

HB 1792-FN - AS INTRODUCED

2026 SESSION

26-2440

12/08

HOUSE BILL **1792-FN**

AN ACT prohibiting school districts and personnel from the instruction of critical race theory and LGBTQ+ ideologies in schools as well as establishing a private right of action for violations.

SPONSORS: Rep. Belcher, Carr. 4; Rep. Noble, Hills. 2; Rep. Osborne, Rock. 2; Rep. Corcoran, Hills. 28; Rep. Sabourin dit Choiniere, Rock. 30

COMMITTEE: Education Policy and Administration

ANALYSIS

This bill prohibits the teaching of certain pedagogies in public schools, including but not limited to critical race theory, LGBTQ+ ideologies, identity based ideologies, and Marxist analyses. The bill also creates a private right of action for parents and students who are aggrieved by a school violating these provisions.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 districts and personnel from the instruction of critical race theory and LGBTQ+ ideologies in schools as well as establishing a private right of action for violations.

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

1 1 Short Title. This act may also be cited as the "Countering Hate And Revolutionary Leftist
2 Indoctrination in Education Act" or the "CHARLIE Act".

3 2 Statement of Findings. The general court finds that:

4 I. Public education in New Hampshire should prioritize the acquisition of foundational skills
5 in language arts; athletics and physical education; science, technology, engineering, and
6 mathematics (STEM), and preparing students for productive citizenship.

7 II. Education should cultivate a neutral or patriotic disposition, including respect for the
8 U.S. Constitution, American history, civic responsibilities, and national symbols, without compelling
9 total ideological allegiance. Education should never cultivate a hostile or revolutionary disposition
10 against the founding of America or the constitutions of the United States or New Hampshire.

11 III. Certain pedagogical practices and praxis, derived from Hegelian or Marxist dialectical
12 analysis, Paulo Freire's critical pedagogy emphasizing "critical consciousness" or conscientização,
13 Gloria Ladson-Billings' culturally relevant pedagogy, Kimberlé Crenshaw's intersectionality
14 framework, critical race theory (CRT), critical legal theory, LGBTQ+ ideology as a prescriptive
15 world-view, and similar approaches, often promote purposeful division by framing society through
16 lenses of inherent oppression, liberation narratives of overthrowing systems and hierarchies,
17 systemic inequity based on identity groups, or anti-constitutional narratives.

18 IV. These practices and praxis can indoctrinate students by compelling adherence to these
19 world-views, undermining objective learning and unity, and undermining the ultimate right of
20 parents to direct their children's upbringing.

21 V. Employment in public education is a privilege funded by taxpayers, not a right; violations
22 of this act may result in disciplinary actions up to certification revocation.

23 VI. This act prohibits such indoctrination while preserving academic freedom for neutral,
24 factual discussions.

25 VII. Government-run or approved education should not seek to infringe on the sovereign
26 spheres of education reserved to the family or religion, including by imposing totalizing ethical
27 frameworks that supplant parental or religious authority in moral, ethical, or world-view formation.

28 VIII. "Culturally relevant" or similar pedagogies build barriers to the formation and
29 adherence to a unifying American culture by emphasizing group identities over shared national

1 values, thereby establishing permanent, balkanized subcultures that are exploited by demagogues
2 towards revolutionary and violent ends by fostering division.

3 3 New Section; Teaching of Certain Pedagogies Prohibited. Amend RSA 193 by inserting after
4 section 40 the following new section:

5 193:40-a Teaching of Certain Pedagogies Prohibited.

6 I. For the purposes of this section:

7 (a) "Indoctrination" means compelling, coercing, or evaluating students based on their
8 adherence to the prohibited practices in RSA 193:40-a, II, including through grading, assignments,
9 and mandatory or extra-credit activities.

10 (b) "Neutral or patriotic disposition" means fostering respect for American civic
11 principles, such as liberty, equality under law, and republican processes, through activities like
12 studying the Declaration of Independence or participating in civic holidays, without requiring
13 partisan loyalty.

14 II. No public school, school district, or public employee acting in an official capacity shall
15 engage in the pedagogy, praxis, or inculcation of critical theories or related practices that promote
16 division, dialectical world-views, critical consciousness, or anti-constitutional indoctrination. This
17 includes, but is not limited to:

18 (a) Teaching or advocating that American societal structures, including the U.S.
19 Constitution or legal system, are inherently illegitimate or designed to perpetuate oppression based
20 on race, gender, sexual orientation, or other identity categories.

21 (b) Compelling students to adopt "critical consciousness" by requiring them to identify
22 personal or societal "oppressors" and "oppressed" through lenses derived from Marxist analysis,
23 intersectionality, or critical race theory.

24 (c) Implementing culturally relevant or responsive pedagogy that prioritizes identity-
25 based division over individual merit or shared American values.

26 (d) Inculcating LGBTQ+ ideology, such as requiring affirmation of "gender fluidity,"
27 "non-binary" or "queer" identities, or requiring affirmation of LGBTQ+ sexuality as ethical or
28 normative.

29 (e) Using dialectical analysis to frame history or current events primarily as class,
30 racial, or identity-based conflicts intended to foster division rather than resolution.

31 III. This section shall not prohibit:

32 (a) Factual, neutral instruction on historical events or figures. Instruction on critical
33 race theory or intersectionality is permitted only if presented factually and objectively as Marxian
34 theories contrary to American tradition, law, and ethics, without requiring endorsement or
35 affirmation.

36 (b) Age-appropriate health education on topics like bullying prevention, provided it does
37 not compel ideological affirmation.

1 (c) Encouraging critical thinking, debate, or sympathy without mandating adoption of
2 the prohibited world-views.

3 IV. Public schools shall prioritize curriculum and instruction in:

4 (a) Language arts, including reading, writing, and communication skills.

5 (b) Mathematics, including arithmetic, algebra, geometry, and problem-solving.

6 (c) Athletics and physical education to promote health and teamwork.

7 (d) STEM fields to build innovation and technical proficiency.

8 (e) Civic education that cultivates a neutral or patriotic disposition, emphasizing shared
9 national values and constitutional principles.

10 V. The department of education shall develop and publish guidelines within 90 days of the
11 effective date of this section, including:

12 (a) Examples of permissible pedagogical teaching, including teaching the Civil Rights
13 Act of 1964 as a historical achievement and objectively describing critical race theory as a Marxian-
14 derived framework contrary to American legal principles.

15 (b) Examples of impermissible pedagogical teaching, including requiring students to
16 participate in "privilege walks" that assign guilt based on identity and framing math problems
17 through "equity" lenses that prioritize group outcomes or identities over individual achievement and
18 effort.

19 (c) Resources for aligning curricula with core competencies under RSA 193:40-a, IV.

20 VI. A violation of this section shall be investigated upon complaint by a student, parent, or
21 employee to the department of education, which shall provide due process, including notice, an
22 opportunity to respond, and a hearing before an impartial decision-maker. Proven violations by
23 school employees shall constitute unprofessional conduct under the educator code of conduct and
24 may result in professional discipline by the state board of education, including mandatory training,
25 warnings, suspensions, or, for serious or repeated violations, revocation of teaching certification.
26 Employment in public education shall not be considered a right and revocation may be imposed to
27 protect students from indoctrination. A school employee may be named in their professional
28 capacity as a representative of the school or district in a civil action pursuant to RSA 193:40-a, VII,
29 but no personal liability shall attach to school employees for violations of this section. Remedies are
30 limited to those against the employing entity under RSA 193:40-a, VII.

31 VII. An aggrieved person, including a student or parent, may bring a civil action against the
32 public school, school district, or employing public agency, or against an individual school employee in
33 their professional capacity as a representative of the school or district for violations of this section.
34 Civil actions must be filed within one year of the discovery of the violation. The court may award all
35 of the following:

36 (a) Injunctive relief.

37 (b) Compensatory damages not exceeding \$10,000 per violation.

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1 (c) Reasonable attorney fees and court costs to the prevailing party.

2 VIII. Any civil action pursuant to RSA 193:40-a, VII resulting in the finding of a school
3 employee's violation of this section shall initiate professional conduct proceedings for such violating
4 employee under the educator code of conduct, unless such proceedings have already commenced.

5 IX. This section shall not apply to public institutions of higher education, private schools, or
6 home schools, whether or not such home schools are participating in education freedom account
7 programs.

8 X. If any provision of this section or the application thereof to any person or circumstance is
9 held invalid, such invalidity shall not affect other provisions or applications of the section which can
10 be given effect without the invalid provision or application, and to this end the provisions of this act
11 are declared to be severable.

12 4 Effective Date. This act shall take effect September 1, 2026.

**HB 1792-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT prohibiting school districts and personnel from the instruction of critical race theory and LGBTQ+ ideologies in schools as well as establishing a private right of action for violations.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	Indeterminable (\$137,000+)	Indeterminable (\$138,000+)	Indeterminable (\$140,000+)
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	\$0	Indeterminable		

The Office of Legislative Budget Assistant is unable to provide a complete fiscal note for this bill as it is awaiting information from the Department of Education. The Department was initially contacted on 11/20/25 for a fiscal note worksheet, with follow-up contact made on 12/05/25. When completed, the fiscal note will be forwarded to the House Clerk's Office.

METHODOLOGY:

This bill prohibits public schools, school districts, and school employees from teaching certain defined pedagogies, including critical race theory, LGBTQ+ ideology, and related concepts. It requires the Department of Education to issue guidance on compliant instruction and authorizes disciplinary action for violations. The bill also establishes a private right of action allowing students and parents to bring civil lawsuits against public schools or school districts, with available remedies including injunctive relief, compensatory damages, and attorney's fees. Higher education institutions, private schools, and home schools are exempt.

The Department of Justice states that while the number of potential cases cannot be estimated, it anticipates that additional capacity would likely be required to meet increased legal advisory and investigatory demands. At this time, the Department estimates the need for at least one additional full-time attorney, with potential need for further support depending on case volume. The estimated total cost of one new attorney position is \$137,000 in FY 2027, \$138,000 in FY 2028, and \$140,000 in FY 2029. This bill provides neither authorization nor appropriation for new personnel.

This bill may have an impact on local school districts. Any impact is indeterminable and would vary by district.

AGENCIES CONTACTED:

Department of Education and Department of Justice