



February 3rd, 2025

House Education Policy Committee

Subject: Testimony to HB 699

Dear Honorable Chair and Committee Members,

As someone who has worked directly with students with disabilities, as a paraprofessional, a special education teacher, an advocate, a parent, and as a friend, there are several components to this bill that are alarming.

I want to first share a story. Back when I was a paraprofessional, I met a student that just recently moved into the school district. He came from out of state and spent many years home schooled. Because of his dated IEP, his anxiety about moving across the country to an unfamiliar environment, and his transition back to a school environment, this student had difficulty in adjusting to this new school.

When this student came, it was clear that he needed support to progress academically and socially. He was placed in environments that were below his academic and social capabilities. He was quickly placed in a resource room for most of his day, in what was known at this school as the life skills room. The more I began to know him, the more that I understood his intelligence, and the more I saw his academic capabilities, I knew that this was not a room where he was going to perform to his academic potential.

In my position, my abilities to advocate for him were limited. I was able to convince his special education teacher of his potential and soon he was enrolled in the general education classroom in both social studies and science. This student began to show all his teachers what he was capable of and began to thrive. His confidence rose, both academically and socially. With accommodations, he was not only able to complete the course work, he thrived in the classroom in his ability to use his gift of the gab, if you will. His special education teacher began providing services in his classes, his reading specialist started having more dialogue with his general education teachers, and he took off.

While he was in middle school at the time, I must wonder what would have happened if someone told him he wouldn't be able to join these classes. If I wasn't there to advocate for what I had seen and what he wanted, would he have ever graduated? How much of his confidence would have been gone if he entered high school in the same environment. Would he have gone to the prom? Would he be the person he is today?

I think we can all agree that definitions are important, and this bill looks to modify these definitions. Students should not need to leave the general education settings to get any special education services. This proposed definition:

Educational environment “means a special education setting that has received approval from the bureau, this environment is managed by the school district and serves children with disabilities, as specified in their individual education program, when they are removed from their general education setting. Educational environments are resource rooms, self-contained classrooms, and early childhood special education programs.

What is missing in this definition is the general education classroom, the very place where my former student received his services and was able to succeed.

By limiting education environments to only specialized settings, this bill does not make special education stronger, it moves us closer to a system where students with disabilities are placed outside of the peer groups, rather than increasing the support that they get from them.

Under this bill, school districts may interpret services differently. My example before was in an affluent town and had resources to make this happen. What if he moved to another town instead? Would his educational setting been different? If the bill narrows the definition of special education to only being provided by special education teachers and related service providers, where does that leave the content experts? When I was a teacher, I can honestly in front of you all say that I was not the best teacher in math. A special education certification in NH is K-12, is it even possible to cover all the additional topics that all 13 of these grades cover? I tried teaching Shakespeare, and I promise you, it was best to be left to the subject matter experts. This bill narrows this definition.

And while there is an argument that can be made to remove definitions liked related services because they are already under IDEA, since when does NH not strive to do better? We should be strengthening these definitions because we are one of the best states for supportive education like this. I am aware of the argument that the bill is not taking away any services, and that it is ensuring compliance with federal law. But federal compliance should be the floor for what we reach for, not the ceiling. NH has a long history of building on federal protections to make a more inclusive and equitable education.

Removing definitions doesn't "clean up" the law, it creates confusion. If federal law recognizes related services as critical supports, why then remove it from state law? Defining it in state law provides clarity that ensures districts do not narrow their interpretation. If it is incomplete, then we should expand it, not erase it! If redefining educational environment is just adding a necessary definition and it's not removing inclusion, why not define it in a way that explicitly includes all school settings? If removing the definition of "functional blind" won't impact students with visual impairments, why remove it if it ensures students with visual impairments get the accommodations they need? If this definition is outdated, it should be revised.

Language in state law provides clear expectations for districts, families, and educators. Removing these definitions creates uncertainty and inconsistency. If the goal is to clarify these definitions and align with federal law, then the bill should:

- Explicitly state that educational environments include general education classrooms and school wide-activities.
- Expand the definition of related services rather that remove it.
- Ensure that students with vision impairments, who may not meet the threshold for legal blindness, retain access to necessary supports.

I believe that it would be better to add clarity to these definitions that does not reduce protections. If the bill's sponsors believe that there are not services being impacted, then there should not be any difficulty in ensuring these definitions explicitly protect inclusion and access.

Sincerely,



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