HB 1371 - AS INTRODUCED

2022 SESSION

22-2835
10/04

HOUSE BILL ***1371***

AN ACT relative to school district policies on facial masks of students in schools.

SPONSORS: Rep. Foster, Hills. 5; Rep. Berezhny, Graf. 9; Rep. Torosian, Rock. 14; Rep. Piemonte, Rock. 4; Rep. Littlefield, Belk. 3; Rep. Roy, Rock. 32; Rep. Wuelper, Straf. 3; Rep. Silber, Belk. 2; Rep. T. Lekas, Hills. 37; Rep. Layon, Rock. 6

COMMITTEE: Education

ANALYSIS

This bill requires school districts to adopt a policy leaving facial mask use to parents of students and not tolerating bullying, harassment, or discrimination.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to school district policies on facial masks of students in schools.

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

1 New Section; School Boards; Facial Mask Policy. Amend RSA 189 by inserting after section 27-b the following new section:

189:27-c Facial Mask Policy.

I. The school board of each school district and the board of trustees of a chartered public school shall, no later than 6 months after the effective date of this section, adopt a written policy to ensure that no student, teacher, or employee of a school is discriminated against due to their masking choice. The policy shall include:

(a) Acknowledging that the educational needs, abilities, and optimal learning environments differ from one student to the next.

(b) Given that mandating masking, or mandating no masks for school children in New Hampshire, by governance at any level, have both been shown to have potential risks and benefits to our children's safety, security, and social development.

(c) That the weighing of the risks and benefits of masking for students in our school districts statewide is left to the parents. They are most familiar and best equipped to determine this choice, for each individual student and their needs. Additionally, the personal choice for masking decisions for facility, staff, and volunteers shall remain the choice of the individual.

II.(a) The department of education shall develop policies and procedures for school districts to ensure that no one is discriminated against due to their masking choice. Mask bullying, harassment, or discrimination towards anyone for their masking choice by other students, faculty, or staff, shall be treated with the same zero tolerance as physical bullying, sexual harassment, or racial discrimination.

(b) Reports of any bullying, harassment, or discrimination by students, faculty, or staff shall be investigated and disciplined with the same zero tolerance policies and disciplinary matrices currently used for physical bullying, sexual harassment, or racial discrimination within these organizations.

2 Effective Date. This act shall take effect 60 days after its passage.