HB 631-FN-LOCAL - AS INTRODUCED

2013 SESSION

13-0828 08/04

HOUSE BILL 631-FN-LOCAL

AN ACT requiring school boards to establish a policy allowing parents to send their

children to an out-of-district school.

SPONSORS: Rep. Hikel, Hills 6; Rep. Meaney, Hills 6

COMMITTEE: Education

ANALYSIS

This bill allows parents of pupils residing in the district to enroll their pupil in a school outside their district and receive 50 percent of the statewide average cost per pupil for public school pupils as calculated by the department of education on an annual basis, provided the pupil attends a school outside of the district.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT

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requiring school boards to establish a policy allowing parents to send their children to an out-of-district school.

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

1 Purpose.

- I. In pursuit of fulfilling the ideals envisioned by the founders of our state and nation and in compliance with the constitutional commands thereof striving for excellence, including excellence in education with MORE FREEDOM (Market Oriented Education FREE of DOMinance) the general court recognizes the need for parents to have more options for the schooling of their children.
- II. The general court also recognizes the need to enforce a parent's or guardian's constitutionally guaranteed right of MORE FREEDOM of diversity in the choice of any source of education for their children that satisfies the conscience of the parent and meets the school attendance laws of the state of New Hampshire.
- III. The general court further recognizes that in order for the constitutional protection of freedom of conscience to be made meaningful to all parents, their children, and taxpayers the "inherent and essential right of benefits of free and fair competition in the trades and industries" should extend to education.
- 2 New Subdivision; Market Oriented Education Free of Dominance. Amend RSA 189 by inserting after section 64 the following new subdivision:

Market Oriented Education Free of Dominance

189:65 Market Oriented Education Free of Dominance. Notwithstanding any provision of law to the contrary, each local school board shall develop a policy to allow parents of pupils residing in the district to enroll their pupil in a school outside their district and receive 50 percent of the statewide average cost per pupil for public school pupils as calculated by the department of education on an annual basis provided the pupil attends a school outside of the district.

3 Effective Date. This act shall take effect July 1, 2013.

HB 631-FN-LOCAL - FISCAL NOTE

AN ACT

requiring school boards to establish a policy allowing parents to send their children to an out-of-district school.

FISCAL IMPACT:

The Department of Education states this bill, <u>as introduced</u>, may increase state and local expenditures, and local revenue by an indeterminable amount in FY 2014 and each year thereafter. There will be no fiscal impact on state and county revenues, or county expenditures.

METHODOLOGY:

The Department of Education states this bill allows parents of pupils residing in the district to enroll their pupils in a school outside their district and receive 50% of the statewide average cost per pupil for public school pupils on an annual basis. The Department notes the proposed legislation would require the state to provide education adequacy funding to the school district for each student currently attending school outside their district; and each school district would in turn incur a cost equal to 50% of the statewide average cost per pupil for each of those students, to be provided as an allowance towards the students cost of attending a school outside of their district.

The Department states there are approximately 20,000 students in non-public or home school settings. Based on the estimated cost of education adequacy funding per student for 2014 of \$4,266, the Department states the proposed legislation could increase state expenditures and local revenues by \$85,320,000 (\$4,266 x 20,000) in FY 2014 and each year thereafter. Subsequently, the Department notes the residing school district will then incur a cost of 50% of the statewide average cost per pupil to supplement the student's cost of tuition at a school outside their district. Using the most recent available statewide average cost per pupil from 2011 of \$12,775, the Department estimates the proposed legislation may increase local expenditures by \$127,750,000 ((\$12,775/2) x 20,000).

The Department notes their estimates do not account for additional administrative or student transportation costs associated with the implementation of the proposed legislation or the fiscal impact of students currently enrolled in a school within their district that chose to attend a school outside of their district. The Department is unable to estimate the number of students who will choose to attend a school outside of their district as a result of the proposed legislation, and therefore are unable to determine the exact fiscal impact at this time.