

Senate Education Committee

Trevor Currier 271-4151

HB 1792-FN, prohibiting school districts and personnel from the instruction of critical race theory and LGBTQ+ ideologies in schools as well as establishing a private right of action for violations.

Hearing Date: March 17, 2026

Time Opened: 9:15 a.m.

Time Closed: 10:16 a.m.

Members of the Committee Present: Senators Ward, Sullivan, Prentiss and Altschiller

Members of the Committee Absent : Senator Abbas

Bill Analysis: This bill prohibits the teaching of certain pedagogies in public schools, including but not limited to critical race theory, LGBTQ+ ideologies, identity based ideologies, and Marxist analyses. The bill also creates a private right of action for parents and students who are aggrieved by a school violating these provisions.

Sponsors:

Rep. Belcher

Rep. Noble

Rep. Osborne

Rep. Corcoran

Rep. Sabourin dit
Choiniere

Who supports the bill: 22 People signed in support of HB 1792-FN. To see the full list of sign-ins, please email the committee aide (trevor.currier@gc.nh.gov).

Who opposes the bill: 660 People signed in opposition to HB 1792-FN. To see the full list of sign-ins, please email the committee aide (trevor.currier@gc.nh.gov).

Who is neutral on the bill: 1 Person signed in neutrality to HB 1792-FN. To see the full list of sign-ins, please email the committee aide (trevor.currier@gc.nh.gov).

Summary of testimony presented in support:

Ann Marie Banfield

- Ms. Banfield testified in support of House Bill 1792-FN.
- She confirmed that New Hampshire law already limits teachers and cited RSA 191:1, which states that no teacher shall advocate for communism.

- She cited specific examples of where the problem has been identified in the state. She highlighted SAU 16, which purchased a book called "this book is anti-racist," that discusses students classified as oppressor and oppressed. She mentioned numerous other examples related to books, curriculum, and a teachers' Facebook post.
- Senator Sullivan asked if she believes teachers and parents would tell her they feel pressured to hide their conservative values due to the teacher's union and peer pressure. Ms. Banfield replied that she believes Senator Sullivan and mentioned that teachers also reach out to her. She stated that parents are withdrawing their children from public schools because of the issue mentioned in the bill.
- Senator Sullivan asked if she believed that teachers are planning their retirement early and advising others not to pursue a teaching career due to the pressure of having to teach divisive concepts. Ms. Banfield explained that the punishment for educators who violate the law is not to fire them.

Dorris Hohensee

- Ms. Hohensee testified in support of House Bill 1792-FN.
- She stated that she believes the bill should be amended.
- She stated that ideological infiltration is systemic and that the ideologies prohibited in the bill are incorporated into much of the textbooks used in New Hampshire schools.
- She stated Social Emotional Learning (SEL) is embedded in much of the current curriculum.
- She voiced her support for students deciding to leave their public schools.
- time the department would prescribe curriculum for local districts.

Representative Cyril Aures, *Merrimack 13*

- Representative Aures testified in support of House Bill 1792-FN.
- He stated that parents have expressed grave concern over what is being taught in Pittsfield and Chichester public schools, and his constituents share this concern.

Summary of testimony presented in opposition:

Katie Adams

- Ms. Adams testified in opposition to House Bill 1792-FN.
- She cited her personal experience raising her children and stated there is no evidence that the public schools had indoctrinated them.
- She stated that the bill aims to solve a problem that does not exist.

- She expressed concern that the bill is not neutral.
- She stated that the bill is ambiguous and vague, which may lead to confusion for educators when implementing the policy.

Scott Phyles

- Mr. Phyles testified in opposition to House Bill 1792-FN.
- He stated that he was concerned with the phrase “includes but is not limited to”. He stated that the phrase could be broadly interpreted.
- He stated that the punitive nature of the bill may cause the teacher retention issue in New Hampshire to worsen.

David Trumble

- Mr. Trumble referenced the Pico Supreme Court case and the First Amendment protections it provides to students.
- Mr. Trumble stated that teachers should be trusted and that parents already have the ability to pull their children out of the lesson. He said that a single parent's objection should not deny other students their First Amendment rights.
- He stated the bill is vague and highlighted the phrase “shared national identity as identified in the bill”.
- He expressed concern that teachers might self-censor their classroom discussions about current events and their connection to the country's history.

Debrah Howes, *American Federation of Teachers New Hampshire*

- Ms. Howes testified in opposition to House Bill 1792-FN.
- She stated that the bill is harmful to public school students and educators and is not designed to be neutral.
- She stated that the bill will be interpreted differently if and when the political party changes in the governorship or legislature.
- She voiced concern that the bill would be enforced arbitrarily and lead to teachers self-censoring.
- She said this bill probably will lead to costly future lawsuits.
- Senator Prentiss discussed the teacher shortage, which was studied in 2023, and asked whether the divisive concept law affected teacher recruitment and retention. Ms. Howes stated that this has negatively impacted the climate that encourages young professionals to pursue careers in education. She also mentioned that she has encountered veteran educators seeking retirement due to this environment.
- Senator Altschiller asked if the fiscal note should include the costs associated with defending this policy in court. Mrs. Howes stated that it would be prudent planning to recognize that in the fiscal note.

Amanda Azad, *Policy Director ACLU NH*

- Ms. Azad testified in opposition to House Bill 1792-FN.
- She stated that laws must clearly delineate what is prohibited and what is not prohibited.
- Senator Altschiller stated that the ACLU was involved in lawsuits related to the divisive concepts law. Ms. Azad responded that her organization had been involved in two previous lawsuits concerning similar legislation and added that this one is more extreme.
- Senator Altschiller asked what resources would be needed to defend this legislation in court. Ms. Azad asked how much the government had spent on prior defenses of the policy.
- Senator Altschiller asked if she had previously provided testimony against the earlier legislation that her organization had sued. Ms. Azad replied that she had previously testified on past bills and that she cannot speculate on what her organization might or might not litigate in the future.

Ryan Novo

- Mr. Novo testified in opposition to House Bill 1792-FN.
- He stated that the bill's language is vague and politically charged, which could make it hard for educators to interpret. He pointed out the lack of clarity in phrases like “LGBTQ Ideology” and “promoting division” as reasons for the bill's ambiguity.
- He stated the legislation will lead to fewer discussions about difficult moments in history.
- He stated that critical race theory is not taught in K-12 schools.
- He stated that more urgent issues like housing and healthcare costs are facing Granite Staters.
- Senator Prentiss read Mr. Novos's written testimony about the challenges facing New Hampshire families and asked if he believed these challenges were greater than the threat of indoctrination in the classroom. He agreed that the identified challenges are more urgent.

Alexandra Prescott

- Ms. Prescott testified in opposition to House Bill 1792-FN.
- She highlighted the current challenges facing educators, such as salaries and student needs and viewed this legislation as an additional future challenge for them.

Christina Kim Philibotte

- Ms. Philibotte testified in opposition to House Bill 1792-FN.

- She established her status as a plaintiff in a lawsuit challenging a similar policy.
- She reflected on her own experiences and those of her daughter growing up in New Hampshire. She shared a personal story about a discriminatory incident her daughter faced in science class.
- She stated that culturally responsive teaching and culturally sustaining teaching reflect educators' care for their students.
- She stated that teacher recruitment has decreased by thirty percent.

Lisa Beaudoin

- Ms. Beaudoin testified in opposition to House Bill 1792-FN.
- She reflected on recent policy changes that have expanded to include more students with disabilities in the public school curriculum.
- She stated that the New Hampshire public schools remain systemically inequitable through segregated learning spaces.
- She stated that the systemic barriers for people with disabilities in New Hampshire yield higher housing costs, Medicaid expenses, and education costs.
- She reflected on recent comments made by the President of the United States.
- Senator Altschiller expressed concern over the phrase “preparing students for productive citizenship.” Senator Altschiller asked Ms. Beaudoin how the phrase has been historically interpreted and what effects it has had on the disabled community. Ms. Beaudoin stated that when 'productive' is not defined, individuals with disabilities are dehumanized and seen as being at the bottom of the human hierarchy.

Jim O’Connell

- Mr. O’Connell testified in opposition to House Bill 1792-FN.
- He stated that he does not believe this issue should receive the amount of emphasis that it is garnering in the legislature.
- He stated that the bill uses terms that are unrecognizable for New Hampshire citizens. He stated that the bill is ideological.
- He emphasized the previous testimony provided by the Department of Education and the Attorney General’s Office that established that there would be a fiscal impact, which was left out of the bill.
- Senator Sullivan asked him to clarify the testimony he provided that this issue does not exist in Manchester and cited the wheel of privilege example. He stated that it is not happening and that there is no evidence that the issue permeated the district.
- Senator Sullivan questioned whether Manchester teachers are hiding in their classrooms to avoid being targeted by certain ideologies promoted in the Manchester schools. He said that, based on his experience working with his

constituents, no one has raised concerns about the ideologies described in the bill.

Neutral Information Presented:

Elizabeth Brown, *NH Department of Education*

- Ms. Brown expressed concern that the 90-day window is too short; she recommends a 6 to 12-month period. She also clarified that the department lacks rule-making authority, as that power belongs to the board of education.
- She stated the department does not have a civics or history curriculum specialist, which would likely require hiring additional staff to fulfill the department's obligations established in this legislation.

TC
Date Hearing Report completed: March 18, 2026