

HB 1656-FN-LOCAL - AS AMENDED BY THE HOUSE

22Feb2024... 0603h

11Apr2024... 1211h

2024 SESSION

24-2623

12/05

HOUSE BILL

***1656-FN-LOCAL***

AN ACT                    relative to adequate education grant amounts for pupils receiving special education services.

SPONSORS:            Rep. Kenney, Straf. 10; Rep. Morse, Graf. 9; Rep. Selig, Straf. 10; Rep. Horrigan, Straf. 10; Rep. A. Nutting-Wong, Hills. 9; Rep. Wheeler, Hills. 33; Rep. H. Howard, Straf. 4; Rep. Toll, Ches. 15; Sen. Watters, Dist 4; Sen. Altschiller, Dist 24

COMMITTEE:          Education

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AMENDED ANALYSIS

This bill provides for categories of special education services for application to the calculation of differentiated aid in adequate education grant amounts.

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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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

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

AN ACT                    relative to adequate education grant amounts for pupils receiving special education services.

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

1            1 Cost of an Opportunity for an Adequate Education; Differentiated Aid; Special Education.  
2 RSA 198:40-a, II(d) is repealed and reenacted to read as follows:

3                    (d)(1) An additional \$2,642 for each pupil in the ADMR who is receiving special  
4 education services with a category A disability, \$5,285 for each pupil in the ADMR who is receiving  
5 special education services with a category B disability, and \$7,927 for each pupil in the ADMR who  
6 is receiving special education services with a category C disability.

7                    (2) For this subparagraph, "category A disability" applies to pupils receiving special  
8 education services inside regular class 80 percent or more of the day; "category B disability" applies  
9 to pupils receiving special education services inside regular class less than 40 percent of the day and  
10 inside regular class 40 percent through 79 percent of the day; and "category C disability" applies to  
11 pupils receiving special education services in separate schools, residential facilities, or  
12 homebound/hospital placements. Categories A, B, and C apply to pupils ages 5 in kindergarten  
13 through 21, inclusive. Any pupil receiving special education services identified by the department  
14 that was not identified in the department's data collection efforts to determine categories A, B, and  
15 C, shall default to category A.

16            2 Effective Date. This act shall take effect July 1, 2024.

**HB 1656-FN-LOCAL- FISCAL NOTE**  
AS AMENDED BY THE HOUSE (AMENDMENT #2024-1211h)

AN ACT                      relative to adequate education grant amounts for pupils receiving special education services.

**FISCAL IMPACT:**    ☒ State                      ☐ County                      ☒ Local                      ☐ None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
Revenue	\$0	\$0	\$0	\$0
Revenue Fund(s)	None			
Expenditures	\$0	District Public Schools FY 2025 - Increase of Approximately \$17,700,000 FY 2026 and Beyond - Indeterminable Increase  Charter Public Schools / Education Freedom Accounts Indeterminable Increase		
Funding Source(s)	Education Trust Fund			
Appropriations	\$0	Statutory Open Warrant Exists for Adequacy Payments		
Funding Source(s)	Education Trust Fund			

- Does this bill provide sufficient funding to cover estimated expenditures? ☒ N/A
- Does this bill authorize new positions to implement this bill? ☒ N/A

Estimated Political Subdivision Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
Local Revenue	\$0	FY 2025 - Increase of Approximately \$17,700,000 FY 2026 and Beyond - Indeterminable Increase		
Local Expenditures	\$0	\$0	\$0	\$0

**METHODOLOGY:**

This bill, effective FY 2025, replaces the current special education differentiated aid flat rate of \$2,079.89 for each pupil in the ADMR (average daily membership – residence) who is receiving special education services with three categories of differential aid as follows:

- An additional \$2,642 for each pupil in the ADMR who is receiving special education services for less than 80 percent of the school day (category A disability);
- An additional \$5,285 for each pupil in the ADMR who is receiving special education services for 80 percent or more of the school day (category B disability);

- And an additional \$7,927 for each pupil in the ADMR who is receiving special education services in separate schools, residential facilities, or homebound/ hospital placements (category C disability).

Any pupil receiving special education services not identified in the Department's data collection efforts to determine categories A, B, and C, shall default to category A.

Category	ADMR
A	20,639.34
B	5,363.56
C	330.87
Catch All (Category A)	4,630.93
Total	30,964.70

When incorporating this method to the FY 2025 adequacy formula, and using the ADMR data above, a final state grant was determined to be \$1,072,401,133, an increase of \$17,727,172 when compared to the current law Final State Grant amount of \$1,054,673,961.

It should be noted that this estimate does not consider chartered public schools nor education freedom accounts, which would have an indeterminable impact.

**AGENCIES CONTACTED:**

Department of Education