

Introduced to Amended -- relative to the prohibition on teaching discrimination.

HB 1792-FN - AS INTRODUCED/AMENDED BY THE SENATE 05/14/2026 1779s SESSION 26-2440 12/08 HOUSE BILL 1792-FN AN ACT prohibiting relative school to districts and personnel from the instruction prohibition of on critical teaching race discrimination. theory and LGBTQ+ ideologies in schools as well as establishing a private right of action for violations.

Education Policy and Administration ??
AMENDED ANALYSIS This bill ~~prohibits~~requires ~~that~~that teaching educators of must certain act
~~pedagogies purposefully in public academic schools, instruction including in but order not for limited their~~
~~actions to critical constitute race teaching theory, discrimination.~~ LGBTQ+ ideologies, identity based
~~ideologies, and Marxist analyses.~~

~~The~~This bill also ~~creates~~removes ~~at~~the ~~private~~ability ~~right~~right ~~for~~for ~~of~~of ~~aggrieved~~aggrieved ~~parties~~parties ~~to~~to ~~both~~both ~~initiate~~initiate ~~a~~a ~~civil~~civil ~~action~~action ~~for~~for ~~against~~against ~~parents~~parents ~~a~~a ~~and~~and ~~school~~school ~~students~~students ~~or~~or ~~who~~who ~~school~~school ~~are~~are ~~district~~district ~~aggrieved~~aggrieved ~~and~~and ~~by~~by ~~to~~to ~~pursue~~pursue ~~a~~a ~~school~~school ~~remedy~~remedy ~~violating~~violating ~~through~~through ~~these~~these ~~the~~the ~~provisions~~provisions. New Hampshire commission for human rights.

HB 1792-FN - AS INTRODUCEDAMENDED BY THE SENATE 05/14/2026 1779s 26-2440 12/09 STATE OF NEW HAMPSHIRE In the Year of Our Lord Two Thousand Twenty-Six AN ACT prohibiting relative school to districts and personnel from the instructionprohibition of on critical teaching racediscrimination. theory and LGBTQ+ ideologies in schools as well as establishing a private right of action for violations.

~~This Purposeful actMental mayState alsoAdded; be cited as the "Countering Hate And Revolutionary Leftist Indoctrination in Education Act" or the "CHARLIE Act".~~

~~The RSA general~~193:40 ~~courtis finds~~repealed ~~that~~and reenacted to read as follows:

PublicNo educationpupil in Newany Hampshirepublic shouldschool prioritizein thethis acquisitionstate ofshall foundationalbe skillspurposefully intaught, languageinstructed, arts;inculcated or compelled to express belief in, or support for, any one or more of the following:

athletics(a) and That one's age, sex, gender identity, sexual orientation, race, creed, color, marital status, familial status, mental or physical education;disability, religion or national origin is inherently superior to people of another age, sex, gender identity, sexual orientation, race, creed, color, marital status, familial status, mental or physical disability, religion, or national origin;

science, (b) technology, That engineering, an and individual, mathematics by (STEM), virtue and of preparing his students or for her productive age, citizenship, sex, gender identity, sexual orientation, race, creed, color, marital status, familial status, mental or physical disability, religion, or national origin, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(c) That an individual should be discriminated against or receive adverse treatment solely or partly because of his or her age, sex, gender identity, sexual orientation, race, creed, color, marital status, familial status, mental or physical disability, religion, or national origin;

or (d) That people of one age, sex, gender identity, sexual orientation, race, creed, color, marital status, familial status, mental or physical disability, religion, or national origin cannot and should not attempt to treat others without regard to age, sex, gender identity, sexual orientation, race, creed, color, marital status, familial status, mental or physical disability, religion, or national origin.

Education Nothing should in cultivate this a section neutral shall or be patriotic construed disposition, to including prohibit respect discussing, for as part of a larger course of academic instruction, the U.S. historical existence of ideas and subjects identified in this section.

~~Constitution, American history, civic responsibilities, and national symbols, without compelling total ideological allegiance.~~

~~Education should never cultivate a hostile or revolutionary disposition against the founding of America or the constitutions of the United States or New Hampshire.~~

~~Certain Purposeful pedagogical violation practices of and this praxis, section derived by from an Hegelian educator or shall Marxist be dialectical considered analysis, Paulo Freire's critical pedagogy emphasizing "critical consciousness" or conscientizacao, Gloria Ladson-Billings' culturally relevant pedagogy, Kimberle Crenshaw's intersectionality framework, critical race theory (CRT), critical legal theory, LGBTQ+ ideology as a prescriptive violation world-view, and similar approaches, often promote purposeful division by framing society through lenses of inherent the oppression, educator liberation code narratives of overthrowing conduct systems that and justifies hierarchies, disciplinary systemics sanction inequity by based the on state identity board groups of oreducation. anti-constitutional narratives.~~

~~TheseFor practices the and purposes praxis of can this indoctrinate section, students "educator" by means compelling adherence professional to employee these of world-views, any undermining school objective district learning whose and position unity, requires and certification undermining by the ultimate state right board of pursuant parents to direct RSA their 189:39. children's upbringing.~~

~~V. Administrators, specialists, and teachers are included within the definition of this term.~~

~~Employment 2 in Effective public Date. education is a privilege funded by taxpayers, not a right; violations of this act may result in disciplinary actions up to certification revocation.~~

~~VI.~~

~~This act prohibits such indoctrination while preserving academic freedom for neutral, factual discussions.~~

~~VII.~~

~~Government-run or approved education should not seek to infringe on the sovereign spheres of education reserved to the family or religion, including by imposing totalizing ethical frameworks that supplant parental or religious authority in moral, ethical, or world-view formation.~~

~~VIII.~~

~~"Culturally relevant" or similar pedagogies build barriers to the formation and adherence to a unifying American culture by emphasizing group identities over shared national values, thereby establishing permanent, balkanized subcultures that are exploited by demagogues towards revolutionary and violent ends by fostering division.~~

~~3 New Section;~~

~~Teaching of Certain Pedagogies Prohibited.~~

~~Amend RSA 193 by inserting after section 40 the following new section:~~

~~193:40-a Teaching of Certain Pedagogies Prohibited.~~

~~I.~~

~~For the purposes of this section:~~

~~(a) "Indoctrination" means compelling, coercing, or evaluating students based on their adherence to the prohibited practices in RSA 193:40-a, II, including through grading, assignments, and mandatory or extra-credit activities.~~

~~(b) "Neutral or patriotic disposition" means fostering respect for American civic principles, such as liberty, equality under law, and republican processes, through activities like studying the Declaration of Independence or participating in civic holidays, without requiring partisan loyalty.~~

~~II.~~

~~No public school, school district, or public employee acting in an official capacity shall engage in the pedagogy, praxis, or inculcation of critical theories or related practices that promote division, dialectical world-views, critical consciousness, or anti-constitutional indoctrination.~~

~~This includes, but is not limited to:~~

~~(a) Teaching or advocating that American societal structures, including the U.S.~~

~~Constitution or legal system, are inherently illegitimate or designed to perpetuate oppression based on race, gender, sexual orientation, or other identity categories.~~

~~(b) Compelling students to adopt "critical consciousness" by requiring them to identify personal or societal "oppressors" and "oppressed" through lenses derived from Marxist analysis, intersectionality, or critical race theory.~~

~~(c) Implementing culturally relevant or responsive pedagogy that prioritizes identity-based division over individual merit or shared American values.~~

~~(d) Inculcating LGBTQ+ ideology, such as requiring affirmation of "gender fluidity," "non-binary" or "queer" identities, or requiring affirmation of LGBTQ+ sexuality as ethical or normative.~~

~~(e) Using dialectical analysis to frame history or current events primarily as class, racial, or identity-based conflicts intended to foster division rather than resolution.~~

~~III.~~

~~This section shall not prohibit:~~

~~(a) Factual, neutral instruction on historical events or figures.~~

~~Instruction on critical race theory or intersectionality is permitted only if presented factually and objectively as Marxian theories contrary to American tradition, law, and ethics, without requiring endorsement or affirmation.~~

~~(b) Age-appropriate health education on topics like bullying prevention, provided it does not compel ideological affirmation.~~

~~HB 1792-FN - AS INTRODUCED - Page 3 - (c) Encouraging critical thinking, debate, or sympathy without mandating adoption of the prohibited world-views.~~

~~IV.~~

~~Public schools shall prioritize curriculum and instruction in:~~

- ~~(a) Language arts, including reading, writing, and communication skills.~~
- ~~(b) Mathematics, including arithmetic, algebra, geometry, and problem-solving.~~
- ~~(c) Athletics and physical education to promote health and teamwork.~~
- ~~(d) STEM fields to build innovation and technical proficiency.~~
- ~~(e) Civic education that cultivates a neutral or patriotic disposition, emphasizing shared national values and constitutional principles.~~

~~V.~~

~~The department of education shall develop and publish guidelines within 90 days of the effective date of this section, including:~~

- ~~(a) Examples of permissible pedagogical teaching, including teaching the Civil Rights Act of 1964 as a historical achievement and objectively describing critical race theory as a Marxian-derived framework contrary to American legal principles.~~
- ~~(b) Examples of impermissible pedagogical teaching, including requiring students to participate in "privilege walks" that assign guilt based on identity and framing math problems through "equity" lenses that prioritize group outcomes or identities over individual achievement and effort.~~
- ~~(c) Resources for aligning curricula with core competencies under RSA 193:40-a, IV.~~

~~VI.~~

~~A violation of this section shall be investigated upon complaint by a student, parent, or employee to the department of education, which shall provide due process, including notice, an opportunity to respond, and a hearing before an impartial decision-maker.~~

~~Proven violations by school employees shall constitute unprofessional conduct under the educator code of conduct and may result in professional discipline by the state board of education, including mandatory training, warnings, suspensions, or, for serious or repeated violations, revocation of teaching certification.~~

~~Employment in public education shall not be considered a right and revocation may be imposed to protect students from indoctrination.~~

~~A school employee may be named in their professional capacity as a representative of the school or district in a civil action pursuant to RSA 193:40-a, VII, but no personal liability shall attach to school employees for violations of this section.~~

~~Remedies are limited to those against the employing entity under RSA 193:40-a, VII.~~

~~VII.~~

~~An aggrieved person, including a student or parent, may bring a civil action against the public school, school district, or employing public agency, or against an individual school employee in their professional capacity as a representative of the school or district for violations of this section.~~

~~Civil actions must be filed within one year of the discovery of the violation.~~

~~The court may award all of the following:~~

- ~~(a) Injunctive relief.~~
- ~~(b) Compensatory damages not exceeding \$10,000 per violation.~~

~~HB 1792-FN - AS INTRODUCED - Page 4 - (c) Reasonable attorney fees and court costs to the prevailing party.~~

~~VIII.~~

~~Any civil action pursuant to RSA 193:40-a, VII resulting in the finding of a school employee's violation of this section shall initiate professional conduct proceedings for such violating employee under the educator code of conduct, unless such proceedings have already commenced.~~

~~IX.~~

~~This section shall not apply to public institutions of higher education, private schools, or home schools, whether or not such home schools are participating in education freedom account programs.~~

~~X.~~

~~If any provision of this section or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the section which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.~~

~~4 Effective Date.~~

~~LBA 26-2440 12/16/2505/18/2026 HB 1792-FN- FISCAL NOTE AS INTRODUCEDAMENDED ANBY ACTTHE prohibitingSENATE school(AMENDMENT districts#2026-1779s) andAN personnelACT fromrelative to the instructionprohibition ofon criticalteaching racediscrimination. theory and LGBTQ+ ideologies in schools as well as establishing a private right of action for violations.~~

~~This bill doesrequires notthat provideeducators funding,act norpurposefully doesin itacademic~~

~~authorize instruction new for positions, their conduct to constitute prohibited teaching discrimination. Estimated The State bill Impact also FY removes 2026 the FY ability 2027 FY 2028 FY 2029 Revenue \$0 \$0 \$0 \$0 Revenue Fund(s) None Expenditures* \$0 Indeterminable Indeterminable Indeterminable (\$137,000+) (\$138,000+) (\$140,000+) Funding Source(s) General Fund Appropriations* \$0 \$0 \$0 \$0 Funding Source(s) None *Expenditure - Cost of bill aggrieved *Appropriation parties = Authorized funding to cover bring costs of civil bill action Estimated against Political a Subdivision school Impact or FY school 2026 district FY or 2027 seek FY relief 2028 through FY the 2029 New Local Hampshire Revenue Commission \$0 \$0 \$0 \$0 Local Expenditures \$0 Indeterminable The Office of Legislative Budget Assistant is unable to provide a complete fiscal note for this Human bill Rights. as it is awaiting information from the Department of Education.~~

~~The This Department bill was is initially not contacted expected on to 11/20/25 result for in a any direct fiscal note impacts. worksheet, with follow-up contact made on 12/05/25.~~

~~When completed, the fiscal note will be forwarded to the House Clerk's Office.~~

~~METHODOLOGY:~~

~~This bill prohibits public schools, school districts, and school employees from teaching certain defined pedagogies, including critical race theory, LGBTQ+ ideology, and related concepts.~~

~~It requires the Department of Education to issue guidance on compliant instruction and authorizes disciplinary action for violations.~~

~~The bill also establishes a private right of action allowing students and parents to bring civil lawsuits against public schools or school districts, with available remedies including injunctive relief, compensatory damages, and attorney's fees.~~

~~Higher education institutions, private schools, and home schools are exempt.~~

~~The Department of Justice states that while the number of potential cases cannot be estimated, it anticipates that additional capacity would likely be required to meet increased legal advisory and investigatory demands.~~

~~At this time, the Department estimates the need for at least one additional full-time attorney, with potential need for further support depending on case volume.~~

~~The estimated total cost of one new attorney position is \$137,000 in FY 2027, \$138,000 in FY 2028, and \$140,000 in FY 2029.~~

~~This bill provides neither authorization nor appropriation for new personnel.~~

~~This bill may have an impact on local school districts.~~

~~Any impact is indeterminable and would vary by district.~~

~~Department of Education and Department of Justice~~