

**MANIFEST EDUCATIONAL HARDSHIP**  
**Albany School District**

The superintendent or designee shall assign resident pupils to their appropriate public school. The School Board recognizes that instances may arise where it is appropriate to consider reassigning students to attend another public school.

The School Board is assured that the assigned school offers a quality educational program, and will consider releasing students only when there are extenuating circumstances that indicate such release is appropriate. RSA 193:3 provides for relief from a manifest educational hardship. State Board of Education Rule 320.01 provides guidelines for determining such hardship. In order to seek reassignment to another school because of hardship, a parent must submit a request that complies with the following:

The parent(s) or guardian(s) shall submit a request in writing to the superintendent. Such request shall clearly delineate the reasons why the parent believes a hardship exists and reassignment should be considered. The superintendent shall provide copies of the law, rule, and this policy to parents upon request.

Upon receipt of a request from the parent, the Superintendent and Principal of the releasing school shall submit a recommendation to the Board carefully describing the basis for the recommendation. Such recommendation to the Board shall be within two weeks of receipt of the completed request, or the next scheduled meeting of the Board whichever comes later.

The Board will schedule a hearing for the parent(s) or guardian(s) in non-public session at the next available meeting after receiving the superintendent's recommendation, unless the board assigns a committee to schedule a special hearing and submit a recommendation to the full board.

Any consideration for reassignment will be based on bona fide documentation supporting "manifest educational hardship." In its assessment of such hardship, the Board shall consider the following criteria:

1. Whether the school meets the standards for public school approval.
2. Whether the distance from the assigned school would cause significant transportation problems.

3. Whether the student possesses a highly unique and substantial need not shared by other children attending schools in the district and that cannot be addressed by changes or accommodations in the school to which the child has been assigned.

Furthermore, any program related requests must include documentation that a program not offered at the assigned school is essential for student success or is essential for the student to qualify for college. Perceived quality of any program is not a satisfactory reason if the assigned school has approval status from the State Board of Education, and, at the junior/senior high school, the New England Association of Schools and Colleges accredits the school. Size of the school will not be considered sufficient for hardship unless other extenuating factors apply.

Any consideration for an educationally handicapped student must include a recommendation from a placement team that included an appropriate Local Education Agency representative.

Parents aggrieved by the decision of the board may appeal to the State Board of Education

Authority: RSA 193:3; ED 320.01