Amendment to SB 8-FN

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

2

3   1 New Paragraph; School Board; Duty to Provide Education. Amend RSA 189:1-a by inserting

4   after paragraph III the following new paragraph:

5   IV. Pursuant to RSA 193:3, VI, a school board may execute a contract with any approved

6   nonsectarian private school approved by the school board as a school tuition program as defined in

7   RSA 193:3,VII to provide for the education of a child who resides in the school district, and may

8   raise and appropriate money for the purposes of the contract, if the school district does not have a

9   public school at the pupil's grade level and the school board decides it is in the best interest of the

10   pupil.

11   2 School Attendance; Compulsory Attendance by Pupil. Amend RSA 193:1, I(d) to read as

12   follows:

13   (d) The child is attending a public or private school located in another state which has

14   been approved by the state education agency of the state in which the school is located, *or is*

15   *attending a nonsectarian private school located in New Hampshire that is approved as a*

16   *school tuition program by the school board pursuant to RSA 193:3, VII*;

17   3 New Paragraphs; School Attendance; Change of School or Assignment. Amend RSA 193:3 by

18   inserting after paragraph V the following new paragraphs:

19   VI. If there is no public school for the child's grade in the resident district, the school board

20   may assign the child to another public school in another school district or to any nonsectarian

21   private school that has been approved as a school tuition program by the school board. The school

22   board may execute a contract with an approved nonsectarian private school to provide for the

23   education of a child who resides in the school district, and may raise and appropriate money for the

24   purposes of the contract, if the school district does not have a public school at the pupil's grade level

25   and the school board decides it is in the best interest of the pupil.

26   VII. In this section, "approved as a school tuition program" means a school that has been

27   approved and contracted by the school board to provide students with the opportunity to acquire an

28   adequate education as defined in RSA 193-E:2. Upon approval by the school board, the school shall

29   receive status as an approved school tuition program, shall be deemed in compliance with the

30   provisions of 193-E:3-b, I(a) and (b), and shall qualify as a school approved to provide the

31   opportunity for an adequate education. The school shall be required to submit to the school board

32   an annual student performance progress report in a format selected by the school board, which may

1 include reporting of aggregate achievement data to protect student privacy, and that demonstrates

2 that students are afforded educational opportunities that are substantially equal in quality to state

3 performance standards for determining an adequate education. A private school that receives

4 tuition program students shall:

5   (a) Comply with statutes and regulations relating to agency approvals such as health,

6 fire safety, and sanitation;

7   (b) Be a nonsectarian school;

8   (c) Be incorporated under the laws of New Hampshire or the United States, and

9   (d) Administer an annual assessment in reading and language arts, mathematics, and

10 science as defined in RSA 193-C:6 to tuition program students. The assessment may be any

11 nationally recognized standardized assessment used to measure student academic achievement,

12 shall be aligned to the school's academic standards, and shall satisfy the requirements of RSA 193-

13 C:6 for school tuition program students. The school's annual assessment results for tuition program

14 students shall be submitted to the commissioner and school board. If the school enrolls 10 or more

15 publicly-funded tuition program students and if the school's group assessment percentile score for

16 tuition program students is less than the 40th percentile, the commissioner may require a site visit

17 to determine if the school provides the opportunity for an adequate education in accordance with

18 RSA 193-E:3-b. After the third consecutive year of a tuition program school being unable to

19 demonstrate that it provides an opportunity for an adequate education, the school may be subject to

20 revocation of tuition program status.

21   4 District Liability for Elementary or Junior High School Tuition. Amend RSA 193:4 to read as

22 follows:

23   193:4 District Liability for Elementary or Junior High School Tuition. Any district shall pay for

24 the tuition of any pupil who, as a resident of the district, has been assigned to attend a public

25 elementary or junior high school or school of corresponding grade in another district *or a*

26 *nonsectarian private school approved as a school tuition program by the school board*

27 *pursuant to RSA 193:3, VII,* and any district not maintaining an elementary or junior high school

28 or school of corresponding grade shall pay for the tuition of any pupil who, as a resident of the

29 district, [after full investigation by the state board of education] is determined to be entitled to have

30 such tuition paid by the district where the pupil resides, and who attends an approved public

31 elementary or junior high school or public school of corresponding grade in another district, *or a*

32 *nonsectarian private school approved as a school tuition program by the school board*

33 *pursuant to RSA 193:3, VII.* Except under contract, the liability of any school district under this

34 section for the tuition of any pupil shall be the current expenses of operation of the receiving district

35 for its elementary or junior high school or public school of corresponding grade, as estimated by the

36 state board of education for the preceding school year. This current expense of operation shall

37 include all costs except costs of transportation of pupils.

1   5 High Schools; Tuition. Amend RSA 194:27 to read as follows:

2   194:27 Tuition. Any district not maintaining a high school or school of corresponding grade

3   shall pay for the tuition of any pupil who with parents or guardian resides in said district or who, as

4   a resident of said district, [after full investigation by the state board of education] is determined to

5   be entitled to have his or her tuition paid by the district where the pupil resides, and who attends

6   an approved public high school or public school of corresponding grade in another district [or], an

7   approved public academy, *or a nonsectarian private school approved as a school tuition*

8   *program by the school board pursuant to RSA 193:3, VII*. Except under contract as provided

9   in RSA 194:22, the liability of any school district hereunder for the tuition of any pupil shall be the

10   current expenses of operation of the receiving district for its high school, as estimated by the state

11   board of education for the preceding school year. This current expense of operation shall include all

12   costs except costs of transportation of pupils.

13   6 District Taxes; Estimates. Amend RSA 198:4 to read as follows:

14   198:4 Estimates. The school board of each district in its annual report shall state in detail the

15   additional sums of money, if any, which will be required during the ensuing fiscal year for the

16   support of the public schools, for the purchase of textbooks, scholars' supplies, flags and

17   appurtenances, for the payment of the tuition of the pupils in the district in high schools [and],

18   academies, *and any nonsectarian private school approved as a school tuition program by*

19   *the school board* in accordance with law, and for the payment of all other statutory obligations of

20   the district.

21   7 Effective Date. This act shall take effect 60 days after its passage.

2017-1786h

AMENDED ANALYSIS

This bill establishes a procedure for the approval of a nonsectarian private school as a school tuition program in a town where there is no public school for the pupil's grade level and authorizes the school board to enter into a contract with an approved nonsectarian private school and appropriate money for the education of pupils in such towns.