

Rep. Noble, Hills. 2  
Rep. Layon, Rock. 13  
Rep. Peternel, Carr. 6  
February 9, 2026  
2026-0606h  
12/09

Amendment to HB 1268

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT modifying the structure and administration of home education programs.

4

5 Amend the bill by replacing all after section 1 with the following:

6

7 2 Duty of Parent; Compulsory Attendance by Pupil; Evidence of Completion of Home School  
8 Program Modified. RSA 193:1, I(f)(2) is repealed and reenacted to read as follows:

9 (2) Completion of a home education program at the high school level, as documented  
10 by the certificate of completion issued pursuant to RSA 193-A:6.

11 3 Access to Public School Programs by Nonpublic, Public Chartered Schools or Home Educated  
12 Pupils; Home Schools Cross-Reference Added. Amend RSA 193:1-c, II to read as follows:

13 II. Nothing in this section shall be construed to require a parent to establish a home  
14 education program which exceeds the requirements of RSA 193:1 *or RSA 193-A*.

15 4 Home Education; Definitions and Administration of Program Modified. RSA 193-A:1-5 is  
16 repealed and reenacted to read as follows:

17 193-A:1 Definitions.

18 I. "Certificate of completion" means an optional document signed by the parent of a home  
19 educated child certifying that the child has achieved the equivalent of a high school diploma by  
20 completing a home education program.

21 II. "Child" means a child or children at least 6 years of age and under 18 years of age who is  
22 a resident of New Hampshire.

23 III. "Declaration of home education" means an optional written statement that the student  
24 is home educated and meets the New Hampshire compulsory education requirements, signed by a  
25 parent which identifies a home educated student by name, date of birth, and current address.

26 IV. "Home educated student" means a student receiving an education provided, coordinated,  
27 or directed by a parent for his or her own child.

28 (a) "Home educated student" shall not include a student participating in the education  
29 freedom account program established in RSA 194-F.

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1 (b) "Home educated student" may include a student participating in the education tax  
2 credit scholarship program under RSA 77-G.

3 V. "Parent" means a parent, guardian, or person having legal custody of a child.

4 VI. "Resident district" means the school district in which the child resides.

5 193-A:2 Program Established; Purpose. As established in 1990, 279:2, the general court  
6 recognizes that it is the primary right and obligation of a parent to choose the appropriate  
7 educational alternative for a child under his or her care and supervision, as provided by law. One  
8 such alternative allows a parent to elect to educate a child at home as an alternative to attendance  
9 at a public or private school, in accordance with RSA 193-A. The general court further recognizes  
10 that home education is more individualized than instruction normally provided in the classroom  
11 setting.

12 193-A:3 Optional Declaration of Home Education. A declaration of home education shall not be  
13 required, except to obtain access to public school programs pursuant to RSA 193:1-c or upon  
14 withdrawal from a public school.

15 193-A:4 Eligibility, Program Schedule, and Independence of Home Education.

16 I. A parent shall be eligible to establish a home education program for a child, including  
17 children with disabilities and developmentally disabled children as defined in RSA 186-C:2, I and I-  
18 a.

19 II. No superintendent, school board, school principal, other school district official, local  
20 official or state official shall propose, adopt, or enforce any policy or procedure governing home  
21 educated pupils with the exception of policies related to the courses and programs described in RSA  
22 193:1-c.

23 III. Dates and hours of instruction shall not be required to coincide with the resident district  
24 calendar. The academic term of a home education program shall not be required to coincide with the  
25 resident district academic year. Notwithstanding any other law to the contrary, the hours and days  
26 set for employment or other activities for students shall not apply to home educated students.

27 IV. Except in the circumstance where a student is included in average daily membership in  
28 attendance or ADMA pursuant to RSA 198:38, the home educated child shall not:

29 (a) Have their data tracked through the statewide longitudinal data system (SLDS) as  
30 defined by RSA 189:65; and

31 (b) Have their student information collected pursuant to RSA 193-E:5.

32 V. Participation in a home education program shall be presumed as education required by  
33 law. Therefore for the purpose of RSA 169-C the state shall not:

34 (a) Use the participation in a home education program as evidence of failure to provide  
35 education as required by law;

36 (b) Use participation in a home education program as a negative factor for school  
37 attendance or adequacy of meeting a child's education needs; and

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1           (c) Use the lack of notice, records, evaluations, or assessments in a home education  
2 program operated consistent with this chapter as a failure to provide education as required by law.

3           193-A:5 Optional Certificate of Completion. When a home educated student completes a course  
4 of study equivalent to completion of high school based upon the student's academic ability, the  
5 parent may prepare a document certifying the completion of their home education program.

6           I. If the parent plans to request a document from the department of education, as described  
7 in paragraph III, the certificate of completion shall include the following information:

8                   (a) Name and date of birth of the child;

9                   (b) Names of the parents;

10                  (c) Date of completion of the home education program; and

11                  (d) Signature of the parent.

12           II. The certificate of completion shall certify that the child has achieved the equivalent of a  
13 high school diploma by completing a home education program and satisfying the requirements of  
14 RSA 193:1, I(f)(2).

15           III. If a parent submits the certificate of completion to the department of education, the  
16 department shall issue a document certifying that the student has met the requirements for  
17 successful completion of a home education program.

18           5 Education Freedom Accounts; Home Education Notification Requirement Removed. Amend  
19 RSA 194-F:2, IX to read as follows:

20           IX. A home education program pursuant to ~~[RSA 193-A:5]~~ **RSA 193-A** is terminated upon  
21 the commencement of a student's participation in an EFA program. ~~[A parent shall provide~~  
22 ~~notification pursuant to RSA 193-A:5 when a student starts participating in an EFA program.]~~

23           6 Costs of Capital Outlay and Operation; Cross-Reference to Exception Removed. Amend RSA  
24 195:7, II to read as follows:

25           II. Home education pupils who do not receive services from the cooperative school district ~~]~~  
26 ~~except an evaluation pursuant to RSA 193-A:6, II,~~ shall not be included in the average daily  
27 membership relative to apportionment formulas.

28           7 Procedure for Formation of Cooperative School District; Cross-Reference to Exception  
29 Removed. Amend RSA 195:18, III(e)-(g) to read as follows:

30                   (e) The method of apportioning the operating expenses of the cooperative school district  
31 among the several preexisting districts and the time and manner of payment of such shares. Home  
32 education pupils who do not receive services from the cooperative school district~~]~~  
33 ~~evaluation pursuant to RSA 193-A:6, II]~~ shall not be included in the average daily membership  
34 relative to apportionment formulas.

35                   (f) The indebtedness of any preexisting district which the cooperative school district is to  
36 assume.

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1           (g) The method of apportioning the capital expenses of the cooperative school district  
2 among the several preexisting districts, which need not be the same as the method for apportioning  
3 operating expenses, and the time and manner of payment of such shares. Capital expenses shall  
4 include the costs of acquiring land and buildings for school purposes, including property owned by a  
5 preexisting district; the construction, furnishing and equipping of school buildings and facilities; and  
6 the payment of the principal and interest of any indebtedness which is incurred to pay for the same  
7 or which is assumed by the cooperative school district. Home education pupils who do not receive  
8 services from the cooperative school district [~~except an evaluation pursuant to RSA 193-A:6, II,~~]  
9 shall not be included in the average daily membership relative to apportionment formulas.

10         8 Repeal. The following are repealed:

11           I. RSA 193-A:6, relative to the record keeping and evaluation of home education programs.

12           II. RSA 193-A:11, relative to the authority of school district officials in governance of home  
13 education programs..

14         9 Agency Directive; Repeal of Administrative Rules. Immediately upon passage of this act, the  
15 state board of education shall undertake and complete expedited repeal of rules Ed 315, as described  
16 in RSA 541-A:19-a.

17         10 Effective Date. This act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill replaces the current framework for home education programs in New Hampshire by modifying the definitions, administration, and requirements of such programs. This bill also removes cross-references to the previous framework for home education programs and directs the state board of education to repeal certain administrative rules relative to the prior framework.