

# Senate Education Finance Committee

*Karen Davis 271-7875*

**SB 581-FN**, modifying education freedom account (EFA) eligibility and removing priority guidelines and the enrollment cap relative to EFA eligibility.

**Hearing Date:** January 22, 2026

**Time Opened:** 12:10 pm

**Time Closed:** 12:55 pm

**Members of the Committee Present:** Senators Murphy, Innis, Ward, Rosenwald and Altschiller

**Members of the Committee Absent:** Senator Carson

**Bill Analysis:** This bill repeals the priority guidelines and the enrollment cap for education freedom accounts (EFAs). The bill also removes references to both priority guidelines and the enrollment cap relative to applications for EFAs.

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**Sponsors:**

Sen. Sullivan

Rep. Noble

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**Who supports the bill:** Glenn Nielsen, Andrea LeClair, Roland LaRoche, Rose Umerlik, Angela Clark, Holly See, Rebecca Bettencourt, Devin Babcock, (ExcelinEd), Yvette Filteau, Vanessa Dallemand, Sarah Maroon, Linda Morrison, Sarah DePalma, Erin Knowles, Norichelle Hugo, Danielle Haines, Ksenia Guryeva, Joanna Charest, Roberta Barcelos, John Mackin, Anyury Carrasco, Allison Belletsky, Rachel Scherer, Gregory Axelrod, Elizabeth Soukup, Amanda Nix, Teresa Desrosiers-Lagace, Peter Burnham, Janelle Schilling, Jennifer Descheneau, Alexa Campi, Frances Caudill, 138 Online

**Who opposes the bill:** Patty Long, David Trumble, Brian Hawkins (NEA-NH), Rep. Michael Cahill, Kathy Malsbenden, Kerri Choate, Alfonsina Rodriguez, Mary Wilke, William Fontaine, Shirley Montgomery, Emily Wrubel, 434 Online

**Who is neutral on the bill:** Matt Southerton (CSF)

**Summary of testimony presented in support:**

**Sen. Victoria Sullivan** – Prime Sponsor

- Sen. Sullivan stated that she hopes this is the last time she introduces an Education Freedom Account (EFA) bill.

- In 2025, she introduced a bill for universal EFAs. At the end of last session, the House put a cap of 10,000 students who could enroll in the program.
- Universal EFAs provide more options for more children, but 800 were left on the waiting list. “No child should be left in the waiting room of school choice.”
- She wants every NH child to have access to the same educational opportunities.
- **Q: Sen. Innis** asked for confirmation of the number of students on the waiting list.
- **A: Sen. Sullivan** confirmed that the number is 800.

**Andrea LeClair, Manchester, NH**

- Her daughter, Stella, has an EFA and a 504 plan (an accommodation for students with disabilities,) which has been implemented at her Catholic school.
- Ms. LeClair described her first marriage to Stella’s father.
- When Stella was in 3<sup>rd</sup> grade at a public school, a student in Stella's classroom scratched her on the neck. Stella was choked a few weeks later in the lunchroom and no action was taken by the school.
- Manchester’s public schools are not an option for her daughter.
- Sen. Sullivan’s bill would help families like hers have choices in where their children attend school.

**Rose Umerlik, Dover, NH**

- Her five-year-old daughter is currently an EFA recipient.
- When she was in a pre-kindergarten program, her daughter was evaluated for special education services, such as dyslexia and ADHD.
- The school environment was too loud and crowded for her daughter. Ms. Umerlik said that her daughter was “crying during nap time.”
- They found a school that suited her daughter’s needs, and she has thrived at this school.
- The EFA program gave her family the comfort in knowing their daughter was in a good educational environment.

**Angela Clark, Strafford, NH**

- Ms. Clark is a mother of five children; her eldest daughter attended public school for kindergarten and was told she was not allowed to discuss her faith.
- She, along with her husband, discovered the Children’s Scholarship Fund, which enables four of her five children to attend a Catholic school.
- She wants all NH families to have the opportunities that her family has had.

**Holly Lee**, Hooksett, NH

- Her daughter is home-schooled through VLACS (Virtual Learning Academy Charter School), but extracurricular activities are not included.
- Her daughter is one of the 800 on the waiting list for an EFA.

**Rebecca Bettencourt**, Hopkinton, NH

- Her oldest son went to kindergarten in Hopkinton, but he really struggled there. They didn't have other options at that time.
- She home-schooled her son during COVID and found that he learned much better at home.
- Through EFA grants, she and her husband sent their son to a private school, where he is excelling.
- EFAs allow children to have the educational experiences that they need.

**Sen. Sullivan**

- Because of how the law is written, the cap would increase by 25% this year.
- There is no fiscal note, because all 800 families on the waiting list would get into the EFA program if this bill was passed.

**Summary of testimony presented in opposition:**

**David Trumble**, Weare, NH

- The state is required to fund public schools; it's in the NH Constitution.
- EFAs are an optional program, and the state is not required to fund private education.
- EFAs are not choice for all NH students, only some. Special education students account for 21% of all students in public schools. Private schools do not take students who have extensive or expensive special education needs.
- The EFA program is going to cost approximately \$60 million next year. These cost increases occurred when the income cap on EFA participation was removed.
- This bill is funded through the Education Trust Fund, which was set up for the state to meet its obligation to fund public schools.

**Patty Long**, Jaffrey, NH

- Ms. Long's testimony will cover finance and how it relates to EFAs.
- She opposes removing the enrollment cap on this program.
- Since the income cap was removed, approximately 343 students left their public schools to receive an EFA, which is 3.3% of the total 10,510 recipients.
- Every EFA grant is a new entry on the state's liability side of the ledger.
- The growth in EFAs has been significant in wealthier communities in the state.

- They create a new expenditure of state funds without reducing the costs of public schools.
- Removing the income cap on EFAs would be “fiscally irresponsible.”

**Brian Hawkins, NEA-NH**

- The challenges facing our public schools are enormous. If further dollars are going to be spent, they should be invested in public schools.
- In other states, when vouchers (EFAs) were expanded, there has been a subsequent decrease in funding for public education, but not necessarily a decrease in public school enrollment. We’ve started to see that in NH already.
- If not for last-minute changes, Manchester would have seen a \$12 million shortfall in state aid under the calculation that the state has adopted.
- School building aid used to be a \$50 million expenditure; money for this program is zero in the current budget.
- The EFA program has also surpassed the amount budgeted for state education aid. School districts are seeing costs that are not in their control.
- Given these challenges, it would be premature to expand EFAs at this time.

KJD

Date Hearing Report completed: January 26, 2026