

TITLE XV EDUCATION

CHAPTER 193 PUPILS

School Attendance

Section 193:1

193:1 Duty of Parent; Compulsory Attendance by Pupil. –

I. A parent of any child at least 6 years of age and under 18 years of age shall cause such child to attend the public school to which the child is assigned in the child's resident district. Such child shall attend full time when such school is in session unless:

- (a) The child is attending a New Hampshire public school outside the district to which the child is assigned or an approved New Hampshire private school for the same time;
- (b) The child is receiving home education pursuant to RSA 193-A and is therefore exempt from this requirement;
- (c) The relevant school district superintendent has excused a child from attendance because the child is physically or mentally unable to attend school, or has been temporarily excused upon the request of the parent for purposes agreed upon by the school authorities and the parent. Such excused absences shall not be permitted if they cause a serious adverse effect upon the student's educational progress. Students excused for such temporary absences may be claimed as full-time pupils for purposes of calculating state aid under RSA 186-C:18 and adequate education grants under RSA 198:41;
- (d) The child is attending a public or private school located in another state which has been approved by the state education agency of the state in which the school is located, or is attending a nonsectarian private school located in New Hampshire that is approved as a school tuition program by the school board pursuant to RSA 193:3, VII;
- (e) The pupil has been exempted from attendance pursuant to RSA 193:5;
- (f) The pupil has successfully completed all requirements for graduation and the school district is prepared to issue a diploma or the pupil has successfully achieved the equivalent of a high school diploma by either:
 - (1) Obtaining a high school equivalency certificate; or
 - (2) Documenting the completion of a home school program at the high school level by submitting a certificate or letter to the department of education;
- (g) The pupil has been accepted into an accredited postsecondary education program; or
- (h) The pupil obtains a waiver from the superintendent, which shall only be granted upon proof that the pupil is 16 years of age or older and has an alternative learning plan for obtaining either a high school diploma or its equivalent.
 - (1) Alternative learning plans shall include age-appropriate academic rigor and the flexibility to incorporate the pupil's interests and manner of learning. These plans may include, but are not limited to, such components or combination of components of extended learning opportunities as independent study, private instruction, performing groups, internships, community service, apprenticeships, and on-line courses.
 - (2) Alternative learning plans shall be developed, and amended if necessary, in consultation with the pupil, a school guidance counselor, the school principal and at least one parent or guardian of the pupil, and submitted to the school district superintendent for approval.
 - (3) If the superintendent does not approve the alternative learning plan, the parent or guardian of the pupil may appeal such decision to the local school board. A parent or guardian may appeal the decision of the local school board to the state board of education consistent with the provisions of RSA 21-N:11, III.

II. A child who reaches the sixth birthday after September 30 shall not be required to attend school under the provisions of this section until the following school year.

III. In this section, "parent" means a parent, guardian, or person having legal custody of a child.

IV. [Repealed].

Source. 1903, 13:1. 1911, 139:1. 1917, 52:1. 1919, 84:1. 1921, 85, III:1. PL 118:1. RL 137:1. 1949, 92:1. 1953, 223:1. RSA 193:1. 1985, 47:1. 1990, 279:1. 1994, 121:1. 1996, 157:1. 1997, 183:1. 1999, 17:42; 39:1. 2005, 257:15. 2007, 242:5; 270:3; 350:1; 350:2. 2008, 173:11. 2013, 215:1. 2017, 182:2, eff. Aug. 28, 2017