

SCHOOL DISTRICT LEGAL STATUS

The legal basis for education is vested in the will of the people as expressed in the Constitution of New Hampshire, the statutes* pertaining to education, court interpretation of these laws, and the powers implied therein.

In New Hampshire, school districts are political subdivisions of the state, and as such, are considered municipal corporations. Clough v. Osgood 37 NH 444 (1935); see RA 194:2.

School district policies are established by the elected local School Board, which serves as an agent of the school district. Funds for school operating expenses are approved by a majority of qualified voters.

The administration of the schools is under the executive direction of the Superintendent of Schools, who works under the local School Board policies (see BBG) in addition to S.A.U. policies and State Board of Education policies, rules and regulation.

* The majority of state laws on education are in RSA Chapters 186 through 200H.

Law Reference: RSA 197:1, RSA Chapter 23, RSA 194:2, RSA 195:6, RSA 197:1, RSA 40:13, Clough v. Osgood 37 NH 444 (1935)

Appendix Reference:

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