CHAPTER 235
HB 1312 - FINAL VERSION

14Mar2024... 0774h

2024 SESSION

24-2292
02/05

HOUSE BILL ***1312***

AN ACT requiring parental notification of student health or well-being and certain curricula by school districts.

SPONSORS: Rep. K. Perez, Rock. 16; Rep. Andrus, Merr. 5; Rep. Kofalt, Hills. 32; Rep. Panek, Hills. 1; Rep. Dunn, Rock. 16; Rep. Love, Rock. 13; Rep. A. Lekas, Hills. 38; Rep. Quaratiello, Rock. 18; Sen. Innis, Dist 7

COMMITTEE: Education

AMENDED ANALYSIS

This bill expands notice requirements by school districts to parents for certain curriculum course material, and prohibits school districts from adopting policies that prohibit employees from answering questions from parents about students' well-being.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT requiring parental notification of student health or well-being and certain curricula by school districts.

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

235:1 Duties of State Board of Education. Amend RSA 186:11, IX-c to read as follows:

IX-c. Require School Districts to Adopt a Policy Allowing an Exception to Specific Course Material Based on a Parent's or Legal Guardian's Determination that the Material is Objectionable. Such policy shall include a provision requiring the parent or legal guardian to notify the school principal or designee in writing of the specific material to which they object and a provision requiring an alternative agreed upon by the school district and the parent, at the parent's expense, sufficient to enable the child to meet state requirements for education in the particular subject area. The policy shall also require the school district or classroom teacher to provide parents and legal guardians not less than 2 weeks advance notice of ***any*** curriculum course material used for instruction ***or program*** of human sexuality***,*** [~~or~~] human sexual education***, sexual orientation, gender, gender identity, or gender expression***. The policy shall address the method of delivering notification to a parent or legal guardian. ***The policy shall also acknowledge that no notice is required if a school employee is responding to a question from a student during class.*** [~~To the extent practicable,~~] A school district shall make curriculum course materials available to parents or legal guardians for review upon request. The name of the parent or legal guardian and any specific reasons disclosed to school officials for the objection to the material shall not be public information and shall be excluded from access under RSA 91-A.

235:2 New Paragraph; Parental Notification of Changes in Student Mental Well-Being. Amend RSA 186:11 by inserting after paragraph IX-d the following new paragraph:

IX-e. Require School Districts to Adopt a Policy on Parental Notification of Changes in Student's Mental and Emotional Well-Being, or Related Services. A school district may not adopt policies, procedures or student support forms that prohibit school district personnel from answering questions from a parent about his or her student's mental, emotional, or physical health or well-being, sexuality, or a change in related services or monitoring, or that encourage or have the effect of encouraging a student to withhold from a parent such information. School district personnel may not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being. This paragraph does not prohibit a school district from adopting procedures that permit school personnel to withhold such information from a parent if a reasonably prudent person would believe that disclosure would result in abuse, abandonment, or neglect pursuant to RSA 169-C:3.

235:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 19, 2024
Effective Date: September 17, 2024