



January 22, 2025

Chairman Cordelli
House Education Policy and Administration Committee
Subject: Testimony in Opposition of New Hampshire House Bill 384

Dear Honorable Chair and Committee Members,

Thank you for the opportunity to testify in Opposition of HB 384. For the record, my name is Krysten Evans and I am the Director of Policy for ABLE NH. ABLE is a disability justice organization and we are a non partisan, non profit organization that fights for the civil and human rights of children and adults with disabilities.

HB 384 would allow a bullying officer to file a “Child in Need of Services” (CHINS) petition against a student accused of bullying. While fostering safe and inclusive school environments is a shared goal, this approach would have significant unintended consequences, particularly for children with disabilities and other vulnerable students.

Allowing bullying officers to file CHINS petitions escalates what should be a school-based issue into the judicial system, criminalizing behavior that should instead be addressed through education and support. Bullying, while serious, often stems from underlying issues such as trauma, unmet social-emotional needs, or a lack of understanding about differences. Judicial intervention through CHINS petitions fails to address these root causes and risks labeling children as delinquents, further alienating them from their peers and school community.

This policy would disproportionately harm students with disabilities, who are already subject to higher rates of school discipline. According to the Office for Civil Rights, students with disabilities are more than twice as likely to face suspension or expulsion compared to their peers. Behaviors stemming from disabilities, such as challenges with communication or social interaction, are often misunderstood as bullying. Escalating these situations into judicial interventions through CHINS petitions would further stigmatize and exclude students with disabilities, rather than addressing the unique challenges they face.

Judicial involvement has long-term negative consequences for children. Research from the American Civil Liberties Union shows that policies that criminalize school-based behavior contribute to the school-to-prison pipeline, particularly for students with disabilities. Youth who are referred to the judicial system are more likely to experience academic failure, school disengagement, and future involvement with the justice system. This path not only harms children but also undermines efforts to create positive and supportive school environments.

Evidence-based restorative practices offer a more effective and humane alternative to punitive measures like CHINS petitions. Restorative practices focus on repairing harm, fostering empathy, and building accountability among students. Schools that implement restorative approaches see reductions in bullying and improved relationships between students and staff. According to the National Education Association, these practices create safer, more inclusive school climates without the negative consequences of judicial intervention.

HB 384 risks harming the very children it seeks to protect. By escalating school-based behaviors into judicial matters, it fails to address the underlying causes of bullying, disproportionately harms students with disabilities, and perpetuates cycles of punishment that are both ineffective and damaging. I urge the Committee to reject HB 384 and instead support policies that prioritize restorative practices, prevention, and support for all students.

Sincerely,



Krysten Evans

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Sources

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“Restorative Practices: Fostering Healthy Relationships & Promoting Positive Discipline in Schools.” National Education Association, www.nea.org/restorative-practices.

Youth Justice Board. “The Impact of Judicial Involvement on Children’s Futures.” Youth Justice, 2017.

“The School-to-Prison Pipeline: A Primer for Advocates.” American Civil Liberties Union, www.aclu.org/issues/juvenile-justice/school-prison-pipeline.

