#### HB 629-FN - AS INTRODUCED

#### 2023 SESSION

23-0505 09/10

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| a student bill of rights.  |
| , Sull. 5; Rep. Myler, Merr. 9; Rep. Luneau, Merr. 9; Rep. Ellison,<br>p. Cornell, Hills. 22 |
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### ANALYSIS

This bill establishes a student bill of rights.

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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removed from current law appears [in brackets and struckthrough.]Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

### HB 629-FN - AS INTRODUCED

# STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT establishing a student bill of rights.

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

| 1        | 1 New Chapter; Student Bill of Rights. Amend RSA by inserting after chapter 189-A the            |
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| 2        | following new chapter:   |
| 3        | CHAPTER 189-B  |
| 4        | STUDENT BILL OF RIGHTS   |
| <b>5</b> | 189-B:1 Short Title. This chapter shall be known as the student bill of rights                   |
| 6        | 189-B:2 Definitions. In this chapter: "student" means any child enrolled in a New Hampshire      |
| 7        | public or chartered public school.   |
| 8        | 189-B:3 School Policy Manuals. Each school district shall incorporate the student bill of rights |
| 9        | into their policy manual, post it on the school district's website, and include it in materials  |
| 10       | distributed to parents annually.   |
| 11       | 189-B:4 Student Rights.  |
| 12       | I. Students are subject to the United States Constitution, its privileges, and protections,      |
| 13       | including:   |
| 14       | (a) The free exercise of religion;   |
| 15       | (b) The freedom of speech and publication;   |
| 16       | (c) The right to peacefully assemble;  |
| 17       | (d) The right to petition the government for a redress of grievances;                            |
| 18       | (e) The freedom from unreasonable searches and seizures;   |
| 19       | (f) The right to due process of law; and   |
| 20       | (g) The right to equal protection under the law  |
| 21       | II. Students are subject to numerous privileges and protections derived from federal             |
| 22       | statutes, examples of which include:   |
| 23       | (a) The right of students with identified disabilities to receive a free and appropriate         |
| 24       | education that addresses their individual needs;   |
| 25       | (b) The right of students with disabilities to be free from discrimination with regard to        |
| 26       | accessing educational programs and facilities; and   |
| 27       | (c) The right to be free from discrimination with regard to accessing educational                |
| 28       | programs and activities offered by a recipient of federal financial assistance.                  |
| 29       | III. Public school students are subject to the New Hampshire constitution and its privileges     |
| 30       | and protections, including:  |
|          |  |

31 (a) The right to seek and obtain happiness;

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| 1        | (b) The right to free speech and the liberty to publish;  |
|----------|---|
| 2        | (c) The right of petition and peaceful assembly;  |
| 3        | (d) The right of personal privacy;  |
| 4        | (e) The right to absolute freedom of conscience in all matters of religious sentiment,            |
| <b>5</b> | belief, and worship;  |
| 6        | (f) The right to attend public schools that are funded in a manner that is consistent with        |
| 7        | the state's paramount duty of making ample provision for the education of all children residing   |
| 8        | within it's borders;  |
| 9        | (g) The right to have schools that are maintained wholly or partially by public funds free        |
| 10       | from sectarian control or influence;  |
| 11       | (h) The right to countenance and inculcation of the principles of humanity and general            |
| 12       | benevolence; and  |
| 13       | (i) The right of qualified persons to vote in all elections.                                      |
| 14       | IV. Public school students are subject to numerous privileges and protections derived from        |
| 15       | New Hampshire state statutes, examples of which include:  |
| 16       | (a) The right to access, without tuition, each resident school district's K-12 basic              |
| 17       | education program for students of qualifying age;   |
| 18       | (b) The right to an education that provides students with the opportunities to develop            |
| 19       | the knowledge and skills necessary to meet state and district established graduation requirements |
| 20       | intended to provide students with a meaningful diploma that prepares them for post-secondary      |
| 21       | education, gainful employment and citizenship;  |
| 22       | (c) Due process rights related to disciplinary measures and educational access; and               |
| 23       | (d) The right to an education and access to all educational activities and facilities             |
| 24       | without fear of discrimination.   |
| 25       | (e) The right of minors residing in criminal justice facilities to receive an education;          |
| 26       | 2 Effective Date. This act shall take effect 60 days after its passage.                           |

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# HB 629-FN- FISCAL NOTE AS INTRODUCED

AN ACT establishing a student bill of rights.

#### FISCAL IMPACT:

Due to time constraints, the Office of Legislative Budget Assistant is unable to provide a fiscal note for this bill, <u>as introduced</u>, at this time. When completed, the fiscal note will be forwarded to the House Clerk's Office.

### **AGENCIES CONTACTED:**

Department of Education