

CHAPTER 293  
SB 97-FN - FINAL VERSION

03/13/2025 0735s  
22May2025... 1980h  
06/26/2025 2770CofC

2025 SESSION

25-0989  
02/08

SENATE BILL ***97-FN***

AN ACT relative to intra-district public school transfers.

SPONSORS: Sen. Sullivan, Dist 18; Sen. Pearl, Dist 17; Rep. Layon, Rock. 13

COMMITTEE: Education

---

ANALYSIS

This bill authorizes parents to transfer their children to other schools within their resident district as long as such schools have the capacity to accommodate the student.

-----

Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struck through.~~]  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 293  
SB 97-FN - FINAL VERSION

03/13/2025 0735s  
22May2025... 1980h  
06/26/2025 2770CofC

25-0989  
02/08

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Five*

AN ACT relative to intra-district public school transfers.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 293:1 Change of School or Assignment; Best Interest of Student. Amend RSA 193:3, I to read as  
2 follows:

3 I.(a) The parent or guardian of a student may apply to the superintendent of the student's district  
4 of residence [~~if the parent or guardian believes it would be in the best interest of the student~~] to change  
5 the student's school or assignment *to another specific public school, public academy, or an approved*  
6 *private school within the district. The parent or guardian of a student may also apply to the superintendent*  
7 *of the student's district of residence if the parent or guardian believes it would be in the best interest of the*  
8 *student to change the student's school or assignment to another public school, public academy, or an*  
9 *approved private school which is outside the district. Unless the student is experiencing a manifest*  
10 *educational hardship, applications pursuant to this paragraph shall be made no later than July 1 for the*  
11 *upcoming school year.*

12 (b) [~~Upon such request~~] *For requests to change assignments to schools outside the district,*  
13 *or for requests made after July 1 for the upcoming school year, the superintendent shall schedule a*  
14 *meeting with the parent or guardian, to be held within 10 days of the request.*

15 (c) Prior to or at such meeting, the parent or guardian shall make a specific request that the  
16 student be re-assigned by the school board to another public school, public academy, or an approved  
17 private school within the district or to a public school, public academy, or an approved private school in  
18 another district. *If such a request is made to reassign the student to another public school, public*  
19 *academy, or approved private school within the school district, the superintendent shall approve the*  
20 *request unless it fails to meet the requirements under this section.*

21 (d) At such meeting, the parent or guardian may present documents, witnesses, or other  
22 relevant evidence supporting the parent's belief that it is in the best interest of the student to change the  
23 student's school or assignment. The superintendent may present such information as he or she deems  
24 appropriate.

25 (e) *In determining whether to authorize a request to transfer to another school within the*  
26 *district, the superintendent shall consider only whether the specifically requested school has the ability to*  
27 *accommodate the student based on existing school capacity.* In determining whether it is in the best  
28 interest of the student to change the student's school or assignment *to a school outside the district,* the  
29 superintendent shall consider the student's academic, physical, personal, or social needs.

CHAPTER 293  
SB 97-FN - FINAL VERSION  
- Page 2 -

1 (f) If the superintendent finds it is in the best of the interest of the student to change the  
2 student's school or assignment *to a school outside the district, or finds the requested school in the district*  
3 *has the ability to accommodate the student*, the superintendent shall initiate:

4 (1) A change of assignment within the student's current assigned school;

5 (2) The student's transfer to another public school or public academy within the district of  
6 residence; or

7 (3) The student's transfer to a public school, public academy, or an approved private  
8 school in another district.

9 (g) If a student is reassigned [~~as a result of a best interest determination~~] to a public school or  
10 public academy *outside the district of residence*, the superintendents or administrators involved in the  
11 reassignment shall jointly establish a tuition rate for such student. Some or all of the tuition may be  
12 waived by the superintendent of the receiving district for good cause shown or pursuant to school board  
13 policy of the receiving district. The school board of the student's district of residence shall approve the  
14 payment of tuition upon the superintendent's finding that *it* is in the best interest of the student to be  
15 reassigned. Transportation shall be the responsibility of the parent or legal guardian.

16 (h) If the student is reassigned as the result of a best interest determination to an approved  
17 private school, the private school may charge tuition to the parent or may enter into an agreement for  
18 payment of tuition with the school district in which the child resides.

19 (i) If the superintendent does not find that it is in the best interest of the student to change the  
20 student's school or assignment *to a school outside the district, or finds that the requested school in the*  
21 *district is unable to accommodate the student*, the parent or guardian may request a hearing with the  
22 school board of residence to determine if the student is experiencing a manifest educational hardship  
23 under paragraph II.

24 (j) The school board of each school district shall adopt a policy addressing instances in which  
25 there are more requests to transfer to a school than there is ability to accommodate students based on  
26 [~~teacher to student ratio and~~] existing school capacity pursuant to subparagraph (e).

27 293:2 Effective Date. This act shall take effect July 1, 2025.

Approved: August 01, 2025  
Effective Date: July 01, 2025

