

HB 1561-FN - AS INTRODUCED

2024 SESSION

24-2010
02/08

HOUSE BILL ***1561-FN***

AN ACT relative to qualifications for student eligibility in the education freedom accounts program.

SPONSORS: Rep. Sweeney, Rock. 25; Rep. Osborne, Rock. 2; Rep. Alexander Jr., Hills. 29

COMMITTEE: Education

ANALYSIS

This bill expands the definition of who is an eligible student qualifying under the education freedom accounts program.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to qualifications for student eligibility in the education freedom accounts program.

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

1 1 Education Freedom Account Program; Definitions; Eligible Students. RSA 194-F:1, VI is
2 repealed and reenacted to read as follows:

3 VI. "Eligible student" means a resident of this state who is eligible to enroll in a public
4 elementary or secondary school and meets one or more of the following conditions:

5 (a) Whose annual household income at the time the student applies for the program is
6 less than or equal to 350 percent of the federal poverty guidelines as updated annually in the
7 Federal Register by the United States Department of Health and Human Services under 42 U.S.C.
8 section 9902(2). No income threshold need be met in subsequent years, provided the student
9 otherwise qualifies. Students in the special school district within the department of corrections
10 established in RSA 194:60 shall not be eligible students.

11 (b) Who is concerned that attending school could lead to the spread of contagious
12 diseases such as COVID-19, the common cold, the seasonal Flu, pneumonia, or other similar
13 diseases.

14 (c) Who is a persistently bullied student. "Persistently bullied student" means a pupil
15 that has been a victim of 3 or more bullying incidences as defined by RSA 193-F:3.

16 (d) Who identifies as lesbian, bisexual, gay, transgender, or non-binary.

17 (e) Who have tested in the bottom 25th percentile in state standardized testing during
18 the most recent academic year.

19 (f) Who have been diagnosed with an eating disorder by a licensed healthcare provider.

20 (g) Who have been diagnosed with a mental health illness by a licensed healthcare
21 provider.

22 (h) Who lives in a district which exceeds PFAS drinking water standards, as established
23 by the department of environmental services.

24 (i) Who is a student who lives within the geographic boundaries of a school which has
25 been identified by the department of education as scoring within the bottom 10th percentile in
26 standardized testing.

27 (j) Whose current district guidance counselor determines it is in the best interest of the
28 student.

29 2 Effective Date. This act shall take effect 60 days after its passage.

HB 1561-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to qualifications for student eligibility in the education freedom accounts program.

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	Indeterminable		
Funding Source(s)	Education Trust Fund			
Appropriations	\$0	\$0	\$0	\$0
Funding Source(s)	None			

- 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	Indeterminable		
Local Expenditures	\$0	Indeterminable		

METHODOLOGY:

This bill expands eligibility for the education freedom account (EFA) program by adding several new qualifying conditions. As of November 2023, 4,552 students were in the EFA program with an annualized cost estimated at \$23.8 million with the typically grant averaging to be \$5,235 per student. The current average education grant to public district schools is \$6,217, which includes cost for an adequate education and extraordinary needs grant.

The Department of Education states this bill will result in an indeterminable number of new students accessing the program. The following is information relative to the different situations in which a student may access the EFA program:

- Students accessing the program by going from the non-public or home education systems and entering the EFA program would likely result in a grant of \$5,235 for each student. The average grant size for these students would likely match the average grant provided to a

district student. This would result in a net cost to the state as these students accessed the program through proposed removal of income requirements.

- Students leaving a charter public school would have a net cost savings to the state of \$4,365 to the state; \$9,600 (current average charter school rate) – \$5,235 (average EFA) = \$4,365.
- Student leaving a traditional district system would have a net cost to the state if the student left a community that had a statewide education property tax (SWEPT) grant in excess of the calculated cost of adequate education. This net cost would be \$5,235 per student.
- Students leaving a non-excess SWEPT community would see the adequacy grant go the EFA program for educating the student instead of the school district. This would result an approximate decrease of \$982 (\$6,217 - \$5,235) in state adequacy grants, and a decrease in local revenues per student. This would also result in a net cost to the state due to the EFA phase-out grant being paid. The EFA phase-out grant compensates districts at a rate of 50 cents on the dollar in year one and 25 cents in year two, for the cost of an adequate education grant portion only (\$5,248) for any student leaving the district and going to the EFA program. Therefore, this grant would cost on average \$2,624 for each student leaving a district (50 percent of \$5,248) in year one.

As students potentially leave traditional district schools and join the EFA program, districts may feel pressure to reduce their local expenditures to better fit the reduced population served. It is unknown the impact this would have on local expenditures, but this could potentially result in an indeterminable decrease.

AGENCIES CONTACTED:

Department of Education