

CHAPTER 313
SB 238 - FINAL VERSION

03/24/2022 1035s
03/24/2022 1180s
05/26/2022 2026CofC

2022 SESSION

22-3047
10/05

SENATE BILL **238**

AN ACT relative to special education services in chartered public schools.

SPONSORS: Sen. Ward, Dist 8; Sen. Gray, Dist 6; Rep. Hobson, Rock. 35

COMMITTEE: Education

ANALYSIS

This bill requires chartered public schools to enter into a memorandum of understanding (MOU) with a resident district of a student with disabilities who is attending the chartered public school concerning special education services.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to special education services in chartered public schools.

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

1 313:1 New Paragraph; Special Education Services; Chartered Public Schools. Amend RSA 194-B:5
2 by inserting after paragraph VII the following new paragraph:

3 VIII.(a) A chartered public school and a resident district of a student with disabilities shall enter
4 into a memorandum of understanding (MOU) to ensure compliance with RSA 194-B:3, II(e). The MOU
5 shall include, but not be limited to, the following: how the chartered public school and school district will
6 cooperate with each other per RSA 194-B:11, III(c) and how the school district proposes to provide special
7 education services and supports to students with disabilities within the chartered public school to ensure a
8 free appropriate public education and adherence to state and federal special education laws, rules, and
9 regulations. The MOU may also contain, but is not limited to, the following information: where the
10 services will be provided and whether the school district will provide the services directly, or through a
11 contract with the chartered public school or outside provider.

12 (b) The department of education shall develop and provide chartered public schools and
13 school districts with a model MOU document to use as a guide.

14 (c) Prior to the start of each school year, the chartered public school and the school district
15 shall review and update the MOU to ensure compliance with state and federal law and responsibilities to
16 provide services in accordance with individualized education plans.

313:2 Effective Date. This act shall take effect July 1, 2023.

Approved: July 01, 2022
Effective Date: July 01, 2023