



January 23rd, 2025

Chairman Ladd  
House Education Funding Committee  
Subject: Testimony to HB 237

Dear Honorable Chair and Committee Members,

Thank you for the opportunity to testify. For the record, my name is Louis Esposito, and I am the Executive Director of ABLE NH. ABLE NH is a disability justice organization and a nonpartisan, nonprofit entity that fights for the civil and human rights of children and adults with disabilities.

This bill risks creating unintended consequences that undermine inclusive education and the broader benefits of special education services. Drawing on my experiences as an educator and advocate, as well as established research, I will illustrate why this legislation could harm the equitable delivery of education.

### **The Importance of Inclusion**

Special education services are designed not only to support students with disabilities but to foster inclusive practices that benefit all students. Co-teaching models, for example, emphasize collaboration between special and general education teachers to create universal access to education (Weiss & Lloyd, 2003). These practices allow for the application of Universal Design for Learning (UDL), which improves accessibility and engagement for all students, regardless of ability (Murza & Buckley, 2024).

As a teacher, I worked closely with many students who had an Individualized Education Programs who were identified for services due to various disabilities including specific learning disabilities, autism, intellectual disabilities, emotional disabilities, and many more. By supporting my students in the general education classroom supported by co-teaching, I was able to leverage strategies such as differentiated instruction and assistive technology. This not only my students academically but also created an environment where peers learned about diverse abilities and collaboration.

### **Shared Resources Enhance Education**

Special education resources often provide incidental benefits to the entire classroom. For instance, assistive technologies like text-to-speech software and classroom aides are used to support students with disabilities but can also be instrumental for non-disabled students during collaborative activities (Volonino, 2009). Prohibiting these incidental uses, as HB 237 proposes, would create logistical and financial challenges for schools, increasing administrative burdens and limiting flexibility.

### **Educational Equity**

Educational equity is achieved when all students, regardless of ability, have access to meaningful learning opportunities that meet their individual needs. Special education resources play a key role in fostering equity by enabling schools to implement practices that reduce barriers and support diverse learners. Resources such as classroom aides, specialized training for teachers, and assistive technologies are often shared among students in

a co-taught or inclusive classroom. These shared resources not only improve outcomes for students with disabilities but also enhance the learning environment for their peers (Volonino, 2009).

Importantly, these supports also benefit students who may have a disability but do not meet the criteria for special education services. By implementing universally designed supports, such as flexible teaching strategies and assistive tools, schools can address the needs of students who might otherwise struggle in traditional settings. In many cases, these supports prevent students from requiring an IEP because their needs are met proactively through inclusive practices.

Restricting the use of special education funds, as HB 237 proposes, would create silos that segregate resources and make it more difficult for schools to provide these benefits. Inclusive classrooms thrive on flexibility and collaboration, allowing educators to address the dynamic needs of students. Limiting funding in this way could undermine those efforts, leaving both students and teachers without the tools necessary to succeed.

### **Legal and Practical Concerns**

The Individuals with Disabilities Education Act (IDEA) mandates that students with disabilities be educated in the least restrictive environment (IDEA, 2004). Co-teaching and shared resources are vital to meeting this mandate. Restricting funds in the way HB 237 suggests may hinder schools' compliance, resulting in potential legal challenges and reduced educational quality.

### **Conclusion**

As a former educator and current advocate, I urge you to consider the broader implications of HB 237. This bill, while well-intentioned, risks creating barriers to inclusive education and undermines the equitable access to learning that all students deserve. Instead of restricting special education funds, I recommend promoting flexibility in their use to support practices that enhance inclusion. Policies should encourage co-teaching models that integrate special and general education resources and prioritize strategies like Universal Design for Learning to reduce barriers for all learners.

By fostering collaboration and ensuring that schools have the resources they need to create inclusive environments, we can uphold New Hampshire's commitment to equity and excellence in education. Thank you for your time and consideration. I welcome any questions.

Thank you for your time and consideration.

Sincerely,



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## References

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