

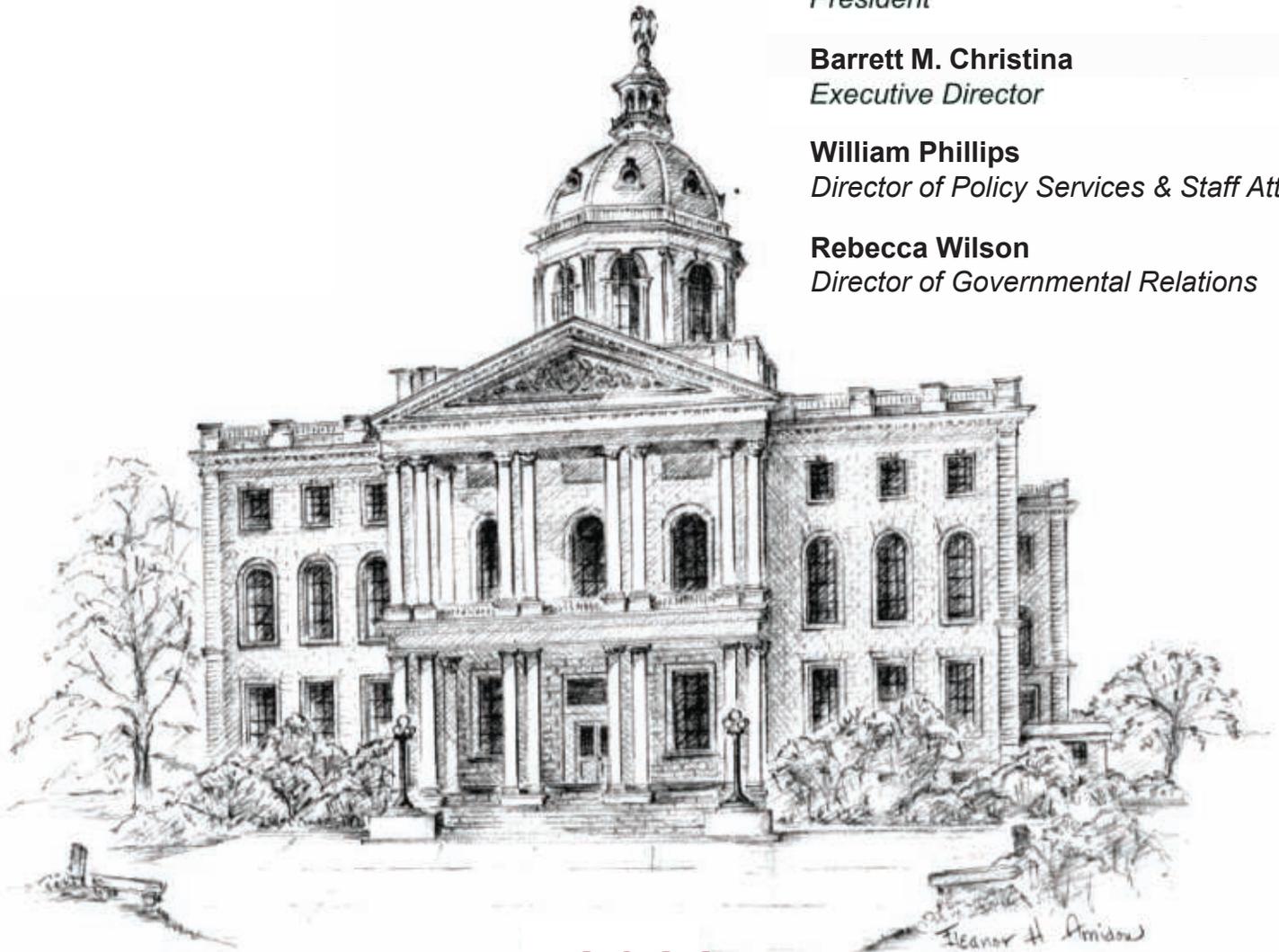
New Hampshire School Boards Association

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2022

LEGISLATIVE SUMMARY

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NHSBA is pleased to release the 2022 NHSBA Legislative Summary, a service made possible by the continued membership of New Hampshire school boards.

This year, legislators were focused on numerous issues impacting public education, school board governance and school district finance. NHSBA began the session tracking well over 200 education related bills, 41 of which were passed into law. This year's Legislative Summary contains comments on the 41 new laws and amendments, as well as three rules adopted by the State Board of Education.

NHSBA extends its appreciation to the many local school boards and individual school board members and administrators who worked actively with their local legislators to assure that their district's concerns about - and the implications for those districts - of the many pieces of legislation were communicated in an effective and timely manner, especially with respect to the bills highlighted in this Summary.

We have continued to incorporate sections following the description of each bill that summarize both the impact of the bill on district practices, as well as a statement indicating whether the bill has impacts NHSBA sample or other policies. Later this Summer, NHSBA will publish for policy subscribers its Fall Policy Update to reflect the policy changes in response to the legislation.

Also, and based upon the positive feedback NHSBA received last year, we will offer a webinar in August 2022 discussing the major bills contained in this Legislative Summary, and in September 2022, a second webinar discussing the various policies included in the Policy Update.

NHSBA wishes to recognize Taylor Vitti, a University of New Hampshire law student, for her significant contributions to the research and drafting of this Summary.

Respectfully,

A handwritten signature in black ink that reads 'Barrett M. Christina'. The signature is written in a cursive, flowing style.

Barrett M. Christina
Executive Director

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DISCLAIMER

THE 2022 LEGISLATIVE SUMMARY IS INTENDED TO HIGHLIGHT MAJOR EDUCATION-RELATED BILLS OF THE 2022 LEGISLATIVE SESSION. THE SUMMARY ALSO AIMS TO PROVIDE A SYNOPSIS OF NEW LAWS IMPACTING SCHOOL DISTRICT OPERATIONS AND SCHOOL BOARD GOVERNANCE. THIS SUMMARY IS NOT INTENDED TO COVER SPECIFIC CIRCUMSTANCES AND IS NOT INTENDED TO IMPART LEGAL ADVICE. PRIOR TO TAKING ANY ACTION WITH RESPECT TO A NEW LAW, NHSBA RECOMMENDS ITS MEMBER SCHOOL BOARDS TO CONTACT NHSBA OR THE DISTRICT'S LEGAL COUNSEL FOR A FULL LEGAL ANALYSIS.

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Bill Number/Title	Summary	Practice and Policy Impact
<p style="text-align: center;">HB 481 <i>Office of Right-to-Know Ombudsman</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 481</i></p>	<p>Summary: This bill: (1) establishes the office of the right-to-know ombudsman; (2) establishes an alternative administrative process to resolve right-to-know complaints; and (3) includes a prospective repeal date of July 1, 2025.</p> <p>Effective Date: Sec 4 upon passage, Sec. 5 & 6 July 1, 2025, and remainder: July 1, 2022</p>	<p>Practice Impact: This bill will not have specific practice implications at the local district level. If there are disputes regarding Right to Know complaints/concerns, individuals can be directed to this new office for resolution.</p> <p>Policy Impact: No NHSBA sample policies are affected by this bill.</p>
<p style="text-align: center;">HB 1035 <i>Repealed Notarization Requirement for Religious Immunization Exception</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1035</i></p>	<p>Summary: This bill removes the requirement in RSA 141-C:20-c that a parent's request for a religious exemption to immunizations required for school attendance be notarized.</p> <p>Effective Date: July 19, 2022</p>	<p>Practice Impact: Before the passage of this bill, parents or legal guardians who were seeking a religious exemption to vaccination requirements for school attendance, were required to provide a notarized letter documenting this request upon school registration and enrollment. This letter must still be provided to local schools upon registration/enrollment, but there is no longer a requirement for notarization. It will be important for school staff responsible for collecting registration/enrollment paperwork, to be aware of this change.</p> <p>Policy Impact: Boards should review policies pertaining to student immunizations and religious exemption to immunizations. NHSBA will revise sample policy JLCB to reflect the removal of the requirement that a parent's request for a religious exemption to immunizations be notarized.</p>
<p style="text-align: center;">HB 1074 <i>Notice of Special Education Meetings to Charter Schools</i></p>	<p>Summary: This bill amends RSA 194-B:11 to require a child's resident school district to provide prior notice to the chartered public school for meetings of the</p>	<p>Practice Impact: This bill will require those staff within the LEA who organize, schedule, and provide notification of special education team meetings, to ensure that a copy of the written meeting</p>

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<p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1074</i></p>	<p>child's individualized education program (IEP) team.</p> <p>Effective Date: June 17, 2022</p>	<p>notification be provided to a designated person at the public charter school for all meetings of the child’s IEP team. Previous to this bill’s passage, the LEA was only required to provide this notification for the annual IEP team meeting. **NH Department of Education will be providing districts with written Technical Assistance regarding this bill.**</p> <p>Policy Impact: No NHSBA sample policies are affected by this bill.</p>
<p>HB 1125 <i>Emergency Plans Sent to Department of Homeland Security & Department of Safety</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1125</i></p>	<p>Summary: This bill makes multiple changes to RSA 189:64 - Emergency Response Plans. Most significant: (1) changes "Emergency Response Plans" to "Emergency Operations Plans" (hereinafter "the plan"); (2) changes the previous requirement that the plan be submitted to the Dept. of Education to the Director of Homeland Security and Emergency Management of the N.H. Department of Safety ("DOS"); (3) changes the annual submission date from 9/1 to 10/15; (4) adds a provision that schools located within the emergency planning zone (near Seabrook nuclear plant) include radiological emergency provisions as required by FEMA; (5) expands the list of hazards to be addressed in the plan; (6) requires DOS to assist schools in conducting trainings and providing support for emergency operations plans upon request; (7) permits DOS to grant a school district extensions to the reporting deadlines; and (8) requires DOS to report to DOE a district's failure to submit the plan by the established deadline for two consecutive years.</p> <p>Effective Date: June 17, 2022.</p>	<p>Practice Impact: As has been true in previous years, every public, chartered public, and nonpublic school must develop a site-specific school emergency operations plan which is based on and conforms to the Incident Command System and the National Incident Management System. Previously, these plans were submitted directly to the New Hampshire Department of Education. This bill <i>changes the submission requirements</i> and schools must now submit such a plan to the director of homeland security and emergency management, department of safety by October 15 of each year. The date of October 15th was chosen to allow schools time at the start of the school year, to determine any changes, adjustments, or revisions that may need to be made based on schools being back in session each September in response to room changes, staffing, programming, etc. Superintendents and school administrators in each building will need to ensure that these plans are submitted to Homeland Security by October 15th each year. If a school does not file these plans by that date, for two consecutive years, the New Hampshire Department of Education will be notified, and this could result in some consequences in regard to required reports being submitted and filed, impact on funding, etc.</p>

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		<p>Policy Impact: NHSBA will revise sample policy EBCA to change reflect the changes to RSA 189:64, with additional changes to better align district-wide safety plans under sample EBB with the crisis response and EOP plans of EBCA.</p>
<p>HB 1132 <i>Voting Requirements for Applications for a Charter Conversion School</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1132</i></p>	<p>Summary: This bill amends RSA 194-B:3, VI to remove the following vote requirements for conversion of a public school to a chartered school: (1) the majority of prospective teachers vote in a multi-school district or 2/3 of the teachers vote in a single-school district and (2) the requirement for the school superintendent and principal to provide their approval in writing. The bill adds the voting requirement that a two-thirds majority vote taken by the school district at a regular annual meeting.</p> <p>Effective Date: August 23, 2022</p>	<p>Practice Impact: The option for local public schools to “convert” into a charter conversion school has been available to districts for several years, although there have not been any schools which have undergone this process thus far. This bill removes the former requirements that prior to a vote on this conversion, there needed to be a percentage of staff and administrative approval prior to being placed on the ballot by the school board. A charter conversion school is different from a local school district approving, raising, and appropriating funds to start a separate, but locally funded, charter school which is part of the local public school district. This bill allows voters to approve taking a current school within the local school district and “converting” it to a charter school with a specific pedagogy, methodology, etc. as with any charter school. All students who currently attend that local district school, would be eligible to attend the newly converted charter school. This bill also clarifies that the LEA is still responsible for providing special education services to any qualifying students residing in the district consistent with the requirements of state and federal law.</p> <p>Policy Impact: No NHSBA sample policies are affected by this bill.</p>
<p>HB 1135 <i>Requiring A Performance Audit of The NH Dept. of Education and The Education</i></p>	<p>Summary: This bill requires a performance audit of the department of education (DOE) and education freedom account program (EFA) beginning in October 2023.</p> <p>Effective Date: Oct. 1, 2023</p>	<p>Practice Impact: This bill will require the audit division of the legislative budget assistant to complete a performance audit of the department of education, education freedom account program beginning in October 2023. While this will not have a direct impact on local school districts, it</p>

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<p><i>Freedom Account Program</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1135</i></p>	<p>may be useful for local school district administration and school boards to consider any fiscal or practice impacts which the EFA program has had on budgets, programming, etc. to supplement any information gathered during the audit.</p> <p>Policy Impact: No NHSBA sample policies are affected by this bill</p>
<p>HB 1178 <i>Prohibiting the State from Enforcing any Federal Statute, Regulation, or Presidential Executive Order that Restricts or Regulates the Right of the People to Keep and Bear Arms.</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1178</i></p>	<p>Summary: This bill adds Chapter 159-E, which prohibits the state of New Hampshire, a political subdivision of this state, or any person acting under the color of state, county, or municipal law from using any personnel or financial resources to enforce, administer, or cooperate with any law, act, rule, order, or regulation of the United States Government or Executive Order of the President of the United States that is inconsistent with any law of this state regarding the regulation of firearms, ammunition, magazines or the ammunition feeding devices, firearm components, firearms supplies, or knives.</p> <p>Effective Date: June 24, 2022</p> <p>Practice Impact: This bill will potentially affect emergency responses of local police departments in situations regarding persons on school grounds carrying a firearm. It is imperative that local school district administration meet with their local police to understand potential responses, and to determine how to incorporate these responses into their school emergency response plans, prior to the start of the school year. In early Summer 2022, the Attorney General's office announced it was preparing a final guidance document relative to the application of HB 1178. As of July 27, 2022, that final guidance has yet to be released.</p> <p>Policy Impact: NHSBA will revise sample policies JICI and KFA to reflect the legislative change. JICI will be revised to only apply to students and KFA will be revised to be consistent with HB 1178 as it applies to members of the public.</p>
<p>HB 1202 <i>Special Education Transportation Services by Contract Carrier</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1202</i></p>	<p>Summary: This bill amends RSA 189:6-3, II requirements for vehicles and operators of contract carriers transporting pupils for school activities. The bill changes the old requirement of travel of at least 150 miles round trip but adds a condition that the transition services be approved by the school district.</p> <p>Effective Date: July 19, 2022</p> <p>Practice Impact: This bill was submitted to clarify that students can be transported by a contract carrier and removes the earlier provision allowing contract carriers for special education transition services only when the travel exceeded 150 miles round trip but adds a requirement that the services must be approved by the district. I.e., if the local school district has approved the activity or service requiring</p>

		<p>the use of the contract carrier, there is no longer a mileage benchmark that needs to be met. Districts should continue to have an articulated practice of how trips utilizing such services are approved, by whom, etc.</p> <p>Policy Impact: No NHSBA sample policies are affected by this bill. NHSBA's sample policy EEA is general enough as not to require revision.</p>
<p>HB 1234 <i>Adding Human Trafficking to 189.13-c</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1234</i></p>	<p>Summary: This bill amends RSA 189:13-c, V to add human trafficking (RSA 633:7) to the list of crimes for which an application for teacher credentials shall not be granted to a candidate.</p> <p>Effective Date: July 02, 2022</p>	<p>Practice Impact: This bill adds human trafficking to the list of "Section V offenses" that relate to Dept. of Education teaching credentials. The effect is to correct a discrepancy between RSA 189:13-c (applicable to the Dept of Ed.), and RSA 189:13-a (applicable to school districts). The crime of human trafficking (RSA 633:7) was added in 2021 to the list of offenses under 189:13-a, V as crimes which automatically disqualify a person from being hired by a school district or SAU, but the 2021 amendment failed to include 189:13-c (state records check for educator preparation programs). The effect of the 2022 amendment is that candidates seeking certification/licensure by the NH Department of Education who have been charged pending disposition for or convicted of human trafficking will not be issued a teaching license in the state of New Hampshire. This will also be true for anyone seeking recertification through the NH Department of Education. **NH Department of Education will be providing districts with written Technical Assistance regarding this bill.**</p> <p>Policy Impact: No NHSBA sample policies are directly impacted by this bill. NHSBA's policy GBCD</p>

<p style="text-align: center;">HB 1236 <i>Reinstating the Legislative Oversight Committee</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1236</i></p>	<p>Summary: This bill: (1) reestablishes the legislative oversight committee for the education improvement and assessment program; (2) requires that every four years, the commissioner shall review the performance-based accountability system and make recommendations for future legislation to the legislative oversight committee; and (3) states that the state board shall not amend any existing academic standards and shall not approve any new academic standards without prior review and recommendation of the legislative oversight committee.</p> <p>Effective Date: July 26, 2022</p>	<p>Practice Impact: This bill will reinstate the Legislative Oversight Committee, which is a committee made up of legislators who will work with the NH Department of Education, to review the development and implementation of the school performance and accountability program (these are federal programs for targeted schools who show a need for improvement based on a myriad of factors.) This committee is tasked with the following: to consider what legislation may be needed as a result of the analysis of our statewide accountability system, to identify operational principles which should guide the work of the department of education in supporting improved school performance and accountability, to analyze existing department of education programs and initiatives which support improved school performance and accountability, to hear updates from the Commissioner of education on the improvement made by local school districts toward achieving satisfactory progress in statewide student performance, to review and approve statewide performance targets, to receive reports from the state board of education including rules recommended by the department to be adopted by the state board of education, to review the unique pupil identification system, to review the implementation and results of the program relative to accountability for the opportunity for an adequate education, to receive security breach reports from the department of education and to review and make recommendations relating to academic standards under consideration by the state board of education. While this committee will not interface directly with school districts, the information provided to the committee will certainly drive any changes to our accountability system and could impact local districts through programs and funding which are based on student achievement/ performance on testing, access to programs at the NH Department of Education, and the work of the State Board of Education.</p>
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		<p>Policy Impact: No NHSBA sample policies are affected by this Bill.</p>
<p>HB 1244 <i>Parental Consent to At School Medical and Dental Treatment</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1244</i></p>	<p>Summary: This bill amends RSA 124-A:4-g and adds new sections RSA 126-A:5, XIV-b and RSA 200:27-a to require a child's parent or legal guardian provide explicit written consent for any medical or dental treatment provided in a school setting.</p> <p>Effective Date: July 26, 2022</p>	<p>Practice Impact: This bill requires a child's parent or legal guardian to provide explicit written consent for any (1) medical or dental treatment provided in a school setting, or (2) school-based oral health program. Unfortunately, the bill does not define the operative terms, nor include specific exceptions (e.g., first aid, emergency services, or nursing services). Despite the lack of clarity in the language of the bill, legislative debate focused more on specific programs, whether internal or external for screenings or planned treatment, and not on what would generally be considered emergency care, first aid, or ordinary nursing services. HB 1244 increases the significance of clear, unambiguous consent forms relating to school treatment and care of students within the school setting. School administrators should work with their school nurses to assure that there are adequate opt-in consent forms for a variety of different services/programs (e.g., screenings, sports, etc.). Additionally, for schools that participate in the children's oral health initiative in conjunction with the NH Department of Health and Human Services (DHHS), this bill requires the commissioner of DHHS to develop rules to address eligibility criteria, types and frequency of services covered, reimbursement rates, and provider training requirements. DHHS must also develop a list of approved training programs, which shall include, but may not be limited to, those offered by the American Academy of Pediatrics and the Southern New Hampshire Area Health Education Center. Upon implementation of the program, the department shall provide, upon request, a list of dentists participating in the state Medicaid program to primary care providers in the oral health initiative.</p>

		<p>Participation in any school-based oral health program shall require explicit written consent of the child's parent or legal guardian.</p> <p>Policy Impact: NHSBA will release new sample policy JLCDA to reflect the requirement that any medical or dental program or treatment provided in a school setting requires a child's parent or legal guardian to provide explicit written consent. NHSBA will include suggested consent option forms to be administered at the start of the year (e.g., first aid, emergency care screenings, medical treatment, sports sign-ups, etc.).</p>
<p>HB 1263 <i>Studies on Personal Financial Literacy and Health Education</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1263</i></p>	<p>Summary: The bill restructures RSA 189:10 and adds that (1) health education must include, as part of the curriculum, interpersonal relationships, wellness, and prevention of sexual violence; and (2) the school board shall ensure that personal financial literacy instruction is taught as part of the curriculum.</p> <p>Effective Date: July 26, 2022</p>	<p>Practice Impact: This bill requires the local school board to ensure that their health education and physical education courses include a focus on the importance of exercise and wellness. This must be taught to pupils as part of the curriculum, specifically to include physiology, hygiene, health and interpersonal relationships, physical education, and wellness, as they relate to the effects of alcohol and other drugs, prevention of sexual violence, child abuse as established in the definition of "abused child" under RSA 169-C:3, II, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system. The school board must also ensure that personal finance literacy instruction designed to prepare students for success in making financial decisions is taught as part of the curriculum. Personal finance literacy skills may be embedded in an existing course or grade level program of studies. Every two years, the NH Department of Education will survey districts, to ensure compliance with these requirements. As local district administration and school boards work together to craft curriculum and program of studies, it will be important to note where and how these are being</p>

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		<p>incorporated into the curriculum and courses for students. **NH Department of Education will be providing districts with written Technical Assistance regarding this bill.**</p> <p>Policy Impact: No NHSBA sample policies are affected by this Bill</p>
<p>HB 1277 <i>Defining and Reporting of Cybersecurity Incidents to the Department of Information Technology</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1277</i></p>	<p>Summary: This bill adds RSA 103-b, which states that the governing body, chief administrative officer, or designee of any political subdivision, who knows of or suspects a cybersecurity incident within their information systems shall immediately report such an incident and disclose all known information and interactions to the New Hampshire cyber integration center of the department of information technology. The bill defines "cybersecurity incident" for the purposes of the section.</p> <p>Effective Date: August 16, 2022</p>	<p>Practice Impact: Districts should ensure that technology directors, or other staff responsible for maintaining data systems, media or other technology within the district, are aware of this new requirement. It will also be important for districts to ensure a process for making required reports and documenting when such a report is made to the appropriate departments.</p> <p>Policy Impact: NHSBA will revise sample policy EHAB to: (1) include the new RSA 31:103-b requirements (Section B(1)(d)); (2) update legal references, and (3) add additional resources.</p>
<p>HB 1311 <i>Adding First Degree Assault and Felony Drug Possession to 189:13-c</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1311</i></p>	<p>Summary: This bill amends RSA 189:13-a, V and RSA 189:13-c, V to add persons convicted of first-degree assault (RSA 631:1) and possession of a controlled drug with the intent to sell at a felony level within the last ten years (RSA 318-B:2) to the list of offenses that preclude an individual from employment in a public school or from being granted a teaching credential.</p> <p>Effective Date: Jan. 1, 2023</p>	<p>Practice Impact: As candidates who are new to teaching in New Hampshire seek out certification/licensure by the NH Department of Education, any person who has been charged with or convicted of certain assault or controlled drug possession violations will not be issued a teaching license in the state of New Hampshire and cannot be employed in a public school. This will also be true for anyone seeking recertification through the NH Department of Education. As Superintendents and their trained designees</p>

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		<p>work through the hiring process, it will be important to ensure that attention is given to this new requirement. This information will also be incorporated into the trainings provided by the NH Department of Education on reading of criminal background checks as a part of the local hiring process. **NH Department of Education will be providing districts with written Technical Assistance regarding this bill.**</p> <p>Policy Impact: No NHSBA sample policies are affected by this bill. NHSBA's sample policy GBCD is general enough as not to require revision as it does not list the Section V offenses.</p>
<p>HB 1318 <i>Noncompliance Penalty for Retirement Requirements</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1318</i></p>	<p>Summary: This bill amends RSA 100-A:16 to: (1) establish a penalty for noncompliance with certain requirements for administration of the retirement system applicable to retirement system employers; (2) state that any employer who fails to provide, within thirty (30) days of a written request, any information required for the retirement system shall be subject to a noncompliance penalty of \$200 per day; and (3) state that before a penalty is assessed, the board shall notify the employer of noncompliance and shall request the employer explain to the board how the noncompliance occurred.</p> <p>Effective Date: Aug. 16, 2022</p>	<p>Practice Impact: DISTRICT MUST TAKE CARE WITH RESPECT TO CONTRACTS FOR RETIREES- this bill establishes an employer penalty for noncompliance with certain data reporting requirements necessary for the administration of the retirement system. Note: NHRS will update the employer penalty information page on www.nhrs.org and send a reminder to employers on the effective date of the bill.</p> <p>Policy Impact: No NHSBA sample policies are affected by this bill. However, NHSBA recommends that its members review their policy manuals and make any changes, as needed.</p>
<p>HB 1367 <i>Competency Assessment in Civics</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1367</i></p>	<p>Summary: This bill amends RSA 189:11, II (which requires a competency assessment in government and civics instruction). The new changes, effective July 1, 2023, (1) add the statement that schools are required to provide accommodations, and (2) removes the option for school districts to submit the results of a locally developed competency assessment of U.S. government and civics, now requiring that the district submit the</p>	<p>Practice Impact: Last year, the legislature passed a bill which required all students attain a locally sanctioned passing grade on the competency assessment, and a grade of 70 percent or better on the 128 question civics (history and government) naturalization examination developed by the 2020 United States Citizen and Immigration Services. Prior to the passage of this current bill, either the results of the</p>

	<p>results of the United States Citizenship and Immigration Services Test (USCIS) to the DOE.</p> <p>Effective Date: July 1, 2023</p>	<p>naturalization examination OR the local competency assessment had to be shared with the NH Department of Education. This bill clarifies that all districts MUST have a local competency assessment for civics, as well as having all students take the 2020 United States Citizen and Immigration Naturalization Exam. Student results on the 2020 United States Citizen and Immigration Naturalization Exam must then be shared with the NH Department of Education. Local competency assessments will no longer be accepted by the NH Department of Education. This bill also clarifies that the 2020 United States Citizen and Immigration Naturalization Exam can be modified/accommodations made, for students who have such accommodations and modifications documented in an Individualized Education Plan or 504 Accommodation Plan. **NH Department of Education will be providing districts with written Technical Assistance regarding this bill.**</p> <p>Policy Impact: NHSBA will revise sample policy IKF, Section C (Passage of Civics Exam) to reflect the HB 1367 requirement that (1) schools are required to provide accommodations and (2) to remove the option for school districts to administer locally developed competency assessments, leaving districts to administer only the USCIS to the DOE</p>
<p>HB 1381 <i>Student School Board Members</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1381</i></p>	<p>Summary: This bill amends RSA 189:1-c, which previously stated that it was an option to add one or more nonvoting student board members from a district high school to the board. The bill provides that the school board is now required to have at least one nonvoting student board member from each public high school within its district.</p> <p>Effective Date: January 1, 2023</p>	<p>Practice Impact: Both before and after passage of HB1381, a student board member under RSA 189:1-c and RSA 194:23-f has all the same authority and status of a regular board member, except the student board member is not authorized to vote, nor participate in non-public sessions. Before now, boards had the discretion whether to adopt the student board member provisions of the two statutes, and, for districts with more than one high school, could also establish any type of rotation schedule for student board</p>

		<p>members from the different schools. While many districts had and continue to have "student board members" as described in the two statutes, just as many school boards had less formal student participation in the way of a "student representative", "student liaison" or merely a student report. The stated Legislative goal of this bill is to ensure that local public school boards include a student board member from EACH public high school in the district, on their board, as a non-voting member. This student board member must be elected by the student body and serves for a one-year term. For those districts with more than one high school, a representative must be included from each high school, in order to allow the board to have a full picture of the culture, climate and needs of individual schools, as opposed to just one voice from one school which may not be able to provide information or speak to the needs of each school.</p> <p>Policy Impact: NHSBA will revise sample policy BBBF, which previously stated that the Board <i>may</i> add student board members. NHSBA's revisions will include (1) changing that the Board shall have student board members from each district high school and (2) include procedures for student member elections. Boards should be aware that districts may have student board "liaisons" or "members" that do not comply with HB 1381's amendment to RSA 189:1.</p>
<p>HB 1398 Committee to Study the Feasibility of Criminal Records Checks by the NH Department of Education</p> <p><i>Complete Bill: to find the complete text of this bill,</i></p>	<p>Summary: This bill establishes a committee to study the feasibility of centralized criminal history records checks in education. The committee shall investigate: (1) which professions often serve multiple schools; (2) the degree of mobility within the education-related professions subject to a criminal history records check; (3) the availability of other background clearance procedures; (4) any restrictions on sharing the results of</p>	<p>Practice Impact: This bill will create a legislative committee to look more closely at the process for conducting criminal history records checks in education across the state, and the potential for these to be done fully by the NH Department of Education for those educational professions which often serve multiple schools (as they do currently with school bus drivers and transportation monitors.) The results of this study committee's work</p>

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<p><i>please click on this link: HB 1398</i></p>	<p>criminal history records checks; and (5) any other questions which would encourage or mitigate against having the DOE maintain such a registry of pre-cleared professionals.</p> <p>Effective Date: June 17, 2022</p>	<p>will be shared by November 1, 2023.</p> <p>Policy Impact: No NHSBA sample policies are affected by this Bill.</p>
<p>HB 1421 <i>Lead in School Drinking Water</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1421</i></p>	<p>Summary: This bill repealed and reenacted RSA 485:17-a with steps to limit exposure to lead in drinking water. The bill requires public and private schools and licensed child-care facilities to install compliant water bottle filling stations or to test and remediate all water outlets at the facility and makes an appropriation for certain drinking water grant programs administered by the department of environmental services.</p> <p>Effective Date: July 8, 2022</p>	<p>Practice Impact: See also SB 233. This bill requires local schools to either install and provide access to water bottle filling stations or to retest drinking water outlets for lead and remediating them where necessary. This bill also changes the threshold for “unacceptable” lead in the drinking water in schools and licensed child care facilities to “exceeding 5 parts per billion” as opposed to current language, which was “less than 15 parts per billion.” If test results obtained by a school or licensed childcare center demonstrate the presence of lead at a concentration at or exceeding 5 parts per billion, the school or licensed child care facility must, within 5 business days, notify parents and guardians and must, as an interim measure, ensure that the children are provided only drinking water that meets the standard. School districts must be sure that notification is made in at least 2 places including, but not limited to, the school or school administrative unit/childcare facility website and at least one method of direct communication via email or printed flyer. The school or licensed childcare facility must also then implement a remediation plan, as approved by the department, within 180 days of notification of parents or, in consultation with the department, as soon as practicable. Local school districts must test the water in their schools and compare these results with the results of testing conducted after January 1, 2016, with the new standard and, in the event any results exceed the new standard, proceed with the requirements of relative to remediation and interim measures. Public and private schools and licensed childcare facilities</p>

		<p>shall test a minimum of 3 rounds for the presence of lead in drinking water at all outlets at the school or facility (sampling shall be completed between January 1, 2016 and June 30, 2024.) It will be important for local district administrators to work closely with their facilities directors or other designated staff to ensure the testing is completed within required time frames, and with staff responsible for website updates, to ensure that any notification is provided as required. The state has set aside \$7,760,000 at the department of environmental services for the purpose of providing state matching funds for supplemental Drinking Water State Revolving Fund and Clean Water State Revolving Fund.</p> <p>Policy Impact: NHSBA will revise sample policy EBBB ("Indoor Air Quality") to add a section on water quality that instructs the Superintendent to assure the district takes measures to limit lead exposure consistent with the methods provided in HB 1421.</p>
<p>HB 1455 <i>Proof of COVID-19 Vaccinations and Testing Requirements</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1455</i></p>	<p>Summary: This bill prohibits state enforcement of any federal law, order, or rule that requires an individual, as a condition of employment or any other activity, to provide proof of vaccination against COVID-19 or to submit more than once per month to COVID-19 testing. The bill states that Paragraphs I and II of the section shall not apply to any health care facility, provider, or contractor subject to a federal vaccine requirement.</p> <p>Effective Date: July 1, 2022</p>	<p>Practice Impact: At this time, there have been several statements made by NH Department of Health and Human services, that there is no plan to require COVID-19 vaccination for school attendance in the State of New Hampshire. Therefore, we do not feel there are any specific practice impacts for our local districts, as local districts/school boards do not set vaccination requirements for public schools in the state.</p> <p>Policy Impact: No NHSBA sample policies are affected by this Bill.</p>
<p>HB 1513 <i>Definition of Disability for Special Education and Funding up to Age 21</i></p>	<p>Summary: This bill amends the definition in RSA 186-C:2 of "child with 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</p>	<p>Practice Impact: (See also SB 394) This bill is meant to align federal IDEA language with NH special education rules, allowing students who are eligible to receive special education services to access</p>

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<p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1513</i></p>	<p>age 21 until their 22nd birthday and provides funding therefor.</p> <p>Effective Date: June 24, 2022</p>	<p>these services up to age 22 (current NH law requires local districts provide special education up to the student's 21st birthday.) However, it is important to note that NH special education law in many circumstances, provides more than the federal IDEA requires. The change in this law will increase special education costs to local districts, as students who previously would have "aged out" by the beginning of the 2022-2023 school year, will now be eligible for additional programming and services. As this bill was passed after local district school district budgets were voted on, these will be unanticipated costs which districts will need to absorb. This bill does allow for local districts to submit additional costs for these students to the NH Department of Education for some level of reimbursement for costs incurred in the 2022-2023 school year, however, the funds must already have been expended and other funding sources depleted (such as IDEA grant funds, ARP funds, etc.) As special education is extremely individualized, any specific case concerns and the impact of HB 1513 (& SB 394) should be discussed with district's private counsel.</p> <p>Policy Impact: NHSBA will revise sample policies IHBA and IKFC to edit the age requirements for a child with disability to now include persons up to 21 years of age. Boards should revise their special education policies to ensure that their age requirements align with RSA 186-C:2 as amended by HB 1513.</p>
<p>HB 1535 <i>One-Time Retirement Allowances</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1535</i></p>	<p>Summary: This bill: (1) grants a one-time additional allowance of \$500 to be paid during state fiscal year 2023 to certain eligible retirees in the state retirement system; (2) makes a general fund appropriation for the sum of \$11,750,000 to the board of trustees of the retirement system for the additional retirement allowances under this act; and (3) states that the payment of the one-time additional</p>	<p>Practice Impact: See also HB 1318- This bill grants a one-time \$500 payment to retirees and beneficiaries retired prior to or on July 1, 2017, who have an annual pension benefit of \$30,000 or less. The payment will be issued by NHRS as soon as administratively practicable, but no later than November 1. The state will appropriate the funds for the additional allowances to the retirement system.</p>

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	<p>allowance shall be made no later than November 1, 2022.</p> <p>Effective Date: July 1, 2022</p>	<p>Policy Impact: No NHSBA sample policies are affected by this Bill.</p>
<p>HB 1587 <i>Funding the Cost of Changes to the NH Retirement System</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1587</i></p>	<p>Summary: This bill amends RSA 100-A:1, XVIII to modify the calculation of compensation made in excess of the full base rate of compensation under the definition of average final compensation in the retirement system for group II persons hired before July 1, 2011, who did not vest before January 1, 2012. The bill makes an appropriation to the retirement system for funding the cost of the change.</p> <p>Effective Date: Aug. 14, 2022</p>	<p>Practice Impact: This bill adjusts the formula for calculation of compensation paid in excess of the full base rate of pay (COB) under the definition of Average Final Compensation (AFC) for Group II members hired prior to July 1, 2011, who had not attained vested status prior to January 1, 2012. The projected benefit increases associated with this bill will be pre-funded by the state and will not impact FY 24-25 employer contribution rates.</p> <p>Note: Implementation of HB 1587 requires significant computer programming and NHRS is unable to accept requests for benefit estimates under the revised formula until the law takes effect.</p> <p>Policy Impact: No NHSBA sample policies are affected by this Bill.</p>
<p>HB 1624 <i>Increasing Co-Curricular/Unified Programs for Students with Disabilities</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1624</i></p>	<p>Summary: This bill amends RSA 21-N:4 to: (1) require the department of education (DOE) to review the consolidated state plan at least every two (2) years and update it as necessary to ensure that sufficient funds are used to encourage and establish unified co-curricular activities for schools that currently have no unified program; (2) make an appropriation for each biennium, stating that the DOE may expend up to \$50,000 for distribution to school districts for the primary purpose of funding first-year operational expenses (with no more than \$4,000 per program) ; and (3) state</p>	<p>Practice Impact: This bill allows any school which does not already have a Unified co-curricular program (athletics or other co-curricular programs) to apply to the NH Department of Education for up to \$4000.00 to start such a program in their school. This can be used for initial costs for equipment, uniforms, supplies, etc. These funds cannot be used for staffing or transportation, however. Schools which already have a Unified program, can apply for any funds which may be left after disbursements are made to new programs, for the same types of items.</p>

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	<p>any remaining funds shall be distributed to school districts with existing unified co-curricular programs.</p> <p>Effective Date: Sept. 1, 2022</p>	<p>Unified programs join students with and without disabilities, on teams or in co-curricular programs (such as theater) with a focus on increasing student engagement, social interaction, friendship and understanding.</p> <p>Policy Impact: No NHSBA sample policies are affected by this Bill.</p>
<p>HB 1627 Education Freedom Account Program Administrator Position</p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1627</i></p>	<p>Summary: This bill establishes the position of the education freedom account administrator in the department of education, division of education analytics and resources, and makes an appropriation to the department for the position.</p> <p>Effective Date: July 1, 2022</p>	<p>Practice Impact: This bill does not impact any local school district practices.</p> <p>Policy Impact: No NHSBA sample policies are affected by this Bill.</p>
<p>HB 1653 Military- Connected Students</p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1653</i></p>	<p>Summary: This bill: (1) amends RSA 110-C:1, RSA 193:12, and RSA 194-D to establish residency and enrollment procedures for military-connected students; (2) adds chapter RSA 110-E to require each public school to provide appropriate support services to military-connected students whose parent or guardian is a member of the armed forces being called to and while serving on active duty; (3) amends RSA 310-A, 153-A-11,12 to provide for temporary occupational licensing for qualified military service members and their spouses; and (4) amends RSA 188-f:16 to provide for in-state tuition at any university system or community college system institution for military-connected students.</p> <p>Effective Date: Aug. 30, 2022</p>	<p>Practice Impact: Beginning with the 2023-2024 school year and each school year thereafter, public schools in New Hampshire must provide certain support services, to military-connected students whose parent or guardian is a member of the armed forces being called to and while serving on active duty, or those students who have a military parent who was killed in the line of duty. These services include access to licensed counseling services (such as a school psychologist, school social worker). Districts must also provide information regarding existing federal and state military support services available and information on any other service, agency, or resource necessary to support or aid the student. The NH Department of Education will also coordinate with Military and Veteran services, to post on their websites, informational materials for use by school districts to inform parents and guardians of these supports available. It will be important for local districts to</p>

		<p>identify staff who will be involved in identifying students who may be affected by HB 1653, and for schools to identify what licensed counseling services are available within the district, as well as to communicate these and other resources to families.</p> <p>Policy Implication: NHSBA will create a new sample policy on Military-connected Students as part of the 2022 Fall Policy Update to reflect HB 1653, however, no current NHSBA sample policies are affected by this bill. Boards should revise their own policies to see if any are affected by HB 1653.</p>
<p>HB 1661 <i>Regional Career and Technical Education Centers (CTE) Agreements</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1661</i></p>	<p>Summary: This bill amends RSA 188-E:2 and requires sending district schools and career and technical education (CTE) centers enter into a regional career technical education agreement (RCTEA), to be renewed every four (4) years and submitted to the commissioner for approval. RCTEAs will include scheduling (calendar conformity agreement), access, credit fulfillment, tuition, and transportation plans. The bill states that the requirements for RCTEA shall not be implemented until the rules of the department of education are adopted and effective.</p> <p>Effective Date: July 1, 2022</p>	<p>Practice Impact: While this bill has become quite an omnibus bill, the initial intention of HB 1661 was to decrease the number of calendar conflicts between sending schools and CTE centers for students, as well as to increase the ability for students to meet local sending district competencies for credit through CTE courses in other schools. Many students seemed to be missing days of CTE, based on misalignment of PD days, testing days, etc. This bill now will require the regional agreements to contain certain components regarding the calendar alignment, as well as the bill laying out how competencies and credits will be awarded between the sending school and the CTE program. Each regional career and technical education receiving and sending school entity within a New Hampshire career and technical education (CTE) region must have a regional career and technical education agreement (RCTEA) which must be renewed every 4 years and submitted to the commissioner for review and approval. The NH Department of Education must adopt rules regarding the RCTEA's. These RCTEA's are focused on and must include a calendar conformity agreement to comply with RSA 188-E:5, VII(a) and (b) by aligning the school calendars of sending schools with the school calendars of CTE</p>

		<p>programs at the receiving school. Agreements shall minimize schedule conflicts to better support CTE students with as many hours as possible to fulfill their program requirements. Agreements should address schedule alignment needs such as: disruptions due to differing start/stop times, unscheduled school closures or events, and daily class start/stop times. RCTEA schools are encouraged to align teacher in-service days to allow joint ventures in teacher professional development and other educational initiatives. There may not be more than 10 instructional days following Labor Day through the last student day of the school calendar year on which one or more of the school calendars of the districts within the agreement are not aligned. Regarding course competencies and awarding of credit, HB 1661 requires that a student shall be awarded required subject credit toward district graduation by demonstrating proficiency in a regional career and technical education course or program that is embedded with content area competencies that meet or exceed the district subject and required course competencies. A student who demonstrates proficiency in the embedded CTE course or program competencies and who is determined to have met the content area academic standards required by the high school shall have such credits counted toward the required program area for a high school diploma. This must also be articulated in the RCTEA. It is important to note that the requirements for regional career and technical education center agreements (RCTEA) under RSA 188-E:1-a and RSA 188-E:5 as inserted by this act shall not be implemented until rules of department of education pursuant to RSA 188-E:1-a, II are adopted and effective. **NH Department of Education will be providing districts with written Technical Assistance regarding this bill. **</p>
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<p>HB 1663 <i>Requirements for Home Education Students</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1663</i></p>	<p>Summary: This bill: (1) amends RSA 193:1-c to require the local school board to have a policy regulating access to public school programs, provided that such policy not be more restrictive for non-public, public chartered school, or home educated pupils than the policy governing the school district's resident pupils; (2) amends RSA 193- A:4 to state that home education shall be provided, coordinated, or directed by a parent for his/her own child; (3) amends RSA 193-A:5, III to change the requirement that notice of termination of a home education program be filed with both the commissioner of education and, in addition the resident district superintendent or the nonpublic school principal to now allowing notice be given to any one of the three individuals aforementioned; (4) adds paragraph V to RSA 193-A:5 to state that a parent shall notify the original resident district superintendent that their child has moved from the district; (5) amends RSA 193-A:6 to state that the portfolio remains the property of the parent at all times and remove the requirement that composite results at or above the fortieth percentile on national and state student achievement tests shall be deemed reasonable academic proficiency.</p> <p>Effective Date: Section 1 effective August 21, 2022. Remainder effective June 2, 2022</p>	<p>Practice Impact: This bill was introduced to try and clarify requirements for home education programs. This bill mandates that local school boards adopt a policy regulating participation in curricular courses and cocurricular programs for home educated students (previously, districts had the option to have such a policy.). This policy must not be more restrictive for non-public, public chartered school, or home educated pupils than the policy governing the school district's resident pupils. 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, performing groups, and service to school and community. When originally starting a home education program, parents must notify either the commission of education, the resident district superintendent, or the nonpublic school principal within 15 days. In addition, this bill clarifies that if parents choose to notify the resident district superintendent, the parents must also notify the superintendent if the child has moves from the district, or if the home education program has been terminated within 15 days of the end of the home education program. Lastly, this bill removes the requirement that a home educated student must meet a certain</p>

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		<p>percentile rank on a state or national student achievement test and clarifies that any annual evaluation must simply document the child's demonstration of educational progress at a level commensurate with the child's age ability, and/or disability.</p> <p>Policy Impact: Although NHSBA sample policies IHBG and JJJ do not conflict with the language of HB 1663, NHSBA will nonetheless revise IHBG, IHBG-R, and JJJ in the 2022 Fall Policy Update to reflect the language of the bill more directly, including changing the classification from recommended to Priority/Required by law.</p>
<p>HB 1671 <i>Content of an Adequate Education</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: HB 1671</i></p>	<p>Summary: This bill revises the requirements for the content of an adequate public education under RSA 193-E by: (1) adding to the social studies requirement that it includes civics, government, economics, geography, history, and Holocaust and genocide education; (2) adding to art education that it includes music and visual arts; (3) adding personal finance literacy; (4) adding wellness to the health requirement; (5) adding that teachers shall integrate computer use/digital literacy and logic/rhetoric into learning areas; and (6) adding definitions.</p> <p>Effective Date: Aug. 23, 2022</p>	<p>Practice Impact: This bill has no direct impact on local school boards. However, district and school administration will need to ensure that these specific topics are included in the appropriate grade levels, programs of studies and courses. **NH Department of Education will be providing districts with written Technical Assistance regarding this bill.**</p> <p>Policy Impact: No NHSBA sample policies are affected by this Bill.</p>
<p>SB 233 <i>Water Bottle Filling stations</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: SB 233</i></p>	<p>Summary: This bill adopts RSA 200:11-b which states: (1) the state board of education shall adopt rules relative to requirements for the installation of water bottle filling stations in newly constructed schools and existing schools undergoing substantial construction; (2) all construction or renovation of public school buildings shall be equipped with water bottle filling stations; (3) inspections shall not be approved unless the plans meet the water bottle filling station requirements;</p>	<p>Practice Impact: See also HB 1421-This bill requires local schools to either install and provide access to water bottle filling stations or to retest drinking water outlets for lead and remediating them where necessary. This bill also changes the threshold for “unacceptable” lead in the drinking water in schools and licensed childcare facilities to “exceeding 5 parts per billion” as opposed to current language, which was “less than 15 parts</p>

	<p>(4) schools shall permit students to bring certain types of water bottles to school; and (5) school boards may enact a disciplinary policy for the misuse of water bottles.</p> <p>Effective Date: Sept. 5, 2022</p>	<p>per billion.” If test results obtained by a school or licensed childcare center demonstrate the presence of lead at a concentration at or exceeding 5 parts per billion, the school or licensed child care facility must, within 5 business days, notify parents and guardians and must, as an interim measure, ensure that the children are provided only drinking water that meets the standard. School districts must be sure that notification is made in at least 2 places including, but not limited to, the school or school administrative unit/childcare facility website and at least one method of direct communication via email or printed flyer. The school or licensed childcare facility must also then implement a remediation plan, as approved by the department, within 180 days of notification of parents or, in consultation with the department, as soon as practicable. Local school districts must test the water in their schools and compare these results with the results of testing conducted after January 1, 2016, with the new standard and, in the event any results exceed the new standard, proceed with the requirements of relative to remediation and interim measures. Public and private schools and licensed childcare facilities shall test a minimum of 3 rounds for the presence of lead in drinking water at all outlets at the school or facility (sampling shall be completed between January 1, 2016, and June 30, 2024.) It will be important for local district administrators to work closely with their facilities directors or other designated staff to ensure the testing is completed within required time frames, and with staff responsible for website updates, to ensure that any notification is provided as required. The state has set aside \$7,760,000 at the department of environmental services for the purpose of providing state matching funds for supplemental Drinking Water State Revolving Fund and Clean Water State Revolving Fund.</p> <p>Policy Impact: NHSBA will revise sample policy JLCF, "Wellness", to reflect RSA</p>
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		<p>200:11-b by adding that: (1) Students shall be permitted to bring certain types of water bottles to school; and (2) School principals may discipline students for the misuse of water bottles.</p>
<p style="text-align: center;">SB 234 <i>Student Identification Cards to list the National Suicide Prevention Lifeline Phone Number</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: SB 234</i></p>	<p>Summary: This bill amends RSA 193-J to require each school district that serves any students in grades 6 through 12 that issues student identification cards to include the name and telephone number for the National Suicide Prevention Lifeline. This bill also pertains to institutions of higher education.</p> <p>Effective Date: July 31, 2022</p>	<p>Practice Impact: This bill was brought forth in collaboration with the parents of a young adult who died by suicide in 2019. Despite their son having been out of school for several years, the parents testified that their son was found with his wallet, which contained his student ID, and that he had carried his ID with him regardless of having graduated years prior. They wondered, if the ID contained the number for the Suicide Prevention Lifeline, if this would have given him access to help that potentially could have saved his life. Both the Senate Education and House Education committee spent significant time hearing testimony from families, and students, about the importance of this bill, as well as from higher education institutions within the state which also print the Suicide Prevention Lifeline number on their student identification cards. As local school districts provide cards, it will be important to communicate this new requirement to those staff which oversee the ordering of the cards, those who work with school photography companies who are contracted to print the ID cards, and to communicate with students the access to this information on the card. It may also be helpful for students to understand the process and confidentiality should they or another person call the Suicide Prevention Lifeline and what services and resources can be accessed through its use. **It will be important for districts to determine whether to list the original phone number of the Suicide Prevention Lifeline, or the new 988 hotline, which is intended to help anyone experiencing a mental health crisis. The three-digit number will take over for the existing National Suicide Prevention Lifeline —</p>

		<p>which will also continue to be available at 1-800-273-8255 — but with an expanded mission. In addition to offering support to people at risk of suicide, the hotline is designed to aid those facing all sorts of mental health crises or any kind of emotional distress.</p> <p>Policy Impact: Boards should review policies on Suicide Prevention and Response. NHSBA will revise sample policy JLDBB to include a section on Student Identification Cards with the requirement that districts that serve any students in grades 6 through 12 and issue student ID cards, shall include the National Suicide Prevention Lifeline on student id cards. This requirement is to apply to those ID cards issued for the first time or replacement cards issued for damaged or lost student ID cards after the effective date of July 31, 2022.</p>
<p>SB 236 Committee to Study New Hampshire Teacher Shortages and Recruitment</p> <p>Complete Bill: to find the complete text of this bill, please click on this link: SB 236</p>	<p>Summary: This bill establishes a committee to study New Hampshire teacher shortages and recruitment incentives. This bill also provides that teachers of grades 7-12 shall be considered secondary school teachers for purposes of teacher loan forgiveness programs.</p> <p>Effective Date: June 7, 2022</p>	<p>Practice Impact: This bill will not have any direct impact on local school district practices, however, it is hoped that information gathered by this committee will assist NH districts in locating, securing, and maintaining educators across the state. In addition, this bill clarifies that those educators who hold a NH educator license in a content area for grades 7 and 8, as well as those teaching in grades 9-12, will all be considered secondary teachers for qualifying loan forgiveness programs.</p> <p>Policy Impact: No NHSBA sample policies are affected by this Bill.</p>
<p>SB 238 Memorandum Of Understanding</p>	<p>Summary: This bill amends RSA 194-B:5 by adding paragraph VIII which requires (1) chartered public schools to enter into a</p>	<p>Practice Impact: As the resident district is responsible for the provision of special</p>

<p><i>(MOU) for Special Education in Chartered Public Schools</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: SB 238</i></p>	<p>memorandum of understanding (MOU) with a resident district of a student with disabilities who is attending the chartered public school concerning special education services; (2) that the department of education shall develop and provide chartered public schools and school districts with a model MOU document to use as a guide; and (3) that prior to the start of each school year, the chartered public school and the school district shall review and update the MOU.</p> <p>Effective Date: July 1, 2023</p>	<p>education services for students who attend public charter schools, this bill is meant to clarify procedures and practices for provision of these services between the LEA and staff at the public charter schools. As many charter schools have students from many different school districts, this new provision is meant to help with communication between both parties. Individual student services, location of services, staffing, etc. will still be determined as part of the IEP team process, which is the responsibility of the local resident school district. The NH Department of Education will be providing a model Memorandum of Understanding for districts and public charter schools to use for consistency and as a guide. **NH Department of Education will be providing districts with written Technical Assistance regarding this bill.**</p> <p>Policy Impact: No NHSBA sample policies are directly impacted by this bill at this time. Policy impact will be revisited once the Department of Education issues its "model memorandum of understanding" and issues its technical advisory. In the meantime, districts should review their own specific policies (i.e., that do not correspond with NHSBA samples) to assure consistency.</p>
<p>SB 350 <i>NH Dept. of Education Rules on National Association of State Directors of Teacher Education and Certification (NASDTEC)</i></p>	<p>Summary: This bill requires the New Hampshire department of education to adopt rules for conducting a check of educational personnel applicants using the National Association of State Directors of Teacher Education and Certification (NASDTEC) database and for the secure system for accessing findings of abuse for individuals on the central registry. This bill also amends the authority to adopt rules</p>	<p>Practice Impact: This bill will not have any direct impact on local school districts. However, use and participation in the NASDTEC database would allow New Hampshire to have additional information regarding applicants and those seeking recertification for educational licensing, as part of the criminal history background checks performed on these candidates.</p> <p>Policy Impact: No NHSBA sample policies are affected by this Bill.</p>

EDUCATION RELATED BILLS THAT BECAME LAW - 2022 SESSION

<p><i>Complete Bill: to find the complete text of this bill, please click on this link: SB 350</i></p>	<p>relative to licensing standards for certain education personnel.</p> <p>Effective Date: August 16, 2022</p>	
<p>SB 352 <i>Substitute Teacher Criminal History Records Check</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: SB 352</i></p>	<p>Summary: This bill adds to RSA 189:13-a, VI that substitute teachers who have undergone criminal records check for a school administrative unit (SAU) need not be required to undergo additional criminal history records checks if working within the same SAU, unless required by the Superintendent or policies of other school districts within the same SAU. Criminal history records check for substitute teachers within the same SAU shall be valid for three (3) years.</p> <p>Effective Date: August 6, 2022</p>	<p>Practice Impact: A Superintendent, or their designee, will continue to be responsible for receiving the criminal history records, when hiring a substitute teacher. However, this bill allows the local school boards to hire a substitute, without having to physically obtain a separate criminal history check for each district within the same SAU. This will increase portability and availability of substitute teachers within the SAU and will also allow for less fiscal impact of having to reimburse a candidate for multiple records checks/fingerprinting to work across multi-district SAU's. **NH Department of Education will be providing districts with written Technical Assistance regarding this bill.**</p> <p>Policy Impact: NHSBA revised sample policy GBCD in May 2022 as part of the 2022 Spring Policy Update with an optional paragraph for multi-district SAUs stating that - applicants for substitute teaching positions who have submitted to a CHRC within three years in any district within the SAU shall not be required to undergo an additional CHRC in order to substitute within the district. The policy includes provisions allowing the Superintendent to require additional checks.</p>
<p>SB 353 <i>Professional Standards Board</i></p> <p><i>Complete Bill: to find the complete text of this bill,</i></p>	<p>Summary: This bill amends RSA 186:60 regarding the Professional Standards Board to (1) add instructional specialists to person who may be appointed to the professional standards board; (2) specify who the nine members representing higher education and education administration</p>	<p>Practice Impact: This bill changes language to reflect current titles/labels used by the NH Department of Education to describe certain educational positions (instructional specialists.). In addition, it adds additional positions to the</p>

EDUCATION RELATED BILLS THAT BECAME LAW - 2022 SESSION

<p><i>please click on this link: SB 353</i></p>	<p>may consist of; (3) allows for three consecutive terms of appointees; and (4) require reports to be maintained for 25 years.</p> <p>Effective Date: July 1, 2022</p>	<p>Professional Standards Board from Higher Education and administration. Over the past several years, it has been difficult to find and secure long-term members of the Professional Standards Board. Due to the time intensive and very detailed work done by the PSB, it was felt that having appointees able to serve for longer terms, would be beneficial in maintaining momentum and working towards common goals to determine educator competencies and certification/licensure requirements.</p> <p>Policy Impact: No NHSBA sample policies are affected by this Bill.</p>
<p>SB 381 <i>Office of the Special Education Advocate</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: SB 381</i></p>	<p>Summary: This bill adds section 186-C:36 to establish the independent office of the advocate for special education, to be appointed by the governor and council and administratively attached to the department of administrative services. The advocate for special education shall serve as an advocate, coordinator, and point of contact for those parents, guardians, and caretakers of students with disabilities in dealing with school districts' compliance with disability laws. This bill makes an appropriation for the advocate.</p> <p>Effective Date: July 31, 2022</p>	<p>Practice Impact: The new office of the Special Education Advocate was brought forth to provide parents and guardians an independent person to field concerns and answer questions around the provision of special education in New Hampshire. The catalyst for this legislation is the result of a study committee, which looked at the special education process, the complaint process currently available through the NH Department of Education, and the results of the small number of cases which reach due process in New Hampshire each year. While families do have the ability to address compliance and disagreements through the complaint and Dispute Resolution Process, it was determined that having an independent office to help navigate what is often a complicated process, to address individual student concerns, and to provide additional oversight in implementation and compliance, was needed. It is important to note that this bill specifically removes "education" as a whole, from the Office of the Child Advocate, implying that all student concerns not related to special education, will need to be directed to the NH Department of Education, while special education concerns will be directed to this new Office of the Special Education Advocate. The NH Department of Education is also currently undergoing an</p>

		<p>audit of the special education complaint process, being done by the Office of Legislative Audits, with the goal of this audit being completed sometime in the fall of 2022.</p> <p>Policy Impact: No NHSBA sample policies are affected by this Bill.</p>
<p>SB 394 <i>Definition of Disability and Funding for Special Education for ages 21-22</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: SB 394</i></p>	<p>Summary: This bill modifies the definition of "child with a disability" in RSA 186-C:2 to include persons up to 21 years of age (inclusive). 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.</p> <p>Effective Date: June 17, 2022</p>	<p>Practice Impact: (See also HB 1513) This bill is meant to align federal IDEA language with NH special education rules, allowing students who are eligible to receive special education services to access these services up to age 22 (current NH law requires local districts provide special education up to the student's 21st birthday.) However, it is important to note that NH special education law in many circumstances, provides more than the federal IDEA requires. The change in this law will increase special education costs to local districts, as students who previously have or would have "aged out" by the beginning of the 2022-2023 school year, will now be eligible for additional programming and services. As this bill was passed after local district school district budgets were voted on, these will be unanticipated costs which districts will need to absorb. This bill does allow for local districts to submit additional costs for these students to the NH Department of Education for some level of reimbursement for costs incurred in the 2022-2023 school year, however, the funds must already have been expended and other funding sources depleted (such as IDEA grant funds, ARP funds, etc.) As special education is extremely individualized, any specific case concerns should be discussed with district's private counsel. **NH Department of Education will be providing districts with written Technical Assistance regarding this bill.**</p> <p>Policy Impact: NHSBA will revise sample policies IHBA and IKFC to edit the age requirements for a child with disability to</p>

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		<p>now include persons up to 21 years of age. Boards should revise their special education policies to ensure that their age requirements align with RSA 186-C:2 as amended by SB 394.</p>
<p style="text-align: center;">SB 410 <i>Public Comment Requirement</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: SB 410</i></p>	<p>Summary: Where there was previously no requirement for public comment at school board meetings, this bill adds RSA 189:74, to require school boards to provide the opportunity for public comment periods at board meetings for no less than 30 minutes. SB 410 allows school boards to: (1) request that persons register in advance of the meeting, but may not require pre-registration as a condition of participating; (2) reasonably restrict public comments that disclose student or teacher personally-identifiable information, or other confidential or privileged information; (3) deny participation in public comment virtually (e.g. via Zoom); and (4) to establish other reasonable standards, provided such standards are imposed equally for all speakers. The Bill says that emergency meetings or meetings with the sole purpose of entering a nonpublic session do not require a public comment period. Lastly, SB 410 adds RSA 21-N:10, which states that the State Board of Education shall provide the opportunity for public comment at meetings of the state board.</p> <p>Effective Date: Sept. 6, 2022</p>	<p>Practice Impact: Local school boards should plan accordingly to allow for the 30-minute public comment period at each meeting, as designated. In addition, it will be important for boards to communicate clearly with community members to increase awareness of any changes in procedures for public comment periods, if the new requirements are a change from local board practice.</p> <p>Policy Impact: Although NHSBA's sample policy generally aligns with the requirements of the new RSA 189:74 (except for the minimum aggregate time requirement), NHSBA will nonetheless revise sample policy BEDH in the 2022 Fall Policy Update to reflect the language of the statute more directly.</p>
<p style="text-align: center;">SB 420 <i>Extraordinary Need Grant</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: SB 420</i></p>	<p>Summary: This bill adds RSA sections 198:40-f and 198:41, I(e) to establish an extraordinary need grant for school in addition to regular adequate education grants and relief grants to be calculated by the commissioner each year. The bill states that to receive an extraordinary need grant, eligible school district must provide a plan to the department of education.</p>	<p>Practice Impact: This bill adds the potential for some districts to receive additional aid. However, to access this aid, local districts must provide a plan to the department of education outlining how the district intends to use grant award funds to improve the educational achievement and growth of students. Additional components of the plan are outlined in the bill itself.</p>

	<p>Effective Date: July 1, 2022</p>	<p>The local district must develop and administer its own grant accountability assessment that identifies a pupil’s range of learning and yields objective data to use in improving instruction and learning or use the statewide assessment. Once submitted and grant monies disbursed, the school district must submit an annual grant accountability progress report that includes evidence of satisfactory program implementation and progress toward grant accountability improvement targets to the Department of Education. The NH Department of Education will use the following formulas to determine eligibility for grant funds:</p> <p>(a) A municipality with an equalized valuation per pupil eligible to receive a free or reduced priced meal of \$1,000,000 or less shall receive \$650 per pupil eligible to receive a free or reduced-price meal in the municipality's ADMR.</p> <p>(b) A municipality with an equalized valuation per pupil eligible to receive a free or reduced price meal between \$1,000,001 and \$5,999,999 shall receive a grant equal to \$0.00013 for each dollar of difference between its equalized valuation per pupil eligible to receive a free or reduced-price meal and \$6,000,000, per pupil eligible to receive a free or reduced price meal in the municipality's ADMR.</p> <p>(c) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-price meal of \$6,000,000 or more shall not receive an extraordinary need grant.</p> <p>Policy Impact: No NHSBA sample policies are affected by this Bill. However, NHSBA recommends that its members review their policy manuals and make any changes, as needed.</p>
<p>SB 421</p>	<p>Summary: This bill clarifies the time of payment and the participation by</p>	<p>Practice Impact: This bill will not affect local public-school boards or districts.</p>

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<p><i>Dual/Concurrent Enrollment at Career Technical Education Center (CTE)</i></p> <p><i>Complete Bill: to find the complete text of this bill, please click on this link: SB 421</i></p>	<p>nonpublic schools in the dual and concurrent enrollment program of the community college system of New Hampshire.</p> <p>Effective Date: Aug. 16, 2022</p>	<p>Policy Impact: No NHSBA sample policies are affected by this Bill.</p>
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NEW HAMPSHIRE DEPARTMENT OF EDUCATION RULES APPROVED IN 2022

<p>Ed. 306.18 <i>School Year</i></p>	<p>Summary: This rule alters Section a-7 on distance learning from allowing schools to conduct instruction remotely to distance education needing to be conducted in accordance with Ed. 306.22(c) to count toward the required amount of instructional time. This change is more restrictive on when distance learning may satisfy the requirement for in-person instruction.</p>	<p>Practice Impact: This change reflects the amendments to Ed. 306.22 regarding how and when distance education will be counted towards instructional days in a school year.</p> <p>Policy Impact: NHSBA will revise sample policies IC/ICA and IMBA to reflect the change in distance education requirements.</p>
<p>Ed. 306.22 <i>Distance Education</i></p>	<p>Summary: This rule states that distance education shall not satisfy the requirement for in person instruction except (1) when inclement weather makes it unsafe to safely transport students to or from in-person instruction or (2) as an option for a parent or guardian making a request for distance education.</p>	<p>Practice Impact: This rule clarifies that distance education (or "remote learning days") will only be counted towards the mandatory instructional time if there is a safety issue affecting transportation (such as weather-related transportation issues) or if a parent or guardian specifically requests distance education for their student. This rule will affect those districts who previously used remote/distance learning days for those days in which the school buildings were occupied for other municipal events (such as voting) or those districts who had preplanned distance</p>

		<p>education days built into their calendars. School boards should ensure that the approved calendars account for this change.</p> <p>Policy Impact: NHSBA will revise sample policies IC/ICA and IMBA to reflect the change in distance education requirements.</p>
<p>Ed. 306.49 <i>Holocaust and Genocide Education Program</i></p>	<p>Summary: This rule states that local school boards shall require a Holocaust and genocide education program in each school grade, to begin no later than 8th grade with certain requirements.</p>	<p>Practice Impact: For the past several years, a committee has been working to draft the requirements of the Holocaust and Genocide education program, which is now approved by the NH State Board of Education. Local school boards and administration should ensure these requirements are incorporated, as outlined in the rules, at the appropriate grade levels in courses/course requirements and programs of study.</p> <p>Policy Impact: No NHSBA sample policies are affected by this rule.</p>

RSA SECTIONS AFFECTED, CHAPTER LAWS & EFFECTIVE DATES

Bill #	General Title/Topic	Session Law Chapter	RSA Sections Affected	Effective or Other Dates
HB 481	Office of Right-to-Know Ombudsman	Chapter 250	Amends RSA 91-A:7. Adds new section RSA 91-A:7-a, -b, -c, & -d.	§4: June 24, 2022. §5 & 6: July 1, 2025. Remainder: July 1, 2022.
HB 1035	Repealed Notarization Requirement for Religious Immunization Exception	Chapter 55	Amends RSA 141-C:20-c, II.	July 19, 2022
HB 1074	Charter Schools - Notice of Sp. Ed. Meetings	Chapter 24	Amend RSA 194-B:11, III(b)	June 17, 2022
HB 1125	Emergency Operations Plans	Chapter 187	Repealed and reenacted RSA 189:64	June 17, 2022
HB 1132	Voting Requirements for a Charter Conversion School	Chapter 256	Amends RSA 194-B:3, VI	August 23, 2022
HB 1135	Performance Audit of DOE & EFA	Chapter 297	N/A	October 1, 2023
HB 1178	Prohibiting the State from Enforcing Any Federal Statute, Regulation, or Presidential Executive Order that Restricts or Regulates the Right of the People to Keep and Bear Arms	Chapter 258	Adds new chapter 159-E	June 24, 2022
HB 1202	Sp. Ed. Transition Services by Contract Carrier	Chapter 66	Amends RSA 189:6-e, II	July 19, 2022
HB 1234	Adding Trafficking to RSA 189:13-c.	Chapter 36	Amends RSA 189:13-c, V	July 2, 2022
HB 1236	Legislative Oversight Committee	Chapter 109	Adds new section RSA 193-C:8-a Amends RSA 193-E:3-c Adds new section RSA 193-E:2-a, IV(c)	July 26, 2022
HB 1244	Parental Consent to at School Medical and Dental Treatment	Chapter 110	Adds new section RSA 126-A:5, XIV-b. Amends RSA 126-A:4-g, II Adds new section RSA 200:27-a.	July 26, 2022
HB 1263	Studies on Personal Finance Literacy	Chapter 112	Repealed & reenacted RSA 189:10	July 26, 2022
HB 1277	Defining & Reporting of Cybersecurity Incidents to the Department of Information Technology	Chapter 190	Adds new section RSA 31:103-b	August 16, 2022

RSA SECTIONS AFFECTED, CHAPTER LAWS & EFFECTIVE DATES

HB 1311	Adding First Degree Assault & Felony Drug Possession to RSA 189:13-c	Chapter 259	Amends RSA 189:13-a, V. Amends RSA 189:13-c, V.	January 1, 2023
HB 1318	Noncompliance Penalty for Retirement Requirements	Chapter 191	Adds new paragraph RSA 100-A:16, VIII	August 16, 2022
HB 1367	Competency Assessment in Civics	Chapter 116	Amends RSA 189:11, II	July 1, 2023
HB 1381	Student Board Members	195	Amends RSA 189:1-c Amends RSA 194:23-f	January 1, 2023
HB 1398	Committee for Feasibility of Criminal History Records Checks	Chapter 198	N/A	June 17, 2022
HB 1421	Lead in School Drinking Water	Chapter 325	Repealed & reenacted RSA 485:17-a.	July 8, 2022
HB 1455	Proof of COVID-19 Vaccinations & Testing Requirements	Chapter 305	New Chapter 275-I	July 1, 2022
HB 1513	Child with a Disability Up to Age 22.	Chapter 264	Amends RSA 186-C:2	June 24, 2022
HB 1535	One-time Retirement Allowances	Chapter 203	N/A	July 1, 2022
HB 1587	Funding Cost of Change to Retirement System	Chapter 184	Amends RSA 100-A:1, XVIII	August 14, 2022
HB 1624	Students with Disabilities in Co-Curricular Activities	Chapter 334	Adds new paragraph RSA 21-N:4, XI	September 1, 2022
HB 1627	Education Freedom Account	Chapter 309	Adds new section RSA 21-N:7-a	July 1, 2022
HB 1653	Military-Connected Students	Chapter 310	Amends RSA 110-C:1 Adds new chapter 110-E Adds new section RSA 188-F:16-c Adds new section RSA 193:12, III-a Amends RSA 194-D:2, VIII Adds new paragraphs RSA 194-D:2, XI-XII Adds new section RSA 310-A:1-0 Adds new paragraph RSA 153-A:11, VII Amends RSA 153-A:12	August 30, 2022
HB 1661	Regional CTEs & Extraordinary Need Grant	Chapter 272	§272:1 - Adds new section RSA 188-E:2, V-a. §272:2 - Adds new section RSA 188-E:1-a §272:3 - Repealed & reenacted RSA 188-E:5, VII §272:4 - Adds new paragraph RSA 188-E:5, XIII §272:5 - N/A	July 1, 2022

RSA SECTIONS AFFECTED, CHAPTER LAWS & EFFECTIVE DATES

HB 1663	Requirements for Home Education Students	Chapter 131	Amends RSA 193:1-c Amends RSA 193-A:4, I Amends RSA 193-A:5, III Adds new paragraph RSA 193-A:5, V Amends RSA 193-A:6	Section 1: August 21, 2022 Remainder: June 2, 2022
HB 1671	Content of an Adequate Education	Chapter 273	Repealed & reenacted RSA 193-E:2-a, I Adds new sections RSA 193-E:2-a, VI (d) - (f) Amends RSA 193-E:3-b, I(a)	August 23, 2022
SB 233	Water Bottle Filling Stations	Chapter 149	Adds new section RSA 200:11-b	September 5, 2022
SB 234	Student IDs - National Suicide Prevention Lifeline	****Not Signed as of 7/28/22	Adds new section RSA 193-J:2-a Adds new chapter 188-I	July 31, 2022
SB 236	Committee for NH Teacher Shortages & Recruitment	Chapter 150	Amends RSA 189:25	June 7, 2022
SB 238	MOU Sp. Ed. in Chartered Public Schools	Chapter 313	Adds new paragraph RSA 194-B:5, VIII	July 1, 2023
SB 350	DOE Rules on National Association of State Directors of Teacher Education & Certification (NASDTEC)	Chapter 222	Amends RSA 21-N:9, II(s)	August 16, 2022
SB 352	Substitute Teacher Criminal History Records	Chapter 170	Amends RSA 189:13-a, VI	August 6, 2022
SB 353	Professional Standards Board	Chapter 315	Amends RSA 186:60	July 1, 2022
SB 381	Office of Sp. Ed. Advocate	Chapter 316	Adds new sections RSA 186-C:36 - 40 Amends RSA 21-V:2, II(c) Amends RSA 21-V:4, I(a)	July 31, 2022
SB 394	Funding for Sp. Ed. Age 21-22.	Chapter 230	Amends RSA 186-C:3, I	June 17, 2022
SB 410	Public Comment Requirement	Chapter 333	Adds new subdivision RSA 189:74 Adds new section RSA 21-N:10-a	September 6, 2022
SB 420	Extraordinary Need Grant Eligibility for Education Tax Credit	Chapter 318	Adds new section RSA 198:40-f Adds new paragraph 198:41, I(e) Amends 2021, 91:52	July 1, 2022
SB 421	Dual/Concurrent Enrollment at CTE	Chapter 240	Amends RSA 188-E:27, III Amends RSA 188-E:28, I	August 16, 2022