

JEC - MANIFEST EDUCATIONAL HARDSHIP

Category P; See also JCA

The Superintendent will assign resident students to a public school within the District.

The Board recognizes that in unusual and extraordinary circumstances, a parent/guardian may wish to request a change in the student's school assignment to another public school within the District or a public school in another district. When the parent/guardian believes that the assignment that has been made will result in a manifest educational hardship to the student, the 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 when a parent/guardian seeks a change of assignment within the District, or a waiver of assignment from attending any school in the District based on an assertion that the current assignment constitutes a manifest educational hardship:

1. The parent/guardian will make a written request with the Superintendent's office, detailing the specific reasons why they believe that the current assignment constitutes a manifest educational hardship.
2. The Board will hold a hearing on the matter within thirty (30) days of receipt of the written request. The Board will hear the matter in non-public session, unless the parent/guardian requests the hearing be held in public session, subject to RSA 91-A:3, II(c).
3. The parent/guardian may use whatever information they deem is necessary and appropriate to support their request. At a minimum, however, the parent/guardian must submit information demonstrating to the School Board that the current assignment is detrimental or has a negative effect on the student's educational or personal development.
4. In determining whether the current assignment of the student constitutes a manifest educational hardship, and what the corresponding appropriate action should be, the Board will consider all information presented by the parent/guardian, the recommendations of the Superintendent, and any other information which the Board deems relevant and useful.
5. The Board reserves the legal right to make a determination on whether a given request constitutes a manifest educational hardship, and what the corresponding action should be, on a case by case basis.
6. The Board will render its decision in writing within fifteen (15) days after the Board meeting in which the parent/guardian addressed the Board, and will forward its written decision to the parents or guardians via US mail.
7. If a parent or guardian is aggrieved by the decision of the Board, he/she may appeal to the State Board of Education in accordance with the provisions of Ed 200.

***Legal References:** RSA 193:3, Change of School or Assignment; Manifest Educational Hardship; NH Code of Administrative Rules, Section Ed 320, Manifest Educational Hardship; NH Code of Administrative Rules, Section Ed 200, Rules of Practice and Procedure*

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