

Raymond School District Policy - JEC

MANIFEST EDUCATIONAL HARDSHIP

Resident students of the District shall be assigned to a public school within the District by the Superintendent or his/her designee.

The Board recognizes that in unusual and extraordinary circumstances, parent(s) or guardian(s) may wish to request a change of assignment to another public school within the District, or a public school in another district. When the parent(s) or guardian(s) believe that the assignment that has been made will result in a manifest educational hardship to the student, the Superintendent 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(s) or guardian(s) 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(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 Superintendent will schedule a time within thirty (30) days of receipt of the written request of the parent(s) or guardian(s) to hear the parent's or guardian's request.
3. The parent(s) or guardian(s) of the student may use whatever information they deem is appropriate to support their request. At a minimum, however, the parent(s) or guardians(s) must submit information demonstrating to the Superintendent that the current assignment is detrimental or has a negative effect on the student.
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 Superintendent shall consider all information given to him/her by the parent(s) or guardian(s) and any other information that the Superintendent deems relevant and useful.

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(continued)

5. The Superintendent 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 Superintendent will render his/her decision in writing within fifteen (15) days after the meeting with the parent(s) or guardian(s), and will forward his/her written decision to the parent(s) or guardian(s) via US mail.
7. If a parent or guardian is aggrieved by the decision of the Superintendent, he/she may appeal to the State Board of Education in accordance with the provisions of ED. 200.

Statutory/Regulatory Reference:

RSA 193:3, which requires each school district to establish a policy on change of assignment due to manifest educational hardship

RSA 193:14-a

RSA 91-A:3 II. (c)

ED. 320, which are the State Board of Education Rules concerning manifest educational hardship

ED. 200 et seq.

Lisbon Regional School District v. Landaff School District, 114 NH 674 (1974)

Adopted: August 1, 2002