**193-E:1 Findings and Purpose. –**

The general court finds that:

I. It is the duty and policy of the state of New Hampshire that public elementary and secondary education shall provide all students with the opportunity to acquire the knowledge and skills necessary to prepare them for successful participation in the social, economic, scientific, technological, and political systems of a free government, now and in the years to come, regardless of where the students live.[[1]](#footnote-1)

II. Respecting New Hampshire's long tradition of community involvement, it is the purpose of this chapter to ensure that appropriate means are established to provide an adequate education through an integrated system of shared responsibility between state and local government. In this system, the state establishes minimum standards for public school approval and academic standards for inclusion and delivery of educational services at the local level. School districts then have responsibility and flexibility in implementing diverse educational approaches to instruction and curriculum tailored to meet student needs.[[2]](#footnote-2)

III. New Hampshire’s long history of authorizing local governments, in the form of local school districts, to develop and administer public schools pursuant to a set of minimum standards established by the state has successfully achieved, on average across the state, high quality educational outcomes and high levels of total spending in support of public schools.[[3]](#footnote-3)

IV. While prior New Hampshire legislative efforts to define and measure the adequacy of public education have relied on input-based methods to set basic education funding levels, the general court finds that defining the concept of adequate education in terms of outcomes, quality and performance provides a more precise and actionable approach that will better identify areas of greatest need for supports.[[4]](#footnote-4)

V. Data demonstrates a strong relationship between measures of poverty such as percentage of students receiving free and reduced lunches and student outcomes. For example, school districts that have higher percentages of students receiving free and reduced lunches also have lower performance outcomes.[[5]](#footnote-5)

VI. Data further demonstrates a strong relationship between measures of poverty such as percentage of students receiving free and reduced lunches and total spending (including both state and local funding sources). For example, school districts that have higher percentages of students receiving free and reduced lunches also have lower total spending.[[6]](#footnote-6)

VII. The general court makes the ultimate finding that, consistent with academic research and data and based on the above findings, the concept of what constitutes a constitutionally adequate education should be defined in terms of opportunity to achieve a desired level of outcomes for all students in the state regardless of where they live.

VIII. The general court further makes the ultimate finding that, consistent with academic research and data and based on the above findings, the value of ensuring a constitutionally adequate education throughout the state should be measured by the total funding projected to provide an equal opportunity to achieve the defined statewide target desired level of outcome, regardless of where students live.

IX. The general court further makes the ultimate finding that use of the definition of adequacy that is framed in terms of targeted outcomes will facilitate a system of public school funding that allocates funding from state sources to those communities with the greatest need and lowest capacities, in order to ensure that the state provides all children with an opportunity for a constitutionally adequate education, regardless of where they live.

**193-E:2 General Objectives for an Adequate Education. –**

An adequate education shall provide all students with the opportunity to acquire:

I. Skill in reading, writing, and speaking English to enable them to communicate effectively and think creatively and critically.

II. Skill in mathematics and familiarity with methods of science to enable them to analyze information, solve problems, and make rational decisions.

III. Knowledge of the biological, physical, and earth sciences to enable them to understand and appreciate the world around them.

IV. Knowledge of civics and government, economics, geography, and history to enable them to participate in the democratic process and to make informed choices as responsible citizens.

V. Grounding in the arts, languages, and literature to enable them to appreciate our cultural heritage and develop lifelong interests and involvement in these areas.

VI. Sound wellness and environmental practices to enable them to enhance their own well-being, as well as that of others.

VII. Skills for lifelong learning, including interpersonal and technological skills, to enable them to learn, work, and participate effectively in a changing society.

**193-E:3 Definition of a Constitutionally Adequate Education; Statewide Outcome Target.—**

I. The general court determines that a constitutionally adequate education is defined, with respect to each local school district, as a public education that provides students in the district with an opportunity to achieve the statewide district outcome target.

II. For purposes of this chapter, the term “statewide outcome target” means the statewide average of the outcome factors of all school districts in the state, determined using the most recently available outcome data, including the following performance data as maintained by the department of education: assessment scores; graduation rates; and attendance rates.

III. The general court shall create a process for review and redetermination of the statewide outcome target determined in paragraphs I and II no less frequently than every 10 years.

**193-E:4 Value of an Adequate Education; Education Cost Model; Development of Weightings. –**

I. The general court shall determine the value of an adequate education by using an education cost model that estimates, with respect to each school district, the total spending per pupil of necessary to achieve the statewide outcome target determined in RSA 193-E:3. The education cost model shall evaluate the relative impact of the following attributes that affect the differential cost of achieving any given level of outcome and assumed to be outside the control of districts: (a) variation in student needs, (b) geographic variation in the price levels of educational inputs (e.g., teacher salaries), and (c) structural or geographic factors such as district size and population density. The education cost model shall be developed and applied consistent with statistical methods and best practices similar to those set forth in the AIR final report to the special education funding commission. The total spending estimates generated through application of the education cost model shall vary by school district to reflect the unique attributes of each district.

II. The general court shall use the necessary total spending necessary to achieve the statewide outcome target as generated through application of the education cost model described paragraph I to estimate, with respect to each school district, the relative importance and weightings of different cost factors in the funding formula to determine state grants described in RSA 198:41, including cost factors such as measures of student need, district enrollment size, and degree of geographic remoteness.

III. The value of an adequate education determined for each district in accordance with paragraphs I and II shall vary by school district to reflect the unique attributes of each district.

IV. The general court shall create a process for review and redetermination of the education cost model and the weightings determined in paragraphs I and II no less frequently than every 10 years.

1. Current law at RSA 193-E:1, I, with changes; Claremont I, and subsequent cases. [↑](#footnote-ref-1)
2. Current law at RSA 193-E:1, II. [↑](#footnote-ref-2)
3. [AIR Final Report](https://carsey.unh.edu/sites/default/files/media/2020/09/20-12685_nh_final_report_version_v5_draft_1.pdf), at 28. [↑](#footnote-ref-3)
4. AIR Brief, [Setting Outcome Goals and Standards – From a Formal to Functional Definition of Adequacy](https://d.docs.live.net/53f26a00d400d72d/Rath%20Young%20Stuff/Education%20Funding/DRAFT%20Reports/Setting%20Outcome%20Goals%20and%20Standards). [↑](#footnote-ref-4)
5. [AIR Final Report](https://carsey.unh.edu/sites/default/files/media/2020/09/20-12685_nh_final_report_version_v5_draft_1.pdf), Exhibit 14, at 23. [↑](#footnote-ref-5)
6. [AIR Final Report](https://carsey.unh.edu/sites/default/files/media/2020/09/20-12685_nh_final_report_version_v5_draft_1.pdf), Exhibit 4, at 12. [↑](#footnote-ref-6)