

## CHILD WITH A DISABILITY AGE OF DETERMINATION POLICY

### GENERAL

During the 2021-2022 legislative session, through SB 394, the New Hampshire Legislature amended RSA 186-C:2, I, which changed the definition of "Child with a Disability" to now provide for children between the ages of 3 through 21, inclusive. This law became effective on June 17, 2022. (Source: NH Education Law RSA 186-C:2, I Definition: "Child with a Disability" <https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/sonh/6-20-22-child-w-disab-age-22-fact-sheet.pdf>)

### POLICY

For the purpose of the EFA program, a child that has been identified as a Child with a Disability, which is a student which that has or had an IEP from a public school at any point is eligible to participate in the EFA program up to their 22nd birthday if:

- The student was not exited from special education by dropping out of school and was eligible when the parent refused services to homeschool the child.
- The student was not exited from special education by receiving a diploma and was eligible when the parent refused services to homeschool the child.
- The student was not exited from special education by receiving an alternate diploma and was eligible when the parent refused services to homeschool the child.
- The student was not exited from special education by receiving a certificate of completion or a certificate of attendance and was eligible when the parent refused services to homeschool the child.

**Approved: February, 2024**