

Notice Number 2024-38Rule Number Ed 504.04

1. Agency Name & Address:

**Board of Education
c/o Department of Education
25 Hall St.
Concord, NH 03301**

2. RSA Authority: RSA 21-N:9, II(s)3. Federal Authority: N/A

4. Type of Action:

Adoption Repeal X Readoption Readoption w/amendment 5. Short Title: **Emergency Authorization**

6. (a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:

The Board of Education is proposing to repeal Ed 504.04, regarding the process for the Department of Education (Department) to issue an emergency authorization to a local school board for issuance of a certificate of eligibility as an educator. RSA 189:39-b was amended by HB 654 (Chapter 64 of the Laws of 2023), effective 7-31-23, by adding an additional one year to the certificate of eligibility. While the local school boards must notify the Department of any issuance of a certificate of eligibility pursuant to RSA 189:39-b, III, the rule currently adds additional administrative actions for both the Department and the local school boards. Repealing Ed 504.04 also reduces the fee burden for the local school boards and individual applicants.

6. (b) Brief description of the groups affected:

The groups affected include local school boards, school administration, and any individuals who would be applying for a certificate of eligibility to teach.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	Statute
Ed 504.04 (repeal)	RSA 21-N:9, II(s); RSA 189:39-b

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Julie Shea**Title: **Administrative Rules
Coordinator**Mailing **Department of Education**Phone #: **603-931-9133**Address: **25 Hall St.
Concord, NH 03301**Fax#: **n/a**E-mail: **Julie.r.shea@doe.nh.gov**TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Thursday, April 18, 2024**

☐ Fax☒ E-mail☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Thursday, April 11, 2024, 12 p.m.**

Physical Location: **Granite State College Events Center, 25 Hall St., Concord, NH 03301**

Electronic Access (if applicable): **N/A**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant):

FIS # 24:008, dated 1/26/24

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

This proposal, which repeals Ed 504.04, will reduce state restricted revenue and costs to certain state citizens by \$24,000.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

The Department of Education states that by repealing this rule, the application process and the associated fee (\$120) will be eliminated. There would be an approximate \$24,000 decrease in revenue based on an estimate of 200 applications received annually to the Bureau of Credentialing. However, repealing this rule eliminates a significant amount of administrative work that was done by staff, and the addition of the one-year extension in RSA 189:39-b, would have created additional administrative work.

A. To State general or State special funds:

See #3 above. No impact on state general funds.

B. To State citizens and political subdivisions:

See #3 above. No impact on political subdivisions.

C. To independently owned businesses:

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

This proposal does not mandate any new, expanded, or modified programs or responsibilities to any political subdivision in such a way as to necessitate additional local expenditures by the political subdivisions, and therefore does not violate Part I, Article 28-a of the New Hampshire Constitution.