

CHAPTER 120
HB 126 – FINAL VERSION

04/09/2015 1145s
6May2015... 1719EBA

2015 SESSION

15-0112
04/01

HOUSE BILL **126**

AN ACT establishing a commission to study issues related to students receiving special education services while attending a chartered public school.

SPONSORS: Rep. Heath, Hills 14; Rep. Myler, Merr 10; Rep. Harris, Rock 9; Rep. Frazer, Merr 13; Sen. Stiles, Dist 24

COMMITTEE: Education

ANALYSIS

This bill establishes a commission to study issues related to students receiving special education services while attending a chartered public school. This bill is a result of the study committee established in 2014, 266.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT establishing a commission to study issues related to students receiving special education services while attending a chartered public school.

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

1 120:1 New Subdivision; Commission to Study Issues Relating to Students Receiving Special
2 Education Services While Attending a Chartered Public School. Amend RSA 186-C by inserting
3 after section 29 the following new subdivision:

Commission to Study Issues

Relating to Students Receiving Special Education Services

While Attending a Chartered Public School

7 186-C:30 Commission Established.

8 I. There is established a commission to study issues related to students receiving special
9 education services while attending a chartered public school. The membership of the commission
10 shall be as follows:

11 (a) Three members from the house of representatives, 2 of whom shall serve on the
12 education committee, and one of whom shall serve on the finance committee, appointed by the
13 speaker of the house of representatives.

14 (b) One member from the senate, appointed by the senate president.

15 (c) The commissioner of the department of education, or designee.

16 (d) Three members who are involved with the management or operation of a chartered
17 public school, appointed by the governor.

18 (e) Three members who are parents with at least one child attending a chartered public
19 school, appointed by the governor.

20 (f) One member from the New Hampshire School Administrators Association, appointed
21 by the association.

22 (g) One member from the New Hampshire Association of Special Education
23 Administrators, appointed by the association.

24 (h) One member from the New Hampshire Council on Developmental Disabilities,
25 appointed by the council.

26 (i) One member from the Disabilities Rights Center-NH, appointed by the center.

27 (j) One member from the New Hampshire Council of School Attorneys, appointed by the

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1 council.

2 (k) One member from the New Hampshire Public Charter School Association, appointed
3 by the association.

4 (l) One member from the New Hampshire School Boards Association, appointed by that
5 association.

6 (m) One member from the Parent Information Center, appointed by that organization.

7 (n) One parent of a child who is disabled, appointed by the governor.

8 (o) One parent of a school-age child, appointed by the governor.

9 II. The commission shall study issues relating to students receiving special education
10 services while attending a chartered public school, including but not limited to the following:

11 (a) The provision of special education services to students attending chartered public
12 schools, including the nature and amount of such services, how such services should be provided, and
13 where such services should be provided.

14 (b) The nature of communications between the chartered public school and the local
15 education agency, including the involvement of a chartered public school in the individualized
16 education plan meetings.

17 (c) The funding for children in need of special education services who are attending a
18 chartered public school and whether such funding is sufficient to ensure a free and appropriate
19 public education.

20 (d) The nature of the legal relationship between the local education agency and the
21 chartered public school.

22 (e) Any other issue which the commission deems relevant to the objective of the study.

23 III. Legislative members of the commission shall receive mileage at the legislative rate when
24 attending to the duties of the commission.

25 IV. The department of education and house committee research staff shall provide clerical,
26 administrative, and research services to the commission as may be needed.

27 V. The members of the commission shall elect a chairperson from among the members. The
28 first meeting of the commission shall be called by the first-named house member. The first meeting
29 of the commission shall be held within 30 days of the effective date of this section. Nine members of
30 the commission shall constitute a quorum.

31 VI. The commission shall report its findings and any recommendations for proposed
32 legislation to the speaker of the house of representatives, the president of the senate, the house clerk,
33 the senate clerk, the governor, and the state library on or before November 1, 2016.

34 120:2 Repeal. RSA 186-C:30, relative to the commission to study issues related to students
35 receiving special education services while attending a chartered public school, is repealed.

36 120:3 Effective Date.

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1 I. Section 2 of this act shall take effect November 1, 2016.

2 II. The remainder of this act shall take effect upon its passage.

3

4 Approved: June 8, 2015

5 Effective Date: I. Section 2 shall take effect November 1, 2016

6 II. Remainder shall take effect June 8, 2015