

MANIFEST EDUCATIONAL HARDSHIP

Resident students of the school district shall be assigned to a public school within the district by the superintendent or designee.

The school board recognizes that in unusual and extraordinary circumstances parents(s) or guardian(s) may wish to request a change of assignment to another public school within the school district, or a public school in another school district. When the parent(s) or guardian(s) believe that the assignment which has been made will result in a manifest educational hardship to the student, the school board will consider these requests according to the procedure outlined below.

Procedure for Consideration of a Manifest Educational Hardship Request

The following procedures will be utilized where a parent or guardian seeks a change of assignment within the school district, or a waiver of assignment from attending any school in the school district based on an assertion that the current assignment constitutes a manifest educational hardship:

1. The parent(s) or guardian(s) shall make a written request, through the superintendent's office, detailing the specific reasons why they believe that the current assignment constitutes a manifest educational hardship. Any such written request shall be made by the parent(s) or guardian(s) within fifteen (15) days of the assignment made by the superintendent or designee.
2. The school board will schedule a time at a regular school board meeting held within thirty (30) days of receipt of the written request of the parent(s) or guardian(s) to hear the request. At such time, the parent(s) or guardian(s) may address the school board. The school board will hear the parent(s) or guardian(s) request in nonpublic session, subject to the right of the parent(s) or guardian(s) to have the matter heard in public session under RSA 91-A:3, II.
3. The parent(s) or guardians(s) of the student may use whatever information they deem is appropriate to support their request. At a minimum, however, the parent(s) or guardian(s) must submit information demonstrating to the school board that the current assignment is detrimental or has a negative effect on the pupil.
4. In determining whether the current assignment of the student constitutes a manifest educational hardship, and what the corresponding appropriate action should be (which may include, but not be limited to, assignment to a public school in another district) the school board shall



consider all information given it by the parent(s) or guardian(s), the recommendation of the superintendent, and any other information which the school board deems relevant and useful.

5. The school board reserves the legal right to make a determination on whether a given request constitutes a manifest education hardship, and what the corresponding action should be, on a case-by-case basis.
6. The school board will render its decision in writing within fifteen (15) days after the school board meeting in which the parent(s) or guardian(s) address the school board, and will forward its written decision to the parents or guardians via U.S. mail.
7. If a parent or guardian is aggrieved by the decision of the school board, he/she may appeal to the State Board of Education in accordance with the provisions of Ed. 200.

Legal References:

RSA 193:3, *Pupils; Change of School or Assignment*

RSA 193:14-a, *Pupils; Change of School Assignment; Duties of Board of Education*

NH Code of Administrative Rules, Section Ed. 320, *Manifest Educational Hardship*

NH Code of Administrative Rules, Section Ed. 200, *Rules of Practice and Procedure*
Policy JCA

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