

Amendment to HB 1665-FN

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT relative to student eligibility for education freedom accounts and the scholarship
4 organization's costs of administering the program, extending phase-out grants for
5 education freedom accounts, and revising the definitions of average daily
6 membership in attendance and average daily membership in residence.
7

8 Amend the bill by replacing all after the enacting clause with the following:

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10 1 Education Freedom Accounts; Definitions. Amend RSA 194-F:1, VI to read as follows:

11 VI. "Eligible student" means a resident of this state who is eligible to enroll in a public
12 elementary or secondary school and whose annual household income at the time the student applies
13 for the program is less than or equal to ~~[350]~~ **400** percent of the federal poverty guidelines as
14 updated annually in the Federal Register by the United States Department of Health and Human
15 Services under 42 U.S.C. section 9902(2). No income threshold need be met in subsequent years,
16 provided the student otherwise qualifies. Students in the special school district within the
17 department of corrections established in RSA 194:60 shall not be eligible students.

18 2 Education Freedom Accounts; Authority and Responsibilities of the Scholarship Organization.
19 Amend RSA 194-F:4, V to read as follows:

20 V. The scholarship organization may withhold from deposits or deduct from EFAs an
21 amount to cover the costs of administering the EFA program, up to a maximum of ~~[10]~~ **8** percent
22 annually.

23 3 Extension of Phase-Out of Grants to 2029. Amend RSA 194-F:10, II to read as follows:

24 II. The phase-out grants will terminate for new EFA students receiving an EFA effective
25 July 1, ~~[2026]~~ **2029**.

26 4 New Section; Education Freedom Accounts; Reporting Requirement. Amend RSA 194-F by
27 inserting after section 12 the following new section:

28 194-F:12-a Department Reporting Requirement. On or before November 1, 2024, and each
29 November 1 thereafter, the department shall submit a report to the governor and council and the
30 legislative oversight commission established in RSA 194-F:12 regarding:

31 I. The amount of education adequacy aid provided to each school district attributed to
32 students in the first year of the education freedom account program; and

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II. Phase-out grants provided to each school district attributed to students in the second and third year of the education freedom account program.

5 School Funding; ADMA and ADMR; Home Educated Pupils and Pupils Participating in the EFA program. Amend RSA 198:38, I and I-a to read as follows:

I.(a) "Average daily membership in attendance" or "ADMA" means the average daily membership in attendance, as defined in RSA 189:1-d, III, of pupils in kindergarten through grade 12, in the determination year. ADMA shall only include pupils who are legal residents of New Hampshire pursuant to RSA 193:12 and educated at school district expense which may include public academies or out-of-district placements. For the purpose of calculating funding for municipalities, the ADMA shall not include pupils attending chartered public schools, but shall include pupils attending a charter conversion school approved by the school district in which the pupil resides.

(b) For the purpose of calculating ADMA, each pupil who is home educated in compliance with RSA 193-A, ***or who is participating in an education freedom account in compliance with RSA 194-F***, and who is enrolled in a school board approved public [high] school academic course ***in grades 7 through 12*** shall count as an additional 0.15 pupil for each such academic course taken in a public [high] school. ~~[The department of education shall only make grant payments for such pupils to the extent of available appropriations.]~~ In this subparagraph, "public [high] school" shall have the same meaning as "[high] ***standard*** school" as defined in RSA ~~[194:23]~~ ***189:24***.

I-a.(a) "Average daily membership in residence" or "ADMR" means the average daily membership in residence, as defined in RSA 189:1-d, IV, of pupils in kindergarten through grade 12, in the determination year. ADMR shall only include pupils who are legal residents of New Hampshire pursuant to RSA 193:12 and educated at school district expense which may include public academies or out-of-district placements. For the purpose of calculating funding for municipalities, the ADMR shall not include pupils attending chartered public schools, but shall include pupils attending a charter conversion school approved by the school district in which the pupil resides.

(b) For the purpose of calculating ADMR, each pupil who is home educated in compliance with RSA 193-A, ***or who is participating in an education freedom account in compliance with RSA 194-F***, and who is enrolled in a school board approved public [high] school academic course ***in grades 7 through 12*** shall count as an additional 0.15 pupil for each such academic course taken in a public [high] school. ~~[The department of education shall only make grant payments for such pupils to the extent of available appropriations.]~~ In this subparagraph, "public [high] school" shall have the same meaning as "[high] ***standard*** school" as defined in RSA ~~[194:23]~~ ***189:24***.

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

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2024-1809s

AMENDED ANALYSIS

This bill:

I. Raises the annual household income threshold for eligible students and reduces the amount that the scholarship organization may retain to cover administrative costs.

II. Extends the phase-out grants provided under the education freedom account (EFA) program and directs the department of education to submit an annual report regarding EFA funding and costs.

III. Revises the definitions of average daily membership in attendance (ADMA) and average daily membership in residence (ADMR) for school funding from the education trust fund for the purpose of home educated pupils and pupils participating in the EFA program.