

HB 1683-FN-LOCAL - AS INTRODUCED

2022 SESSION

22-2778

10/04

HOUSE BILL

1683-FN-LOCAL

AN ACT repealing the education freedom account program.

SPONSORS: Rep. Luneau, Merr. 10; Rep. Myler, Merr. 10; Rep. Horrigan, Straf. 6; Rep. Lane,
Merr. 12

COMMITTEE: Education

ANALYSIS

This bill repeals the provisions of the education freedom account program and reverts the unused funds to be deposited to the education trust fund.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT repealing the education freedom account program.

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

1 1 New Section; Education Freedom Accounts; Unused Funds. Amend RSA 194-F by inserting
2 after section 12 the following new section:

3 194-F:13 Closure of Accounts; June 30, 2022. The commissioner shall close every EFA and shall
4 credit all unused funds to the education trust fund established in RSA 198:39.

5 2 Repeal; July 1, 2022. Education Freedom Accounts. RSA 194-F, relative to the education
6 freedom account program, is repealed.

7 3 Reference Deleted; Compulsory Attendance by Pupil. Amend RSA 193:1, I(g)-(i) to read as
8 follows:

9 (g) The pupil has been accepted into an accredited postsecondary education program; *or*

10 (h) The pupil obtains a waiver from the superintendent, which shall only be granted
11 upon proof that the pupil is 16 years of age or older and has an alternative learning plan for
12 obtaining either a high school diploma or its equivalent.

13 (1) Alternative learning plans shall include age-appropriate academic rigor and the
14 flexibility to incorporate the pupil's interests and manner of learning. These plans may include, but
15 are not limited to, such components or combination of components of extended learning opportunities
16 as independent study, private instruction, performing groups, internships, community service,
17 apprenticeships, and on-line courses.

18 (2) Alternative learning plans shall be developed, and amended if necessary, in
19 consultation with the pupil, a school guidance counselor, the school principal and at least one parent
20 or guardian of the pupil, and submitted to the school district superintendent for approval.

21 (3) If the superintendent does not approve the alternative learning plan, the parent
22 or guardian of the pupil may appeal such decision to the local school board. A parent or guardian
23 may appeal the decision of the local school board to the state board of education consistent with the
24 provisions of RSA 21-N:11, III[-~~or~~].

25 ~~[(i) The pupil is enrolled in the education freedom account program pursuant to RSA~~
26 ~~194-F and is therefore exempt from this requirement.]~~

27 4 Effective Date.

28 I. Section 1 of this act shall take effect June 30, 2022.

29 II. The remainder of this act shall take effect July 1, 2022.

**HB 1683-FN-LOCAL- FISCAL NOTE
AS INTRODUCED**

AN ACT repealing the education freedom account program.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease
Funding Source:	<input type="checkbox"/> General	<input checked="" type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

LOCAL:	FY 2022	FY 2023	FY 2024	FY 2025
Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill requires the Department of Education on June 30, 2022, to close all education freedom accounts (EFAs) and transfer any unspent funds to the education trust fund, and further repeals the EFA program effective July 1, 2022. The Department reports the current program enrollment is 1,635 students (of which the Department states 280 are "EFA switchers" from public schools), with an estimated state cost of \$8 million in FY 2022. At this time, there are no estimates as to how much in unused funds there may be at time of account closure (FY 2022), for future EFA program participation (FY 2023 and beyond), or how many students may return to public district schools without an EFA program therefore, this bill's impact on future education trust fund payments relative to EFAs and local school districts revenue and expenditures is indeterminable.

AGENCIES CONTACTED:

Department of Education