

<b>Hampton School District Policy</b>	<b>Section:</b> <u>J</u> <b>Code:</b> JEC <b>Title:</b> Manifest Educational Hardship <b>Category:</b> Priority/Required by Law <b>Page:</b> 1 of 2
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**MANIFEST EDUCATIONAL HARDSHIP**

*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.

<b>Adopted:</b>	<b>DATE:</b> February 14, 2012
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(continued)

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.

Tuition and Transportation

The Superintendents involved in the reassignment of schools under this policy shall jointly establish a tuition rate for each student. Tuition payments shall be the responsibility of the pupil's resident school district. Some or all of the tuition may be waived by the Superintendent of the receiving district for good cause shown or pursuant to other board policy, if applicable.

The cost of transportation shall be the responsibility of the parent/guardian.

**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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