

**CHAPTER 210**  
**SB 148-FN - FINAL VERSION**

03/18/2021 0764s  
06/24/2021 2025CofC  
06/24/2021 2081EBA

2021 SESSION

21-0956  
06/08

SENATE BILL            ***148-FN***

AN ACT                adopting omnibus legislation relative to vocational and career education,  
                             environmental education, and emergency plans for sports injuries.

SPONSORS:            Sen. Ward, Dist 8

COMMITTEE:          Education

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AMENDED ANALYSIS

This bill adopts legislation relative to:

- I. Vocational rehabilitation.
- II. Career and technical education.
- III. Emergency plans for sports related injuries.
- IV. Private postsecondary career schools.
- V. Environmental and outdoor education.

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                             Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

03/18/2021	0764s
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21-0956  
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## STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT adopting omnibus legislation relative to vocational and career education, environmental education, and emergency plans for sports injuries.

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

1        210:1 Sponsorship. This act consists of the following proposed legislation:

2       Part I: LSR 21-0956, repealing provisions relating to vocational rehabilitation and authorizing  
3       the state board of education to adopt rules relative to the provision of vocational rehabilitation,  
4       sponsored by Sen. Ward, Prime/Dist. 8.

5           Part II: LSR 21-0270, relative to career and technical education, sponsored by Sen. Watters,  
6   Prime/Dist. 4; Sen. Carson, Dist. 14; Sen. Rosenwald, Dist. 13; Sen. Whitley, Dist. 15; Sen. Sherman,  
7   Dist. 24; Sen. D'Allesandro, Dist. 20; Sen Prentiss, Dist. 5; Sen. Hennessey, Dist. 1; Rep.Ladd, Graf.  
8   4; Rep. Moffett, Merr. 9.

9           Part III: LSR 21-0863, requiring emergency action plans for sports related injuries, sponsored  
10   by Sen. Gannon, Prime/Dist. 23; Sen. Carson, Dist. 14; Sen. Watters, Dist. 4; Sen. D'Allesandro,  
11   Dist.20; Sen. Prentiss, Dist. 5; Sen. Sherman, Dist. 24; Sen. Rosenwald, Dist. 13; Sen. Whitley, Dist.  
12   15; Rep. Weyler, Rock. 13.

13       Part IV: LSR 021-0987, relative to the definition of private postsecondary career school,  
14       sponsored by Sen. Ward, Prime/Dist. 8.

15           Part V: LSR 21-0824, relative to environmental and outdoor education and establishing the New  
16 Hampshire youth environmental education and conservation council, sponsored by Sen.Watters,  
17 Prime/Dist. 4; Sen. Prentiss, Dist. 5; Sen. Carson, Dist. 14; Sen. Whitley, Dist. 15; Sen. Sherman,  
18 Dist. 24; Sen. Soucy, Dist. 18.

19      210:2 Legislation Enacted. The general court hereby enacts the following legislation:

20 PART I

21 Repealing provisions relating to vocational rehabilitation and authorizing the state board of  
22 education to adopt rules relative to the provision of vocational rehabilitation.

23           1 Repeal. The following are repealed:

24 I. RSA 200-C:7, relative to telecommunications equipment.

25 II. RSA 200-C:9, relative to definitions.

26 III. RSA 200-C:10, relative to the establishment and amount of subsidies.

27 IV. RSA 200-C:11, relative to eligibility standards.

28 V. RSA 200-C:12, relative to appeals.

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VI. RSA 200-C:13, relative to insufficient funds.

VII. RSA 200-C:15, relative to rulemaking.

VIII. RSA 200-C:19, III, relative to administering the telecommunications equipment program.

2 Worker's Personal Care Assistance Program; Rulemaking Authority. Amend RSA 200-C:8 to read as follows:

200-C:8 Rulemaking Authority.

The board of education shall adopt rules, under RSA 541-A, relative to[:

- ~~I. Procedures for disbursement of moneys from the program established under RSA 200-C:7.~~
- ~~II. Eligibility criteria for equipment under the program, including priority criteria assigned to persons seeking equipment under the program.~~
- ~~III. Procedures for the purchase, maintenance and repair of special telecommunications equipment]~~ **the provision of vocational rehabilitation services.**

3 Vocational Rehabilitation Programs; Rulemaking Authority. Amend RSA 200-C:8 to read as follows:

200-C:8 Rulemaking Authority. The board of education shall adopt rules, under RSA 541-A, relative to:

- ~~I. [Procedures for disbursement of moneys from the program established under RSA 200-C:7.~~
- ~~II.]~~ Eligibility criteria for equipment under the program, including priority criteria assigned to persons seeking equipment under the program.
- ~~[III.]~~ **II.** Procedures for the purchase, maintenance and repair of special telecommunications equipment.

4 Effective Date. Part I of this act shall take effect 60 days after its passage.

**PART II**

Relative to career and technical education.

1 Regional Career and Technical Education; Definitions; Sending District. Amend RSA 188-E:2, VIII(b) to read as follows:

(b) If a student attends a chartered public school, **private school, or is home schooled**, the sending district shall be the school district in which the student resides.

2 Construction or Renovation of Career and Technical Education Centers. Amend RSA 188-E:3, I to read as follows:

I. The commissioner, department of education, shall make grants available to designated regional centers for construction of career and technical education facilities or renovation, **expansion, or replacement** of existing regional career and technical education centers. The state board shall adopt rules, pursuant to RSA 541-A and RSA 21-N:9, II, which the commissioner shall carry out, relative to requirements for approval of regional career and technical education centers to

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1 receive funds for construction ~~[or]~~, renovation, **expansion, or replacement** of such facilities. The  
2 rules shall include criteria which guarantee potential sending districts an opportunity to enroll  
3 students in the regional career and technical education program, and basic criteria for planning such  
4 facilities through cooperative development of plans by the career and technical education staff of the  
5 state department of education and the local school district's staff. When such plans appear to be  
6 both educationally and financially acceptable, the department's career and technical education staff  
7 shall recommend to the commissioner that they be approved for funding.

8 3 Career and Technical Education; Transportation. Amend RSA 188-E:8 to read as follows:

9 188-E:8 Transportation. The department of education is authorized to reimburse from its  
10 regular budget the **full** cost of transportation for (a) regional career and technical education  
11 students who attend regional career and technical education centers and for (b) at-risk students who  
12 attend alternative education programs located at a regional career and technical education center or  
13 other comprehensive high school. Transportation costs shall not exceed the rate adopted pursuant to  
14 RSA 541-A by the state board. The sending district shall be responsible for **providing**  
15 **transportation and** paying the transportation costs and shall **then** be reimbursed from state  
16 funds.

17 4 Career and Technical Education; Funding for Construction, Renovation, Expansion, and  
18 Replacement. Amend RSA 188-E:10, I to read as follows:

19 I. The department of education is responsible for maintaining a statewide system of regional  
20 ~~[vocational]~~ **career and technical** education centers to provide and allow for a variety of career and  
21 technical education programs funded within state budget appropriations. The treasurer of the state  
22 of New Hampshire is hereby authorized to make funds available to the department of education for  
23 the **construction**, renovation ~~[and]~~, **expansion, or replacement** of qualified regional career and  
24 technical education centers or regional career and technical education programs authorized in the  
25 capital budget, provided that:

26 (a) The commissioner of the department of education shall ensure that all requests  
27 submitted are both educationally and financially appropriate within the state capital project  
28 authorization process;

29 (b) The commissioner of the department of education submits on a biennial basis in a  
30 capital budget request a priority list of facilities and programs eligible for **construction**, renovation  
31 ~~[and]~~, **expansion, or replacement** provided that priority shall be given to programs that have been  
32 certified by an approved standard or that need additional funds to become certified by an approved  
33 standard;

34 (c) Each request for funding follows the capital budget procedure pursuant to RSA 9:3-a,  
35 provided that no qualified project funded in a state capital budget as required in this section shall  
36 have additional funds for the same project included in a subsequent proposal for capital  
37 appropriation under RSA 9:3-a unless directed by the priority list of the department of education;

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(d) Each school district requesting funds from the department of education establishes and funds a **construction**, renovation ~~[and]~~, expansion, **and replacement** reserve fund, which shall be used by the school district to pay **construction**, renovation ~~[and]~~, expansion, **and replacement** costs not funded by the state, and which may include funding for the replacement of equipment; and

(e) The state shall fund not less than 50 percent nor more than 75 percent of the cost of a qualified project approved pursuant to this section.

(f) In this section, "qualified" means the project:

(1) Demonstrates need connected to the labor market.

(2) ~~Accepts students from sending schools.~~

~~(3)~~ (3) Demonstrates adequate numbers of students through enrollment figures based on 3-year averages.

~~(4)~~ (3) Demonstrates alignment with program competencies and academic competencies required by the department of education.

~~(5)~~ (4) Allows for matriculation into a postsecondary venue.

~~(6)~~ (5) Meets all industry and building standards.

~~(7)~~ (6) Meets the procedural requirements for requests under this section and any other requirements in rules of the department of education.

~~(8)~~ (7) Is a regional career and technical education center within a public school, or a public academy as defined in RSA 194:23, II, in the state of New Hampshire.

(9) (8) Has the capacity to provide academic courses for students from the sending districts who are approved for full-time attendance at the center.

5 New Subparagraph; Advisory Council on Career and Technical Education. Amend RSA 188-E:10-b, I by inserting after subparagraph (h) the following new subparagraph:

(i) A high school counselor from a sending school district, appointed by the president of the New Hampshire School Counselor Association.

6 Advisory Council on Career and Technical Education. Amend RSA 188-E:10-b, III to read as follows:

III. Members of the advisory council appointed under subparagraphs I(f)-~~(h)~~ (i) shall serve for terms of 3 years and may be reappointed, except that terms of initial appointments by the commissioner under subparagraphs (f) and (h) shall be staggered.

7 New Paragraph; Career and Technical Education; Rulemaking. Amend RSA 188-E:10-b by inserting after paragraph VI the following new paragraph:

VII. By June 30, 2021, upon recommendation of the council, the department shall adopt rules, pursuant to RSA 541-A, establishing requirements for a career readiness credential.

8 Secondary Career and Technical Education Programs; Federal Authorization. Amend RSA 188-E:12 to read as follows:

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188-E:12 Secondary Career and Technical Education Programs; Federal Authorization. In accordance with 20 U.S.C. section 9271, the state shall include in its unified plan, all secondary career and technical education programs authorized under 20 U.S.C. 2301 et seq., known as the Carl D. Perkins Career and Technical Education Act of 2006 ***as amended by the Strengthening Career and Technical Education for the 21st Century Act of 2018, Public Law 115-224.***

9 Pre-Engineering and Technology Curriculum and Pre-Engineering and Technology Advisory Council; Membership and Terms. Amend RSA 188-E:16, I(d) to read as follows:

(d) The ~~[president]~~ ***chancellor of the community college system*** of ~~[the]~~ New Hampshire~~[-technical institute]~~, or designee.

10 Advanced Manufacturing Education Advisory Council; Membership and Terms. Amend RSA 188-E:22, I(e) to read as follows:

(e) The ~~[president]~~ ***chancellor of the community college system*** of ~~[the]~~ New Hampshire~~[-technical institute]~~, or designee.

11 Dual and Concurrent Enrollment Program; Program Established. Amend RSA 188-E:26 to read as follows:

188-E:26 Program Established. There is established a dual and concurrent enrollment program in the department of education. Participation in the program shall be offered to high school and career technical education center students in grades 10 through 12. The program shall provide opportunities for qualified New Hampshire high school students to gain access and support for dual and concurrent enrollment in ***career and technical education courses***, STEM (science, technology, engineering, and mathematics) and STEM-related courses that are fundamental for success in postsecondary education and to meet New Hampshire's emerging workforce needs.

12 Dual and Concurrent Enrollment Program; School Board Policy. Amend RSA 188-E:28, I to read as follows:

I. ~~[No later than July 1, 2018,]~~ The school board of each school district shall develop and adopt a policy permitting students residing in the district who are in grade **10**, 11 or 12 to participate in the dual and concurrent enrollment program. The policy shall, at a minimum, include compliance with measurable educational standards and criteria approved by the CCSNH and that meet the same standard of quality and rigor as courses offered on campus by the CCSNH. The policy shall also comply with the standards for accreditation and program development established by the National Alliance for Concurrent Enrollment Partnerships. The policy shall include, but not be limited to, student eligibility criteria, standards for course content, standards for faculty approval, program coordination and communication requirements, tuition and fees, textbooks and materials, course grading policy, data collection, maintenance, and security, revenue and expenditure reporting, and process for renewal of the agreement.

13 Department of Education; Community College System of New Hampshire; Dual and Concurrent Enrollment Agreement. The department of education and the CCSNH shall develop and

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1 approve a model dual and concurrent enrollment agreement that shall be used by the CCSNH and  
2 the school board of a school district participating in the dual and concurrent enrollment agreement  
3 program. The model agreement shall include standards established by the CCSNH, shall include  
4 elements, standards, and criteria that have been approved by the department of education and  
5 CCSNH, and shall serve as the framework for the development, implementation, and administration  
6 of the dual and concurrent enrollment program in each school district by clearly defining the  
7 procedures related to concurrent and dual enrollment of high school students in college classes. The  
8 department shall further develop guidelines for the program relating to reporting, accountability,  
9 and payment of available funds to the CCSNH.

10 14 New Paragraph; Delivery of an Adequate Education. Amend RSA 193-E:3 by inserting after  
11 paragraph VII the following new paragraph:

12 VIII. Beginning in September 2021, and each year thereafter, school districts shall, for  
13 entering high school freshman: assess student career interests; document school pathways to career  
14 readiness credentials; advise all entering high school students how to achieve a career ready  
15 credential upon graduation; and record on a student's transcript progress towards the credential.  
16 School districts shall report the following annually: the number of students who complete CTE; the  
17 number of dual enrollments, concurrent enrollments, extended learning opportunities, and work  
18 based learning enrollments; and the number of career ready credentials awarded.

19 15 Repeal Date Extended. Amend RSA 2019, 247:3, XVI to read as follows:

20 247:3 Repeal; [2022] **2026**. RSA 188-E:9-a, relative to donations to regional career and technical  
21 education center programs, is repealed.

22 16 Effective Date Change. Amend RSA 2019,247:4, I to read as follows:

23 I. Section 3 of this act shall take effect June 30, [2022] **2026**.

24 17 Contingent Version; Dual and Concurrent Enrollment Program; Program Established.  
25 Amend RSA 188-E:26 to read as follows:

26 188-E:26 Program Established. There is established a dual and concurrent enrollment program  
27 in CCSNH. Participation in the program shall be offered to high school and career technical  
28 education center students in grades 10 through 12. The program shall provide opportunities for  
29 qualified New Hampshire high school students to gain access and support for dual and concurrent  
30 enrollment in *career and technical education courses*, STEM (science, technology, engineering,  
31 and mathematics) and STEM-related courses that are fundamental *and necessary* for success in  
32 postsecondary education, *career path opportunities*, and to meet New Hampshire's emerging  
33 workforce needs.

34 18 Contingent Version; Dual and Concurrent Enrollment Program; School Board Policy.  
35 Amend RSA 188-E:28, I to read as follows:

36 I. [~~No later than July 1, 2018,~~] The school board of each school district shall develop and  
37 adopt a policy permitting students residing in the district who are in grade **10**, 11 or 12 to

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1 participate in the dual and concurrent enrollment program. The policy shall, at a minimum, include  
2 compliance with measurable educational standards and criteria approved by CCSNH and that meet  
3 the same standard of quality and rigor as courses offered on campus by CCSNH. The policy shall  
4 also comply with the standards for accreditation and program development established by the  
5 National Alliance for Concurrent Enrollment Partnerships. The policy shall include, but not be  
6 limited to, student eligibility criteria, standards for course content, standards for faculty approval,  
7 program coordination and communication requirements, tuition and fees, textbooks and materials,  
8 course grading policy, data collection, maintenance, and security, revenue and expenditure  
9 reporting, and process for renewal of the agreement.

10 19 Effective Date.

11 I. Sections 11 and 12 of Part II of this act shall not take effect.

12 II. The remainder of Part II of this act shall take effect 60 days after its passage.

13 **PART III**

14 Requiring emergency action plans for sports related injuries.

15 1 New Section; Health Services; Emergency Plans for Sports Related Injuries. Amend RSA 200  
16 by inserting after section 40-b the following new section:

17 200:40-c Emergency Plans for Sports Related Injuries.

18 I. The local board of each school district or the governing body of each nonpublic school that  
19 includes any of the grades 4 through 12, shall establish an emergency action plan for responding to  
20 serious or potentially life-threatening sports related injuries. Each plan shall:

21 (a) Document the proper procedures to be followed when a student sustains a serious  
22 injury or illness while participating in school sponsored sports or other athletic activity.

23 (b) List the employees, team coaches, and licensed athletic trainers in each school who  
24 are trained in first aid or cardiopulmonary resuscitation.

25 (c) Identify the employees, team coaches, or licensed athletic trainers responsible for  
26 carrying out the emergency action plan.

27 (d) Identify the activity location, address, or venue for the purpose of directing  
28 emergency personnel.

29 (e) Identify the equipment and supplies and location thereof needed to respond to the  
30 emergency.

31 (f) Identify the location of any automated external defibrillators and personnel trained in  
32 the use of the automated external defibrillator.

33 (g) Document policies related to cooling for an exertional heat stroke victim consistent  
34 with guidelines established by the American College of Sports Medicine and the National Athletic  
35 Trainers' Association.

36 II. The plan shall be posted within each school and disseminated to, and coordinated with  
37 emergency medical services, fire department, and law enforcement. In addition, each school district



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shall adopt procedures for obtaining student-participant medical information relative to any injury or illness related to or involving any head, face, or cervical spine, cardiac injury or diagnosis, exertional heat stroke, sickle cell trait, asthma, allergies, or diabetes for each student athlete prior to engaging in activities; policies related to hydration, heat acclimatization and wet bulb globe temperature guidelines as established by the American College of Sports Medicine and the National Athletic Trainers' Association; and procedures for students to return to play after a sports or illness-related injury, which shall be kept on file by each school district and made available to the department of education and public upon request. Access, filing, and confidentiality of student-participant medical information shall be managed in accordance with the Health Insurance Portability and Accountability Act (HIPAA) and the Family Educational Rights and Privacy Act (FERPA). Each plan shall be added to the school's emergency response plan and adopted procedures shall be reviewed annually and updated as necessary.

III. The plans shall be implemented by the beginning of the first full school year after the effective date of this section.

2 Effective Date. Part III of this act shall take effect September 1, 2022.

**PART IV**

Relative to the definition of private postsecondary career school.

1 New Subparagraph; Private Postsecondary Career Schools; Definitions. Amend RSA 188-G:1, II by inserting after subparagraph (l) the following new subparagraph:

(m) Entities that have annual gross tuition of \$100,000 or less.

2 Effective Date. Part IV of this act shall take effect 60 days after its passage.

**PART V**

Environmental Science Required for Adequate Education

1 Criteria for an Adequate Education. Amend RSA 193-E:2, III to read as follows:

III. Knowledge of the biological, physical, and earth sciences, ***including environmental sciences that investigate the complex interaction of physical, chemical, and biological processes that take place on the earth***, to enable them to understand and appreciate the world ***and the engineering, socio-economic, and geopolitical challenges*** around them.

2 Criteria for an Adequate Education; Science. Amend RSA 193-E:2, VI-VII to read as follows:

VI. Sound wellness and environmental practices, ***including outdoor recreation***, to enable them to enhance their own well-being, as well as that of others.

VII. Skills for lifelong learning, including interpersonal, ***environmental education***, and technological skills, to enable them to learn, work, ***communicate***, and participate effectively in a changing society ***and environment***.

3 New Paragraph; Regional Career and Technical Education Program. Amend RSA 188-E:5 by inserting after paragraph XI the following new paragraph:

XII. The director of career and technical education shall report to the advisory council on

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1 career and technical education by June 1, 2022 on the availability of programs in outdoor recreation  
2 and the potential for new programs to provide workforce training and appropriate credentialing in  
3 careers related to the outdoor recreation industry.

4 4 Department of Natural and Cultural Resources; Department of Business and Economic  
5 Affairs. The department of natural and cultural resources and the department of business and  
6 economic affairs shall investigate joining the Outdoor Recreation Industry Confluence Accords and  
7 report to the legislature its findings by June 1, 2022.

8 5 Effective Date. Part V of this act shall take effect 60 days after its passage

Approved: August 10, 2021

Effective Date:

Pt I eff October 9, 2021

Pt. II eff: I. Sec 11 & 12 shall not take effect

II. Rem. eff. October 9, 2021

Pt. III eff. September 1, 2022

Pt. IV eff. October 9, 2021

Pt. V eff. October 9, 2021

