

SB 579-FN - AS INTRODUCED

2026 SESSION

26-2272

12/09

SENATE BILL **579-FN**

AN ACT modifying the language for intra-district public school transfers to include schools within school administrative units.

SPONSORS: Sen. Sullivan, Dist 18; Sen. Lang, Dist 2; Sen. Murphy, Dist 16; Sen. Pearl, Dist 17; Sen. Innis, Dist 7; Rep. Noble, Hills. 2; Rep. Freeman, Belk. 8; Rep. Rice, Hills. 38; Rep. Notter, Hills. 12; Rep. Popovici-Muller, Rock. 17

COMMITTEE: Education

ANALYSIS

This bill extends parents' ability to transfer their children to other schools to include students within school administrative units (SAUs). The bill also authorizes providers of superintendent services to approve or disapprove of school transfers depending on the best interests of the student.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT modifying the language for intra-district public school transfers to include schools within school administrative units.

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

1 1 School Administrative Unit School Transfers. Amend RSA 193:3, I to read as follows:

2 I.(a) The parent or guardian of a student may apply to the superintendent of the student's
3 district of residence ***or provider of superintendent services as defined in RSA 194-C:5, II(a) of***
4 ***the student's school administrative unit (SAU)*** to change the student's school or assignment to
5 another specific public school, public academy, or an approved private school within the district ***or***
6 ***SAU***. The parent or guardian of a student may also apply to the superintendent of the student's
7 district of residence ***or the provider of superintendent services of the student's SAU*** if the
8 parent or guardian believes it would be in the best interest of the student to change the student's
9 school or assignment to another public school, public academy, or an approved private school which
10 is outside the district ***or SAU***. Unless the student is experiencing a manifest educational hardship,
11 applications pursuant to this paragraph shall be made no later than July 1 for the upcoming school
12 year.

13 (b) For requests to change assignments to schools outside the district ***or SAU***, or for
14 requests made after July 1 for the upcoming school year, the superintendent ***or provider of***
15 ***superintendent services*** shall schedule a meeting with the parent or guardian, to be held within 10
16 days of the request.

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

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

28 (e) In determining whether to authorize a request to transfer to another school within
29 the district ***or SAU***, the superintendent ***or provider of superintendent services*** shall consider
30 only whether the specifically requested school has the ability to accommodate the student based on

1 existing school capacity. In determining whether it is in the best interest of the student to change
2 the student's school or assignment to a school outside the district *or SAU*, the superintendent *or*
3 *provider of superintendent services* shall consider the student's academic, physical, personal, or
4 social needs.

5 (f) If the superintendent *or provider of superintendent services* finds it is in the best
6 of the interest of the student to change the student's school or assignment to a school outside the
7 district *or SAU*, or finds the requested school in the district *or SAU* has the ability to accommodate
8 the student, the superintendent *or provider of superintendent services* shall initiate:

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

10 (2) The student's transfer to another public school or public academy within the
11 district of residence *or SAU*; or

12 (3) The student's transfer to a public school, public academy, or an approved private
13 school in another district *or SAU*.

14 (g) If a student is reassigned to a public school or public academy outside the district of
15 residence *or SAU*, the superintendents, *providers of superintendent services*, or administrators
16 involved in the reassignment shall jointly establish a tuition rate for such student. Some or all of
17 the tuition may be waived by the superintendent *or provider of superintendent services* of the
18 receiving district *or SAU* for good cause shown or pursuant to school board policy of the receiving
19 district *or SAU*. The school board of the student's district of residence *or SAU* shall approve the
20 payment of tuition upon the superintendent's *or provider of superintendent services'* finding that
21 it is in the best interest of the student to be reassigned. Transportation shall be the responsibility of
22 the parent or legal guardian.

23 (h) If the student is reassigned as the result of a best interest determination to an
24 approved private school, the private school may charge tuition to the parent or may enter into an
25 agreement for payment of tuition with the school district in which the child resides *or with the SAU*
26 *from which the student was reassigned*.

27 (i) If the superintendent *or provider of superintendent services* does not find that it
28 is in the best interest of the student to change the student's school or assignment to a school outside
29 the district *or SAU*, or finds that the requested school in the district *or SAU* is unable to
30 accommodate the student, the parent or guardian may request a hearing with the school board of
31 residence *or SAU school board* to determine if the student is experiencing a manifest educational
32 hardship under paragraph II.

33 (j) The school board of each school district *or SAU* shall adopt a policy addressing
34 instances in which there are more requests to transfer to a school than there is ability to
35 accommodate students based on existing school capacity pursuant to subparagraph (e).

36 2 New Subparagraph; Superintendent Services School Transfers. Amend RSA 194-C:4, II by
37 inserting after subparagraph (r) the following new subparagraph:

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1 (s) Authorization of change of school or assignment where it is in the best interest of the
2 student, pursuant to RSA 193:3.

3 3 Effective Date. This act shall take effect July 1, 2026.

LBA
26-2272
11/18/25

**SB 579-FN- FISCAL NOTE
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FISCAL IMPACT:

The Office of Legislative Budget Assistant is unable to complete a fiscal note for this bill as it is awaiting information from the Department of Education. The Department was initially contacted on 10/13/25 for a fiscal note worksheet. When completed, the fiscal note will be forwarded to the Senate Clerk's Office.

AGENCIES CONTACTED:

Department of Education