

HB 1267 - VERSION ADOPTED BY BOTH BODIES

2026 SESSION

26-2504

09/07

HOUSE BILL

1267

AN ACT prohibiting school district attorneys and non-school personnel from questioning students without their parent or guardian present.

SPONSORS: Rep. Sheehan, Hills. 43; Rep. Corcoran, Hills. 28; Rep. DeRoy, Straf. 3; Rep. DeVito, Rock. 8; Rep. Litchfield, Rock. 32; Rep. McGrath, Rock. 40; Rep. Pauer, Hills. 36; Rep. Reinfurt, Hills. 29; Rep. Tenczar, Hills. 1

COMMITTEE: Education Policy and Administration

ANALYSIS

This bill requires school boards to develop and adopt a policy to prevent the questioning of minor students by non-school employees and certain school employees without prior written permission of the parents or guardians, and such policy shall require that an adult student be asked if they want their parents or guardians notified before any such questioning.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 prohibiting school district attorneys and non-school personnel from questioning students without their parent or guardian present.

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

1 1 New Paragraph; Duty to Provide Education; Questioning of Students. Amend RSA 189:1-a by
2 inserting after paragraph V the following new paragraph:

3 VI. School boards and the board of trustees of chartered public schools shall develop and
4 adopt a policy governing the questioning of a student who is minor by any person who is not an
5 employee of the school district or school administrative unit, and certain employees of the school
6 district described herein. The policy shall prohibit the questioning of a minor student without
7 expressed prior written parental or guardian permission, by non-employee persons including but not
8 limited to persons who are attorneys, paralegals, and law enforcement personnel, as well as such
9 persons in these professions who are employees of the school district or school administrative unit.
10 Such persons shall not be present during questioning of a minor student by school employees
11 without prior written parental or guardian permission. The policy shall also require that an adult
12 student be asked if they want their parents or guardians notified, with the opportunity for the
13 parents or guardians to be present during any such questioning. Parents and guardians of their
14 minor student, and of their adult student if the adult student consents, shall have a right to be
15 present during any questioning, and shall have the right to have their own attorney present.
16 Parents and guardians of minor students and adult students aggrieved by a violation of this chapter
17 may petition the superior court for declaratory and equitable relief, in the same manner as
18 taxpayers pursuant to RSA 189:77. Nothing in this paragraph shall prevent personnel from the
19 division of children, youth and family services or law enforcement from questioning a minor student
20 without parental notice if the question is part of a legitimate child welfare inquiry under RSA 169-C.

21 2 Effective Date. This act shall take effect January 1, 2027.