

**Policy JCA: Manifest Hardship**

The Surry School Board does not operate any schools and is recognized as a sending district. The school board performs its statutory duty to provide an education to resident students through contractual relationships and agreements with other schools and school districts.

Manifest educational hardship means that a student has a documented hardship in his or her current educational placement; and that such hardship has a detrimental or negative impact on the student's academic achievement or growth, physical safety, or social and emotional well-being. Such hardship must be so severe, pervasive, or persistent that it interferes with or limits the ability of the student to receive an education.

RSA 193:3 recognizes that there are limited instances when the school to which a student might be assigned under a district's ordinary assignment policies and procedures, might not be in that student's best interests, or other factors might exist under which create a manifest educational hardship upon the student such that a change in the student's school assignment is warranted.

The receiving school or school district is required to have policies and procedures to address these limited instances. Surry residents are directed to refer to the receiving school administration and receiving school district policies and procedures with questions related to manifest hardship and a change in school assignment.

According to RSA 195-A:4-a, notwithstanding any other provision of law or any agreement between a receiving district and a sending district, the school board of a receiving district and the school board of a sending district may mutually agree upon a showing of hardship by pupils from a sending district to exempt such pupils from any agreement requiring them to attend the receiving district's schools. A pupil exempted from such agreement would make suitable arrangements to attend school outside the receiving district. The sending district shall be liable for tuition payments to the district of actual attendance.

Decisions as to whether a student should be reassigned on the basis of best interest or manifest educational hardship shall be made in accord with RSA 193:3 and applicable regulations.

The Surry School Board is advised that the reassignment decision may have a financial impact to the Surry School Board by a change in tuition.

Surry residents may contact the Superintendent of the Surry School District or the Surry School Board with questions or concerns regarding change of school assignment or manifest hardship.

Legal reference: RSA 193:3 Change of School or Assignment  
195-A:4-a Authorized Regional Enrollment Area Schools. Exception.

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