

Senate Education Committee

Trevor Currier 271-4151

AMENDMENT # 2026-1244s, permitting excused absences for student participation in certain activities and mandating the state board of education to grant school reassignment requests for students demonstrating a manifest educational hardship. to HB 1573, permitting excused absences for students participating in civic engagement or attending a career or technical education event.

Hearing Date: April 7, 2026

Time Opened: 10:50 a.m.

Time Closed: 11:21 a.m.

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

Members of the Committee Absent : None

Bill Analysis: This bill permits excused absences for students that are participating in civic engagement activities and career or technical education (CTE) activities so long as parental notice is provided to schools and other requirements are met. The bill also directs the state board of education to develop rules and alternative academic credits relative to participation in civic or CTE activities.

Sponsors:

Rep. Thibault
Rep. Freeman
Rep. Moffett
Sen. Sullivan

Rep. Drye
Rep. Harvey-Bolia
Rep. Wheeler

Rep. Farrington
Rep. Litchfield
Sen. Innis

Who supports the amendment: 10 People signed in support of Amendment 2026-1244s. Please contact the committee staff to receive the full list.

Who opposes the amendment: 34 People signed in opposition to Amendment 2026-1244s. Please contact the committee staff to receive the full list.

Who is neutral on the amendment: No one.

Summary of testimony presented in support:

Senator Timothy Lang – *Senate District 2*

- Senator Lang introduced and testified in support of nongermane amendment 2026-1244s.
- He referenced a situation in Seabrook where a student was being bullied and sought a manifest hardship placement at a neighboring school. He shared that the school board denied the request, which subsequently led the student's parents to appeal to the state board of education, which ultimately found in favor of the student and determined that there was manifest hardship.
- Senator Lang shared that the State Board assigned the student to the Hampton Falls school district; however, the district rejected the child.
- He stated that the legislation clarified that the State Board of Education has the authority to reassign a student to a new district and that the receiving district cannot deny the student.
- Senator Prentiss asked what the district that denied the child provided as a reason for its decision. Senator Lang shared that the district simply declined.

Drew Cline – *State Board of Education*

- Mr. Cline stated that the Statute is titled “Change of School Assignment” and highlighted that the manifest hardship statute requires the parent to prove that the assignment has created a hardship that poses an extreme difficulty for the student in receiving an education. He shared that if a local district agrees to reassign the student, the reassignment is made; if the district disagrees, a parent can then appeal to the State Board of Education.
- He stated that historically, when a hardship is granted by the state board, the receiving district would accept the student.
- He shared that recently, a district denied a student because it did not believe the state board had the authority to reassign the student.
- He stated that the State Board and the Department of Education disagree with the school districts' interpretation of the statute.
- He emphasized that the appeal would be worthless if the State Board lacked the authority to reassign.
- He shared that the school principal agreed to admit the student, but the school board rejected the student.
- Senator Altschiller referenced Mr. Cline’s testimony, summarizing his view that the Board of Education should have the authority to compel a transfer. She contrasted that with the amendment’s language stating that the state board “shall grant” a parent’s request to reassign a student to another public school. Mr. Cline clarified that the process begins with a parental request, followed by a determination by the local school board; if the request is denied, it may be appealed to the state board. He added that the state board may find a hardship, in which case it would grant the transfer request. He shared that parents often choose a school close to home because it best meets their needs.

- Senator Altschiller stated that the bill reads “to another public school” and does not say “to the public school of their choice.” She noted that there may be a demonstrated manifest hardship and that the school of choice rejected the child, but another school may be able to accommodate. He replied that if the State Board does not grant the reassignment, then every other school could also reject the student’s placement. He read the RSA, which included a mechanism to cap a district's ability to receive students.
- Senator Abbas asked that, if a parent is attempting to establish a manifest hardship, the process should include a way to include the desired school in the initial application. Mr. Cline replied that some parents do not have a preference and simply want their student out of the home district, while in other cases, a parent will name the desired district.
- Senator Prentiss asked whether this is the first instance in which a local district has failed to adhere to a reassignment. He replied that during his tenure on the board, this was the first instance in which a school rejected a student and the parent returned to the Board of Education, and that the Board was told it lacked the authority to place a student. He also shared that the number of manifest hardship cases reaching the Department of Education has increased dramatically.
- Senator Prentiss acknowledged the unfortunate circumstances that gave rise to the legislation but questioned whether it would create a process that circumvents the authority of local school boards. He responded that he does not believe it would, noting that the statute already grants his board the necessary authority. He explained that the intent of the statute is to address situations in which a student is left in limbo, so the board is not forced to grant an exemption from compulsory attendance—something they have had to do in this case for the first time during his tenure.
- Senator Sullivan asked what the cost of manifest hardship cases is to the taxpayers. He replied that districts typically obtain outside counsel, which is a cost to the taxpayer, and if the reassignment happens, the tuition costs.
- Senator Sullivan asked whether open enrollment would reduce the number of manifest hardship cases. He replied that open enrollment would likely result in fewer open enrollment cases, but such cases will likely continue because students and families still wish to have the determination reached.
- Senator Prentiss asked for clarification on whether a school board’s rejection of a student is due to a lack of resources to provide for the student. He replied that the statute provides that the resident district tuition the student and therefore the cost should not be an issue. He added that the statute also clarifies that the student must meet the qualifications to attend the receiving school.

Representative James Thibault – *Merrimack 25*

- Representative Thibault testified in support of the amendment and reflected on a personal experience with a similar process to the manifest hardship process.

Summary of testimony presented in opposition:

Becky Wilson – *New Hampshire School Board Association*

- Ms. Wilson stated that under state law, the State Board does not have the authority to place students.
- She shared that there are criteria for school boards, superintendents, and the State Board to consider when determining placement.
- She stated that local school boards are not obligated to admit students, but students may pursue other schools.

Neutral Information Presented: None.

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Date Hearing Report completed: April 10, 2026