



April 8, 2025

Honorable Chairman Mark Pearson
House Children and Family Law Committee
Legislative Office Building Rooms 206-208
33 N State St., Concord, NH 03301

RE: NAMI NH testimony regarding SB 72 as Amended by the Senate (2nd)

Chairman Pearson and Committee Members:

My name is Sam Hawkins, and I represent NAMI New Hampshire, the National Alliance on Mental Illness. NAMI NH is a non-profit, grassroots organization whose mission is to improve the lives of all people impacted by mental illness and suicide through support, education and advocacy. On behalf of NAMI NH, I am writing with concerns in regard to SB 72 as Amended by the Senate, establishing a parents' bill of rights in education.

The foundation of our concern is in the lack of an appropriate standard in order to withhold records or information when an educator reasonably suspects that such disclosure would cause abuse or neglect. As amended by the Senate, the bill requires that such belief must be supported by “clear and convincing evidence” – a standard which is much higher than the standard that requires reports of suspected abuse (“reason to suspect”), or the standard to find abuse (“preponderance of the evidence”), under the Child Protection Act. Should the standard used in the bill become law, we believe it would be difficult, if not functionally impossible, to attain the evidentiary standard necessary in order to withhold information and prevent abuse and neglect.

Family relationships are the most impactful within a child’s life, and parents indisputably have a right to access crucial information about their child’s health and wellbeing. The vast majority of the time, any such disclosures will happen without incident. However, we must provide the proper mechanisms in law to protect a child in unsafe circumstances.

Further, we have concerns that having such an unattainable standard in law will cause teachers to be unwilling to listen to students’ feelings, experiences, and concerns out of fear that they may not be able to withhold such information if necessary. In this instance, we expect children might go without the support of a trusted adult that they need to be well. It is crucial that educators are open to having these crucial conversations with students when the student feels they need to happen.

Find Help, Find Hope.

NAMI New Hampshire • 85 North State Street • Concord, NH 03301
InfoLine: 800-242-6264 • Tel. 603-225-5359 • Fax 603-228-8848 • info@naminh.org / www.NAMINH.org

With all of this in mind, NAMI NH asks, should the committee advance SB 72, that there be careful consideration of the aforementioned concerns to ensure proper child safety, support, and wellness at home and in the school.

Sincerely,

A handwritten signature in black ink that reads "Samuel C. Hawkins". The signature is written in a cursive style with a large initial 'S' and a long, sweeping underline.

Samuel C. Hawkins