their own well-being, as well as that of others.

VII. Skills for lifelong learning, including interpersonal and technological skills, to enable them to learn, work, ***communicate***, and participate effectively in a changing society ***and environment***.

3 New Paragraph; Regional Career and Technical Education; Program. Amend RSA 188-E:5 by inserting after paragraph XI the following new paragraph:

XII. Since outdoor recreation education includes instruction in outdoor recreational activities and preparation for participation in the outdoor recreation industry, the director of career and technical education shall report to the advisory council on career and technical education by June 1, 2022 on the availability of programs in outdoor recreation and the potential for new programs to provide workforce training and appropriate credentialing in careers related to the outdoor recreation industry.

4 Effective Date. Part V of this act shall take effect 60 days after its passage.

**SB 148-FN- FISCAL NOTE**

AS AMENDED BY THE SENATE (AMENDMENT #2021-0764s)

AN ACT                adopting omnibus legislation relative to vocational and career education, environmental education, and emergency plans for sports injuries.

**PART I: Repealing provisions relating to vocational rehabilitation and authorizing the state board of education to adopt rules relative to the provision of vocational rehabilitation.**

This part has no fiscal impact.

**PART II: Relative to career and technical education.**

This part has no fiscal impact.

**PART III: Requiring emergency action plans for sports related injuries.**

This part has no fiscal impact.

**PART IV: Relative to the definition of private postsecondary career school.**

This part has no fiscal impact.

**PART V: Relative to environmental and outdoor education.**

This part has no fiscal impact.

**AGENCIES CONTACTED:**

Department of Business and Economic Affairs, Community College System of New Hampshire,  
Department of Education, and Department of Natural and Cultural Resources