

# Senate Education Committee

*Trevor Currier 271-4151*

**HB 131**, relative to bullying and cyberbullying prevention.

**Hearing Date:** March 24, 2026

**Time Opened:** 9:35 a.m.

**Time Closed:** 10:50 a.m.

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

**Members of the Committee Absent :** None

**Bill Analysis:** This bill:

I. Amends the meaning of "negligence" as it applies to bullying and cyberbullying.

II. Requires the department of education to report the number of waivers granted for parental notification, number of waivers granted for investigation extensions, and the number of out-of-state cyberbullying cases reported and investigated.

III. Requires antibullying procedure to be included in the student handbook and that alleged victims get a written copy of their rights, protections, and support services available to them.

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**Sponsors:**

Rep. Ladd  
Rep. Terry  
Rep. Hill  
Sen. Ward

Rep. Drye  
Rep. Lynn  
Rep. Kofalt

Rep. Noble  
Rep. Weyler  
Rep. S. Smith

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**Who supports the bill:** Senator Ruth Ward (Senate District 8), Rep. Margaret Drye (Sullivan 7), Rep. Lisa Freeman (Belknap 8), Cory Stone, Patricia Piraino, Deobrah Kruzell, Julie Le Doux, Jeremiah Neault, Nicole Cushman, Tammy Macneil, Deb Roux, Dan Roux, Lisa Capellan, Jennifer Parino, Jennifer Maley, Angela Mason, Laura Colquhoun, Karla Gallaway, Robert Everett, Susan Brown, Daniel Richardson, Stefanie Dube, Leah Brown, Brian Palen, Ann Marie Banfield

**Who opposes the bill:** Rebecca Wilson (NH School Boards Association), Kimberly Larkin (NHASP), Kristen Perron (NHASP), Bridey Bellemare (NHASP), Priscilla Dube, Nicole MacKay, Stefanie King

**Who is neutral on the bill:** Representative Rick Ladd

**Summary of testimony presented in support:**

**Representative Lisa Freeman (Belknap District 8)**

- Representative Freeman introduced and testified in support of House Bill 131 on behalf of Representative Noble.
- She stated that the bill created a program to tackle bullying and cyberbullying in New Hampshire schools.
- She stated that bullying affects many families across the state and has a harmful impact on students' education and emotional well-being, especially for children who are victims of unaddressed bullying.
- She stated that the bill established stronger procedural safeguards and reporting requirements for school officials. She listed the various areas where she believed the bill enhanced safeguards. These included reporting requirements outlined in the student handbook, school officials notifying the parent of the victim about actions being taken to protect the victim, providing a copy of the students' rights to the victim, notifying about investigation extensions, and ensuring that all involved districts collaborate.
- She established that the bill modified the definition of bullying to include actions motivated by an imbalance of power and lowered the liability standard from gross negligence to negligence.

**Ann Marie Banfield**

- Ms. Banfield testified in support of House Bill 131.
- Ms. Banfield said that the current way of dealing with bullying is not adequate or consistent across the state.
- She provided a specific example of a situation in Manchester where a parent would have benefited from being able to pursue a private right of action.
- She stated that harassment currently does not qualify as bullying and is not reported to the Department of Education; she would support an amendment to include harassment. She also supported the inclusion of retaliation in the bill.
- She shared an example of a problem in the seacoast where a student's manifest hardship claim was denied by the receiving district.
- She said the bill would increase New Hampshire families' trust in the process.
- She mentioned that asking parents to pick up their child's cell phone at school would solve the phone problem.
- Senator Abbas asked which part of this bill would address the issue in Seabrook. She replied that currently, parents file complaints with the school, which can then be escalated to mediation and eventually to the state board of education.

She emphasized that the bill would close the loophole related to retaliation and harassment.

- Senator Abbas stated that harassment is likely to be addressed under a different policy. She agreed with Senator Abbas but emphasized that it is not currently being reported.
- Senator Sullivan pointed out several cases of bullying within the Manchester school system and inquired whether any legislative efforts over the past twelve years have resulted in a significant reduction in bullying. Ms. Banfield responded that a study would be necessary to answer that, and she clarified that it ultimately depends on how effectively school administrators address the issue.
- Senator Sullivan inquired whether Ms. Banfield believed there had been no incidents of cyberbullying at her child's technology-free school. Ms. Banfield stated she opposed one-to-one device policies for the reason she explained.

### **Summary of testimony presented in opposition:**

#### **Kimberly Larkin (NHASP)**

- Ms. Larkin testified in opposition to House Bill 131.
- She testified about the daily procedural challenges of addressing bullying in schools. These include absent students, relying on hearsay testimony, and screenshots that lack sufficient context.
- She stated that online issues often occur outside of school and immediately affect the next school day, requiring an immediate response from school staff.
- She said that, often, what is reported as bullying is later found to be peer conflict.
- She said that student privacy laws limit what can be shared with parents.
- She stated that bullying investigations should balance accountability with support.
- She stated that effectively tackling bullying requires legislation that acknowledges the complexity of the situations.
- She said she would support a study commission to develop a more comprehensive policy.
- Senator Altschiller inquired whether students at Pinkerton Academy are permitted to use their cellphones at school. Ms. Larkin explained that, although that is the policy, enforcing it can be challenging.
- Senator Altschiller pointed out that behaviors outside of school have become a responsibility of schools and questioned whether parents should also be responsible for addressing behaviors outside of school. Ms. Larkin stated that parents' responsibility for managing cell phone use should be included in the bill.

- Senator Abbas inquired whether the narrow definition of cyberbullying might limit her school. She clarified that peer conflicts happen daily and require action to stop them from escalating into bullying.
- Senator Sullivan questioned why schools aren't telling students to put their phones away instead of asking. Ms. Larkin shared her school's policy and said her school is instructing students to stop using their phones.
- Senator Prentiss asked whether parents or other adults have increased bullying outside of school. Ms. Larkin described a situation where alleged bullying happened over the summer and was repeatedly reported even after it was found to be an unsubstantiated claim of bullying.

### **Kristen Perron (NHASP)**

- Ms. Perron testified in opposition to House Bill 131.
- She said that the word bullying has a lot of significance.
- She stated that bullying investigations often result in a finding of peer conflict, instances that lack a power imbalance, harassment, Title IX, Civil rights issues, or social-emotional growing pains.
- She established that there is currently a 48-hour window for administrators to decide if a formal bullying investigation is necessary. She described the window as a tight turnaround.
- Senator Altschiller clarified that once a complaint is received, the district has 48 hours to contact the relevant parties to determine if the definition of bullying is met. She confirmed Senator Altschiller's description of the process and noted that the notification window is quite tight.
- Senator Altschiller asked about instances when cyberbullying happens outside of school hours but continues into school time, often enabled through devices given to children by parents. She questioned whether it is fair for an educator's credentials to be at risk because of this. Ms. Perron replied that if a student is impacted in any way during school due to an online incident, it is the school's responsibility to address the issue to protect student safety.
- Senator Abbas said that the procedure in the bill seemed restrictive and asked if she knew of any district in New Hampshire with ineffective policies on the issue. She replied that working with school officials when creating legislation like House Bill 131 is important to give teachers flexibility.

### **Becky Wilson, New Hampshire School Boards Association**

- Ms. Wilson testified in opposition to House Bill 131.
- She expressed concern about the changes to the negligence standard and said the new standard is too vague.
- She said that every school district in New Hampshire has a policy to handle bullying.

- She confirmed that harassment reports are submitted to the Department of Education under the Safe Schools Act.
- She decided that New Hampshire's definition of bullying is different from other states' standards.
- She said that many initial complaints do not meet the legal definition of bullying and therefore are not reported.

### **Bridey Bellemare (NHASP)**

- Ms. Bellemare testified in opposition to House Bill 131.
- She stated that the positions designated in the bill are trained and must demonstrate due diligence if they have any concern for the safety and well-being of a student.
- She stated that bullying situations occur at most ages.
- She established that bullying is a societal issue.
- She stated that over the past two decades, schools have been diligently implementing restorative and SEL models.

### **Neutral Information Presented:**

#### **Representative Rick Ladd**

- Representative Ladd said he was the original sponsor of the bill that first addressed cell phones in schools.
- Rep. Ladd expressed support for the purpose of the legislation as amended.
- He referenced page one, line ten, and stated that the bill should be amended to include public academies.
- He referenced page two, where school staff are required to report instances of bullying. He then cited page three, line twenty-nine, and stated that school officials who do not hold an educator credential cannot be considered in violation of the code of conduct.
- He referenced page two and stated that the committee should consider an amendment to say "school principal or designee" instead of school personnel. He noted that "school principal or designee" is used nine other times in the bill.
- He expressed concern with page four, which referenced out-of-state bullying reporting requirements.
- He referenced page four, lines seventeen through twenty, and read a statement from Ms. Brown from the Department of Education regarding her concerns about the definition of negligence in relation to the private right of action section of the bill.
- He stated that the bill clarified a long-standing issue of disputes between school districts regarding which district is responsible for reporting instances of bullying.

- Senator Sullivan referenced page two, line two, and asked whether a guidance counselor is sometimes the first point of contact for victims. He stated that a counselor is certified and responsible for following the code of conduct. He emphasized that reporting should be done by certified individuals to ensure accountability.
- Senator Abbas referenced the private right of action section in the bill and questioned whether it is necessary. Rep. Ladd stated that the code of ethics and conduct is a strong tool that would effectively address the professionalism issues outlined in the legislation.
- Senator Abbas inquired whether a private right of action is necessary. Rep. Ladd explained that violations of the code of ethics have four remedies. He added that we already have the tools; they just need to be applied.

TC

Date Hearing Report completed: March 25, 2026