

HB 1402-FN - AS INTRODUCED

2024 SESSION

24-2676

10/02

HOUSE BILL

1402-FN

AN ACT

establishing a procedure for a high school proficiency exam waiver of mandatory school attendance.

SPONSORS:

Rep. A. Lekas, Hills. 38; Rep. Corcoran, Hills. 44; Rep. Peternel, Carr. 6; Rep. Phillips, Rock. 7

COMMITTEE:

Education

ANALYSIS

This bill allows for a student to take and pass a high school proficiency exam so that the student shall no longer be bound by the mandatory school attendance requirements.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 establishing a procedure for a high school proficiency exam waiver of mandatory school attendance.

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

- 1 1 School Compulsory Attendance; Exception Added. Amend RSA 193:1, I(f) to read as follows:
 - 2 (f) The pupil has successfully completed all requirements for graduation and the school
 - 3 district is prepared to issue a diploma or the pupil has successfully achieved the equivalent of a high
 - 4 school diploma by ~~[either]~~:
 - 5 (1) Obtaining a high school equivalency certificate; ~~[or]~~
 - 6 (2) Documenting the completion of a home school program at the high school level by
 - 7 submitting a certificate or letter to the department of education; **or**
 - 8 (3) ***Passing the test under RSA 194:23-b, III in which case the pupil shall be***
 - 9 ***issued a high school diploma or equivalency certificate.***
- 10 2 High School; Testing Exception Added. Amend RSA 194:23-b to read as follows:
 - 11 194:23-b Approval of High Schools; ***Testing Exception.***
 - 12 I. In order to satisfy compulsory school attendance laws, ***unless excepted under***
 - 13 ***paragraph III***, a high school student less than 16 years old must attend a high school which has
 - 14 been approved by the state board of education as complying with the provisions of RSA 194:23, or its
 - 15 equivalent; and the state board of education shall annually publish a list of all high schools which it
 - 16 has approved as meeting the requirements of RSA 194:23.
 - 17 II. The commissioner of the department of education may, through an agreement with
 - 18 another state when such state and New Hampshire are parties to an interstate agreement, allow
 - 19 New Hampshire pupils to attend schools that meet the standards established by one of the 2 states.
 - 20 ***III.(a) The commissioner of the department of education shall choose or develop a***
 - 21 ***high school proficiency exam and adopt rules for the procedures and implementation of***
 - 22 ***such exam. If a student passes this exam the student shall no longer be bound by the***
 - 23 ***mandatory school attendance requirements of this chapter. If the student chooses, they can***
 - 24 ***take this exam at the location of the department of education. The scoring shall be done by***
 - 25 ***an independent agency. The student shall have the right to dispute the results of the exam.***
 - 26 ***Upon passage of the exam, the student may continue to attend school but they are not***
 - 27 ***required to. Alternatively, at their request, they shall receive a high school diploma either***
 - 28 ***from the school district they have been attending or from the state. If from the state, the***
 - 29 ***diploma shall indicate it was issued by the state.***

1 ***(b) The procedures for the high school proficiency exam shall be printed in all***
2 ***public school student handbooks, including chartered public schools.***

3 3 Effective Date. This act shall take effect January 1, 2025.

HB 1402-FN- FISCAL NOTE
AS INTRODUCED

AN ACT establishing a procedure for a high school proficiency exam waiver of mandatory school attendance.

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	Education Funding - Indeterminable in FY 2026 and Beyond DOE Personnel Cost - \$113K in FY 2025 and FY 2026, \$116K in FY 2027 DOT Testing Costs - Test Space - Indeterminable Test Equipment - \$10K - \$50K		
Funding Source(s)	General Fund, Education Trust Fund			
Appropriations	\$0	\$0	\$0	\$0
Funding Source(s)	None			

- Does this bill provide sufficient funding to cover estimated expenditures? ☒ No
- Does this bill authorize new positions to implement this bill? ☒ No

Estimated Political Subdivision Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
Local Revenue	\$0	\$0	Indeterminable	
Local Expenditures	\$0	Indeterminable		

METHODOLOGY:

This bill allows students under the age of 16 to be exempted from compulsory school attendance laws if the student passes a high school equivalency exam, to which the student may elect to take the exam at the Department of Education. The Department state this will require additional staff to administer. It is anticipated a program specialist IV position would be needed at a total estimated cost of \$113,000 in FY 2025 and FY 2026, and \$116,000 in FY 2027 (this bill provides neither appropriation nor authorization for new personnel). The Department further states it would need testing center space, including reception area and testing room, to which it has no cost estimates. Additionally, the Department states it would need equipment, including networked computers, an administrative console, video monitoring system, and signature pad.

The Department estimates this cost to be in the range of a minimum of \$10,000 but could be upwards of \$50,000 depending on the number of laptops needed and the cost of a video monitoring system that meets the testing requirement for the vendor.

Lastly, the Department of Education states it cannot estimate the number of students who would take and pass the high school equivalency exam, and therefore cannot estimate any impact to school district funding (in FY 2026 and beyond), or expenses (in FY 2025 and beyond) associated with potentially fewer students in their schools.

AGENCIES CONTACTED:

Department of Education