

Public Notice of Meeting
WILTON-LYNDEBOROUGH COOPERATIVE
POLICY COMMITTEE MEETING
Wednesday, March 26th, 2025
Wilton-Lyndeborough Cooperative Library
6:30 p.m.

I. CALL TO ORDER

II. ELECTIONS

III. REVIEW MEETING MINUTES

- a. 02/12/2025**

IV. OLD BUSINESS

- a. EBCH-R Chemical Safety and Chemical Hygiene Administrative Procedure
- b. GBCG-R- Background Investigation and Criminal History Record checks-Internal Controls and Procedures
- c. IHBA-R - Programs for Pupils with Disabilities
- d. IHBAA - Evaluation Requirements for Students with Disabilities
- e. JLF - Reporting Child Abuse and Neglect
 - i. JLF-R Reporting Form
- f. DAFB - Equivalence in Instructional Staff and Materials
- g. EBBC/JLCE - Emergency Care and First Aid
- h. 2024 Spring policy update review
 - i. ADB - Drug Free Workplace & Drug Free Schools
 - ii. ADC - Prohibitions Regarding Use and Possession of Tobacco Products, E-Cigarettes, and Eliquids in and on School Property
 - iii. BGAA - Policy Development, Adoption and Review
 - iv. JI - Students Rights and Responsibilities
 - v. JICD - Student Discipline and Due Process
 - vi. JKAA- Use of Restraints and Seclusion
 - vii. JRA- Student Records and Access (FERPA)
- i. DID - Fixed Assets (Inventories)
- j. TITLE IX update
- k. JJJ & JJIC: legal update

IV. NEW BUSINESS

- a. FF - Naming New Facilities
- b. IHBCA - Pregnant Students
- c. IHBI -Alternative Learning Plan

V. PUBLIC COMMENT

VI. SETTING NEXT MEETING DATE AND AGENDA

VII. ADJOURNMENT

**WILTON-LYNDEBOROUGH COOPERATIVE
POLICY COMMITTEE MEETING MINUTES
Wednesday, February 12th, 2025
Wilton-Lyndeborough Cooperative Library
6:30 p.m.**

I. CALL TO ORDER at 6:31pm Jon Lavoie, Brianne Lavallee and Cynthia Foss present; Peter Weaver online

II. REVIEW MEETING MINUTES
a. 11/13/2024

A MOTION was made by Brianne Lavallee and SECONDED by Cynthia Foss to accept the meeting minutes as written Voting: 3 ayes, motion carried.

III. OLD BUSINESS

a. EBCH - Chemical Safety and Chemical Hygiene Plan discussion was had regarding the newly required policy; this new sample policy was created to satisfy a requirement in NH Ed 320.02(b)(3) that districts have a policy to minimize the use of toxic chemicals, and provisions prohibiting employees from bringing their own cleaning products or pesticides into school buildings. It also requires the policy to include information regarding the requirement under Ed 320.02(b)(8) that districts create a chemical hygiene plan with elements as described in that section of Ed 320.02. **EBCH-E** is an example that the Upper Valley Lake Sunapee Regional Planning Commission has graciously made available as a Chemical Hygiene Plan template for districts to use in preparing their own plans. Administration is aware of the requirement and is working on creating a plan that is specific to our district needs, per the policy page 2 Peter Weaver will ensure the Student Handbook is updated.

A MOTION was made by Brianne Lavallee and SECONDED by Cynthia Foss to send the recommendation to adopt the new policy EBCH to the Board Voting: 3 ayes, motion carried.

b. KFD - Use and Location of Automated External Defibrillators this policy was reclassified as "Priority/Required", and revised in response to passage of SB379, which, among other things, amended provision in RSA 200:40-c relating to location and maintenance of AEDs (the required maintenance provision was already in paragraph 3 of the earlier version of KFD); discussion was had regarding this policy is tri-coded in three sections, G - employees (GBGBA), J - students (JLCEA), and K - community (KFD) as it has provisions which apply generally to employees, students and more generally. We may, but do not need to, maintain all three. If choosing to maintain one, NHSBA recommends using KFD, and further that the board formally withdraw/rescind/repeal the other two, with a permanent record of the rescinded policy. I also just received a newly updated copy that includes changes to replace the link for the appropriate NH Dept. of Safety page, and to revise the incident reporting process, and to include alternative language to use of the AED by untrained personnel. Discussion was had regarding Note - RSA 155-A:31 provides immunity for persons who "in good faith and without compensation" administer an AED. It is unclear from the language whether the "without compensation" provision would apply to employees of the school district if they administer it while they are "on the clock" so to speak. For that reason we will leave the limitation to administration only by employees trained in its use.

The language in tonight's draft was to be updated to reflect the other minor changes.

GBGBA discussion was had regarding need to withdraw

JLCEA discussion was had regarding need to withdraw

A MOTION was made by Jon Lavoie and SECONDED by Cynthia Foss to send the recommendation to adopt the updated policy KFD to the Board and to recommend withdrawal of GBGBA and JLCEA Voting: 3 ayes, motion carried.

- c. **IC - School Year** was revised to include reference to the requirement under newly enacted RSA 288:4, III, that schools use the state designated names for certain holidays, and also changed the reference from "vocational schools" to CTE centers; Policy was revised to combine sample policies IC and ICA school calendar in an effort to reduce redundancies. The revision also included information on distance learning reflecting the 2022 amendments to Ed. Rule 306.22 effectively limiting the use of "blizzard bags"/remote instruction during inclement weather. Sept. 2021, policy was revised to (i) include definition of academic freedom; (ii) include provisions relative to RSA 193:40 enacted in 2021; and (iii) more directly connect policy to other sample policies; Peter took time to do a good review and provided his updates to us this afternoon. **ICA** discussion was had that in adopting the revised IC, we should withdraw policy ICA.

A MOTION was made by Jon Lavoie and SECONDED by Cynthia Foss to send the recommendation to adopt the updated policy IC to the Board and to recommend withdrawal of ICA Voting: 3 ayes, motion carried.

IMBA-Distance Education this is a required policy, our last update was in 2010; this new policy revised to draw a distinction between district-wide distance education due to inclement weather and individualized distance education and include N.H. Department of Education Rules Ed. 306.18(a)(7) and 306.22 as amended in 2022. We need to remove reference to IC after Peter made changes to IC it is no longer relevant, sentence added from the first draft of IC regarding Ed rules

A MOTION was made by Brianne Lavallee and SECONDED by Cynthia Foss to send the recommendation to adopt the updated policy IMBA to the Board Voting: 3 ayes, motion carried.

- d. **IGE - Parent Objections to Specific Course Material** minor changes indicated in red, revised to reflect updates to NH RSA 186:11, IX-c due to HB1312. discussion was had regarding what grades have instruction provided related to specific listings in the "Note" section of the policy, Peter Weaver verified that currently any human sexuality instruction, related to puberty or safety is always delivered in accordance with age appropriate standards, there is no specific curriculum that includes sexual orientation, gender identity, or gender expression at this time. Jon Lavoie questioned the use of the word "affirmative", discussion was had clarifying that the language is in place to affirm that parents or guardians have the right to be made aware and opt their children out of any specific instruction.

A MOTION was made by Brianne Lavallee and SECONDED by Cynthia Foss to send the recommendation to adopt the updated policy IGE to the Board Voting: 3 ayes, motion carried.

- e. **IHAM - Health Education and Exemption from Instruction** minor changes reflected in red to reflect updates to 186:11, IX-c due to HB1312 regarding curricula requiring parental notification.

A MOTION was made by Brianne Lavallee and SECONDED by Cynthia Foss to send the recommendation to adopt the updated policy IHAM to the Board Voting: 3 ayes, motion carried.

- f. **IKF - High School Graduation Requirements** Revised to reflect HB1066, which amended RSA 193:26-a to remove the 2021 requirement that students complete a FAFSA as a graduation requirement. RSA 193:26-a, now only requires school districts to provide information to students eligible for graduation as to how to obtain and properly complete the free FAFSA application. Revision also included placing the early graduation language into a separate section. The draft has been shared with the WLC Admin team, including guidance to

verify policy aligns with practice and to get input from the staff using the policy; feedback is reflected in the newest version of the policy shared with us this afternoon. Peter Weaver explained that the table now includes the 2026-2027 changes as well so we will not have to update them again in a year; he also updated the language regarding the civics exam in anticipation of additional changes related to the direction the state is moving regarding the Civics testing, and the language regarding FAFSA has been updated to reflect our ability to access the system. Discussion was had that when related policy cross reference was done Brianne noted policy IHBI needs updating and will be included in our March committee meeting

A MOTION was made by Jon Lavoie and SECONDED by Cynthia Foss to send the recommendation to adopt the updated policy IKF to the Board Voting: 3 ayes, motion carried.

g. **JJIB/JJA/JJJ/JJIC** : legal updates needed, no further ruling in NH court case, and no further advisories released from NH DOE; JJIC (we updated in 2010) and JJJ (we updated in 2023) are both required policies. We do not have policy JJIB-School Sponsored Athletic Programs or JJA - Student Activities and Organizations neither policies are required so we will not move forward with creation at this time; Both JJIC and JJJ are both required policies so we do need to address the changes, discussion was had regarding our fall committee discussion, we reviewed the inherent conflict between then newly adopted HB1205 (RSA 193:41-42) and federal law, including the Title IX regulations passed in 2024 (the "2024 Title IX Regulations"). Since that time, the 2024 Title IX Regulations have been vacated, and on February 5, 2025 the President of the United States issued an Executive Order directing that federal funds be rescinded from institutions that do not restrict participation in girl's/women's competitive sports to the female "sex" based upon "an individual's immutable biological classification as either male or female." However it was further complicated when on September 12, 2024, the United States District Court for the District of New Hampshire issued a preliminary injunction finding HB1205 both unconstitutional and violative of Title IX. See Tirrell, et al. v. Edleblut, et al., Case No. 24-cv-251-LM-TSM (Order dated 9/12/2024). This finding did not concern the 2024 Title IX Regulations, but rather the Title IX statute that was in place prior to Biden's 2024 update. The New Hampshire District Court's Order, although not a final order, is consistent with those issued in several other Federal Courts throughout the country. (Most recently, see Doe v. Horne, No. 23-16026, (9th Cir., Sept. 9, 2024). Because the Court's order did not involve the 2024 Title IX Regulations, the fact that those regulations have been nullified has no bearing on the case. Likewise, as it is the judicial branch that is assigned the authority to interpret the Constitution and statutes, the Court's ruling still stands. Because there are very significant risks inherent with choosing one or the other, and the extent or scope of those risks will depend on local circumstances, we should consult with private legal counsel before deciding on changes. Brianne will continue work on these policies with Administration and bring them forward when clarification allows for completion

h. **JLCJA-Emergency Plan for Sports Related Injuries and Additional Protocols for Athletics Participation** This is a required policy we just updated it in 2023 but it needs new updates to reflect passage of SB379 which, in part, amended RSA 200:40-c, adding a mandate that sports injury plans include a requirement that all school sponsored sports activities for any of grades 6-12 be supervised by a person trained in CPR. The amended statute also includes requirements that for schools which have AEDs, the AED's will be maintained per the manufacturer's instructions, and that at least one AED be readily accessible, this is reflected in new KFD policy. Discussion was had regarding the difficulty this will cause in finding and/or training coaches, in practice the benefit in an emergency situation can be seen. Minor rewording reviewed, draft needs to be created with the changes but it can be sent to the board.

A MOTION was made by Brianne Lavalllee and SECONDED by Jon Lavoie to send the recommendation to adopt the updated policy IHAM to the Board Voting: 3 ayes, motion carried.

i. **JLF/GBCE- Reporting Child Abuse or Neglect** This is a required policy, Our last update was in 2011, Jon Lavoie will complete a new draft to reflect the changes recommended by

representatives of DCYF and the Granite State Children's Alliance: to improve reporting and record requirements; to provide a mandate for annual training as now required by RSA 189:13-a, XII; and to reflect **new** sample reporting form **JLF-F(1)**. Updates also needed to (a) more closely track the requirements RSA 169-C, (b) clarify the participation of the Principal, (c) include reference to the NH Code of Conduct for Educators, and (d) provide a mandate for annual training

i. JLF-F - was sent to Administration to look at the example and decide if we would use that or create our own.

j. **JLP - Parent Notification of and Involvement in Student Welfare** this is a new required policy created in response to passing of HB 1312, which, among other things, created new paragraph IX-e RSA 186:11, and requires a policy relating to disclosure/disclosure to parents of information concerning a student's mental, emotional or physical health. Discussion was had regarding the NHSBA draft included in tonight's packet, everyone in agreement that the draft will meet our districts needs

A MOTION was made by Jon Lavoie and SECONDED by Cynthia Foss to send the recommendation to adopt the new policy JLP to the Board Voting: 3 ayes, motion carried.

k. **BA - School Board Self Evaluation and Goal Setting** - updated policy that combines our old BA and BAA, discussion was had regarding google survey completed

A MOTION was made by Jon Lavoie and SECONDED by Cynthia Foss to send the recommendation to adopt the new policy JLP to the Board Voting: 3 ayes, motion carried.

IV. NEW BUSINESS

a. **Yearly review of NHSBA withdrawn policies;** discussion was had regarding the audit results completed by Brianne; 16 policies we currently have have been rescinded by NHSBA

- i. EBCA-R(1) Crisis Prevention and Emergency Response Plans; withdrawn from NHSBA in 2022; discussion was had that form is not being used we can withdraw
- ii. EBCB-R(1) Fire and All Hazard Drills - Fire Exit Drills in Educational Occupancies; withdrawn 2019 from NHSBA discussion was had that form is not being used we can withdraw
- iii. EEA-R(1) - Student Transportation Services; see EEA & JICC; withdrawn from NHSBA in 2021; we reviewed this last year and it is still relevant to our district so we DO NOT recommend withdrawal
- iv. ICA - School Calendar; now included in IC; withdrawn from NHSBA 2022 by NHSBA; discussed earlier, will be withdrawn
- v. IHBG-R(1) - Home Education Intruction; see JJJ-R; withdrawn from NHSBA 2022 discussion was had that we can withdraw IHBG-R and instead use JJJ-R, we just updated JJJ in 2023
- vi. IJNDB - School District Internet Access; see JICF and JICL; withdrawn from NHSBA in 2019, we need to withdraw it
- vii. JIA - Student Due Process; see JICD; withdrawn from NHSBA in 2021, we updated JICD in 2022 when there was a significant overhaul, we should withdraw JIA, it is now in JICD, we will also be updating this policy again in the coming months
- viii. JIE - Pregnant Students; withdrawn from NHSBA in 2024, no longer needed, we have IHBCA which addresses the needs of pregnant students, that policy does need an update assigned to Brianne Lavallee to complete for our next meeting
- ix. JLCG-R(1) - Exclusion of Students Who Present a Hazard; withdrawn from NHSBA in 2020; now included in EBCG, we can withdraw

- x. JLI - Joint Loss Management Committee; withdrawn from NHSBA in 2020, we can withdraw, content is included in EB
- xi. JRA-R(1) Student records and access FERPA; withdrawn from NHSBA in 2009; JRA was update by us in 2015 and the information in JRA-R is included in that policy, we can withdraw
- xii. KDA-Public Information Program; see EG; withdrawn from NHSBA in 2022, should we keep this or adopt EG which we do not have, both policies reviewed, neither are required, discussion was had regarding the requirement that Administration follows the law regarding all required public information postings, discussion was had regarding inclement weather or school closing notifications and information included in our new school closings policy; Jon Lavoie inquired about the process currently used by Administration and recommended that upon withdrawal of policy Administration has a procedural document outlining how they communicate with newspapers, community, etc; committee will recommend withdrawal
- xiii. KED - Facilities and Services Grievance Procedure; withdrawn from NHSBA in 2024, we can withdraw while we figure out the anti-discrimination policies r/t Title IX, we do not currently have policy ACA, but the content of the policy touched upon in our current AC-ACE policies, there are updates that will be needed, we can withdraw at this time
- xiv. KFAA-Public Conduct on School Property- Athletic Events ;withdrawn from NHSBA in 2013; discussion was had that our district still feels the need to have this policy in place, we recently used this policy in handling a situation at a basketball game, content reviewed and committee feels no changes need to be made at this time, a review date will be added

A MOTION was made by Jon Lavoie and SECONDED by Cynthia Foss to send the recommendation to withdraw policies EBCA-R, EBCB-R, ICA, IHBG-R, IJNDB, JIA, JIE, JLCG-R, JLI, JRA-R, KDA, KED to the Board Voting: 3 ayes, motion carried.

b. Yearly review of Required by law policies discussion was had regarding audit results, we need to work on/adopt the following policies:

- i. AC-R(2) Non-discrimination, Equal Opportunity Employment, and Anti-Discrimination Plan-Annual Notice of Contact Information we need to do a comprehensive review of all of our anti discrimination policies, including all of the missing policies; our current policies were put in place after the Trump Administration's 2020 Title IX Rule so the most recent executive order basically was reversing back to that; we do have the terms "gender identity and sexual orientation" in our 2020 adopted version, it is important to note that as of my research February 7, 2025, both classes are protected under state law, and have been recognized by multiple federal courts as falling within the protection of Title IX. Accordingly, Boards may choose to leave gender identity out of the language of this policy, understanding that as a protected class at least under state law, the district's response to reports of harassment claims relating to a person's gender identity or sexual orientation would be processed under ACA. Boards are strongly encouraged to review with their private counsel any circumstances specific to their district that may suggest specific inclusion of gender identity/sexual orientation in the restatement of policy.
- ii. ACA- Discrimination and Harassment Grievance Procedure discussed above in AC-R

- iii. ACAC - Title IX Prohibition of Sex Discrimination and Sex based Harrassment: Policy and Grievance Procedure discussed above in AC-R
- iv. ACF- Food and Nutrition Services: Nondiscrimination on the Basis of Disability discussed above in AC-R
- v. DAFB - Equivalence in Instructional Staff and Materials assigned to Cynthia Foss
- vi. EBBC/JLCE Emergency Care and First Aid assigned to Brianne Lavallee
- vii. EBCH- Chemical Safety and Chemical Hygiene discussed earlier, already completed
- viii. GBCG-RG(1) Background Investigation and Criminal History Records Check- Internal Controls and Procedures assigned to Peter Weaver to work on
- ix. IHBA-R(1) Programs for Pupils with Disabilities - Section 504- Notice of Parent & Students Rights assigned to Peter Weaver to work on
- x. IHBAA - Evaluation Requirements for Children with Specific Learning Disabilities assigned to Peter Weaver to work on
- xi. JLP - Parental Notification of and Involvement in Student Welfare; discussed earlier

c. **2024 Spring policy update review;** in progress; most updates are minor; Brianne will bring the drafts forward next meeting

- i. ADB – Drug-Free Workplace & Drug-Free Schools (dually coded as ADB/GBEC) Priority / Required by Law Also Coded As: GBEC NHSBA revised sample ADB to add federal requirement that employee reports of work-related drug convictions be made in writing.
- ii. ADC – Prohibitions Regarding Use and Possession of Tobacco Products, E-Cigarettes and ELiquids in and on School Facilities and Grounds (tri-coded as ADC/GBED/JICG) Priority / Required by Law Also Coded As: GBED, JICG NHSBA revised sample ADC to: add specific language to what has now been renumbered as Section D.2 from RSA 126-K:8, I(a) relative to prohibition against providing tobacco products, etc. to persons under 21; add specific reference to district buildings to remove a perceived ambiguity; separate Section D into sub-sections for clarity; and add paragraphs in both Sections B & C linking to D.2.
- iii. DAFB – Equivalence in Instructional Staff and Materials Priority / Required by Law for Districts with Title I Schools NHSBA created new sample policy DAFB for districts which have Title I schools, or more specifically, districts with a Title I school (with 100 or more students) in the same grade span as another District school. Grade spans include elementary schools, middle schools, high schools, and combined elementary/secondary schools. The policy details Board requirements for the District to maintain comparability of programs and services at schools throughout the District. Key elements include maintaining consistent funding year-to-year; using federal funds to supplement (not supplant) state and local resources, and ensuring all schools offer comparable services, whether or not they receive federal aid. The District must provide written assurances to the New Hampshire Department of Education, establish procedures for compliance, and maintain and update records biannually.
- iv. GBCD-R-RG(1) – Criminal History Records Information Internal Controls and Procedures Priority / Required by Law NHSBA created this new procedural document sample GBCD-R-RG(1) to provide guidance on complying with FBI and Department of Safety regulations relative to protection of criminal history records. The policy was largely based off

information in the FBI's CJIS Security Policy and the New Hampshire Department of Safety's CHRI Proper Access, Use and Dissemination Procedures. Note that this sample is wholly dependent on regulations and guidelines of the FBI and the New Hampshire Department of Safety, and therefore, any modifications should first be reviewed with the Department of Safety. THIS SAMPLE DOES NOT REQUIRE SCHOOL BOARD APPROVAL.

- v. IHBA – Programs for Pupils with Disabilities Priority / Required by Law NHSBA revised sample IHBA to include more specific information relative to both the IDEA and Section 504 of the Rehabilitation Act of 1973. Also, the sample was reclassified as "Priority / Required by Law" after inadvertently being listed as "Recommended" in a previous update.
- vi. IHBA-R – Programs for Pupils with Disabilities - Section 504 - Notice of Parent & Student Rights Priority / Required by Law NHSBA revised sample IHBA-R to replace former language relative to New Hampshire Special Education Procedural Safeguards (which was moved concurrently to policy IHBA), with a notice of rights relative to Section 504. Retitled the sample to reflect the changes.
- vii. JI – Student Rights and Responsibilities Priority / Required by Law NHSBA revised sample JI to change classification from "Recommended" to "Priority/Required by Law."
- viii. JICD – Student Discipline and Due Process Priority / Required by Law NHSBA revised sample JICD to reflect 2023 amendments to Department of Education rule Ed 317. Specifically, NHSBA changed section and paragraph references and removed former footnote 4. Revision note for September 2021 was corrected, as the original entry misstated the applicable statute.
- ix. JKAA – Use of Restraints and Seclusion Priority / Required by Law NHSBA revised sample JKAA to reflect in Endnote ii that the NH DOE report form was made available in late January. DOE form and Technical Advisory are available through live links in the "see more" section in the heading for this sample JKAA.
- x. JRA – Student Records and Access (FERPA) Recommended NHSBA revised sample JRA to: add the FERPA definition of "parent" (i.e., who has access to student records as a parent), which required relettering of what had been Sections E through I; revise definitions in Section H.1 associated with the "school officials with a legitimate educational interest" exception to prior consent requirement; and include additional minor revisions.

- d. **DID - Fixed Assets (Inventories);** we last updated this in 2010, it was noted during the DAF cross check, NHSBA just updated it in May. The policy was re-titled and completely replaced previous language to provide more detailed guidance related to requirements for reporting the value of certain assets in financial statements as required by Governmental Accounting Standards Board Statement 34 (GASB 34).
- e. **JICL- School District Internet Access for Students;** our last update was in 2011; NHSBA has not made any changes since 2010; Nick Brurocker took a look at it and provided the feedback The language of JICL doesn't appear to be out of date, and while it overlaps significantly with other policies such as EHAA, it is addressed to students whereas the rest cover employees. One outlier is policy IJNDB which JICL reports to have replaced but it is still posted on the website.

VI. SETTING NEXT MEETING DATE AND AGENDA

- a. *Annual Reviews need to be completed, Brianne has a table listing policies in need of annual review; if no significant changes are required a recommendation was made that they can go straight to the Board in the first meeting in April. We can go over any changes needed and compile a list for our March meeting*
- b. *FF-Naming New Facilities*
- c. *Next meeting discussion had, plan to meet March 26th at 6:30pm*

VII. ADJOURNMENT

A MOTION was made by Cynthia Foss and SECONDED by Brianne Lavallee to adjourn Voting: 3 ayes, motion carried.

Meeting Adjourned at 7:53pm

The Wilton-Lyndeborough Cooperative School District does not discriminate on the basis of race, color, religion, national origin, age, sex, handicap, veteran status, sexual orientation, gender identity or marital status in its administration of educational programs, activities or employment practice.

GBCD-R - BACKGROUND INVESTIGATION AND CRIMINAL HISTORY RECORDS CHECK – INTERNAL CONTROLS

NHSBA Sample Policy Manual
NHSBA PRM

Regulation GBCD-RG(1): Background Investigation and Criminal History Records Check - Internal Controls and Procedures

Status:
ADOPTED

Original Adopted Date: 05/15/2024 | Last Revised Date: 07/24/2024 | Last Reviewed Date: 07/24/2024

Category: *Priority/Required by Law*

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ADOPTION/REVISION NOTES –

Text between the highlighted lines “~~~~~”, and highlights in this sample should be removed prior to FINAL adoption, but policy committee and/or board should review before removal.

- a. *NHSBA created this sample procedural document in consultation with the New Hampshire Department of Safety (DOS), and based off the FBI’s “CJIS Security Policy” and DOS’s “CHRI Proper Access, Use and Dissemination Procedures.” Before making changes to this sample, Districts should consult with their attorney(s) and or the Department of Safety i to ensure their policy is compliance with applicable FBI and DOS provisions.*
- b. *As the contents of this document are proscribed by Federal regulations, NHSBA’s sample is intended as an administrative regulation which does not necessarily require review or approval by the School Board other than as determined by Board policy.*
- c. *General – As with all sample policies/procedures, NHSBA recommends that each district carefully review this sample prior to adoption/revision to ensure compatibility with the district’s own specific circumstances, internal coding system, current policies, and organizational structures.*
- d. *Highlighted language or blank, underscored spaces indicate specific areas which Boards should review, change or complete to reflect local personnel titles, internal/ external policy references, duty assignments etc.*
- e. *{**} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.*
- f. *Withdrawn & earlier versions of revised policies should be maintained separately as part of the permanent records of the District.*

When adopting this sample or variation of the same, a district should not include the NHSBA

history or NHSBA policy notes appearing below. The district should, however, include its own adoption/revision history to the extent known.

NHSBA history: July 24, 2024 - Minor correction only, replaced reference in B.2 reading "...this document GBCD-AP" to "...this document GBCD-RG(1)"; May 29, 2024 revision after updated policy list released - recoded as GBCD-RG from GBCD-R-RG; New procedural document – May 2024.

NHSBA revision notes: May 2024, created new procedural document GBCD-RG in order to provide guidance on complying with FBI and Department of Safety regulations relative to protection of criminal history records. The policy was largely based off information in the FBI's CJIS Security Policy and the New Hampshire Department of Safety's CHRI Proper Access, Use and Dissemination Procedures.

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- A. **Purpose.** This procedural document outlines the responsibilities and protocols required relative to receipt, access, retention and destruction of criminal history record information obtained through the criminal history records check required under RSA 189:13-A and Board policy {**}GBCD.
- B. **Definitions.** Except as noted relative to New Hampshire law or Board policy, the definitions are based on those provided in the *Criminal Justice Information Services Security Policy*, (Version 5.9.2 as of August 2023) of the Federal Bureau of Investigation, Criminal Justice Information Services Division (the "CJIS Security Policy").
1. Criminal Justice Information ("CJI") – refers to all of the data provided through the Federal Bureau of Investigation's ("FBI") criminal justice information system ("CJIS") including, but not limited to biometric, identity history, biographic, property, and case/incident history data.
 2. Criminal History Records Information ("CHRI") – is a subset of CJI, including: information, notations or other written or electronic evidence of an arrest, detention, complaint, indictment, information or other formal criminal charge relating to an identifiable person that includes identifying information regarding the individual as well as the disposition of any charges. For purposes of this document {**}GBCD-RG(1), CHRI will also include all of the information received through the New Hampshire State Police pursuant to RSA 189:13-a regarding the criminal history of a "covered person" (as defined in {**}GBCD) whether or not such information is received by or through the CJIS.

Due to its sensitive nature, and pursuant to regulations of the FBI, additional controls beyond those stated in RSA 189:13-a are required for the access, use and dissemination of CHRI.

3. “Authorized Person” & “Authorized Personnel” - an individual (“Authorized Person”), or group of individuals (“Authorized Personnel”), who have been appropriately vetted through a national fingerprint-based record check and have been granted access to CHRI data. However, pursuant to RSA 189:13-a, only the Superintendent or her/his “Designee” as defined under Board policy {**}GBCD qualify as “Authorized Personnel”. See Section D, below for requirements for training of Authorized Personnel.
4. Electronic Media - includes memory devices in laptops and computers (hard drives) and any removable, transportable digital memory media, such as magnetic tape or disk, backup medium, optical disk, flash drives, external hard drives, or digital memory card.
5. Physical Media - includes printed documents and imagery.

C. **Designated Points of Contact.**

Each Authorized Person may serve as a point of contact (“POC”) for communications with the FBI, or with the New Hampshire State Police, Justice Information Bureau, as the state CJIS agency (“CSA”), regarding such matters as (i) CHRI audits, (ii) changes to Authorized Personnel within the District, (iii) CHRI training, or (iv) CHRI security as required under state or federal law.

In the event the District has only one Authorized Person, the Superintendent shall also designate a person other than the Authorized Person to serve as an “Alternate POC”. Such Alternate POC will not have access to CHRI (i.e., the Alternate POC is not an “Authorized Person”), but may engage in communications as described in this paragraph, especially in the absence of an Authorized Person. (Hereafter, the/a “POC” will mean and include any Authorized Person/nel as well as the Alternate POC.) In addition to communications with the CSA and FBI as described above, the POC will support policy compliance, including such matters as:

1. Using the New Hampshire State Police Criminal Records Portal (the “NH Criminal Records Portal”), documentation of approved hardware, software, and firmware;
2. Using the NH Criminal Records Portal, communications regarding how the District’s devices/network are connected to the Criminal Records Portal; and
3. Implementation and compliance with security procedures.

D. **Training of Authorized Personnel.**

The District will ensure that each Authorized Person will complete the training relative to the reading and interpretation of criminal records as required under RSA 189:13-a. Additionally, the District will ensure all persons authorized to have CHRI access will

complete Security Awareness Training via CJIS Online immediately upon hire or appointment to access CHRI.

The District will ensure all Authorized Personnel complete recertification of Security Awareness Training every twelve (12) months.

The Alternate POC will keep on file the Security Awareness Training certificate on all authorized personnel.

E. Termination or other Changes to Authorized Personnel.

Upon an Authorized Person's separation/termination from employment with the District, a POC shall, as soon as practicable, terminate the separated employee's access to systems or physical areas that would allow access to CHRI.

In the event that there are any other additions or reductions to district employees assigned or to be assigned as Authorized Personnel, the POC will notify the CSA of the personnel changes within seven business days.

Each POC will keep an updated list of the Authorized Personnel and POC that will be available to the CSA or FBI.

F. Access to, and Security, Storage, Retention and Destruction of CHRI.

1. Access to and Storage of CHRI. Authorized Personnel as defined in section B.3, above, are the only persons allowed to access, view, possess, or otherwise handle CHRI whether in physical or electronic media. Any other dissemination of CHRI in any format or medium is strictly forbidden.

The Superintendent shall designate an area, a room, or a storage container as a controlled area for the purpose of day-to-day access to or storage of CHRI on physical media. CHRI on physical media will be stored at all times in a locked drawer/container at the Central Office that is only accessible to the Authorized Personnel. CHRI in physical media shall not be removed from the designated area except for destruction as provided below.

Any room, area or storage container in which CHRI is contained on physical media shall be locked whenever unattended by Authorized Personnel.

Documents or other physical media containing CHRI, and any devices through which CHRI on electronic media may be viewed, will be positioned at all times in such a way as to prevent persons who are not Authorized Personnel from accessing or viewing CHRI.

In no event shall any physical media containing CHRI be copied or transferred to any electronic media. Similarly, CHRI received and/or accessed through the New

Hampshire State Police Criminal Records Portal (the “Criminal Records Portal”), shall not be transferred to physical media (e.g., printed), and shall not be saved or transferred onto any other electronic media or device.

Additionally, if CHRI is received or accessed through the Criminal Records Portal, the District will at all times use electronic media and network infrastructure security methods consistent with the CJIS Security Policy and/or as otherwise required by the CSA or FBI.

The District shall take steps necessary to prevent and protect the District from physical, logical, and electronic breaches consistent with the District’s Data Governance and Security Plan and Board policy {**}EHAB.

In no event shall a “personal device” or “personally owned information system” be used to access, view, process, store or transmit CHRI. For the purposes of this policy, “personal device” or “personally owned information system” shall include any portable technology, including, but not limited to, mobile wireless devices (e.g., Blackberries, cellphones, smart phones, tablets, etc.), personal laptops, personal desktop computers, or portable storage device (e.g., flash drive, SD card, DVD, CD, air card, etc.).

2. CHRI Exempt from Public Disclosure. CHRI is exempt from disclosure to the public under RSA 91-A:5, IV. See also, Section 4.2.1 of the CJIS Security Policy, stating that CHRI obtained from the Interstate Information Index is only accessible for an authorized purpose; and FOIA(b)(7)(c), stating that matters which are an unwarranted invasion of personal privacy are exempt from disclosure.
3. Destruction of CHRI. The District will properly sanitize or destroy physical media or electronic media with CHRI within 60 days of receipt by the District. All CHRI will be destroyed as set out below.
 - a. Physical media with CHRI shall be destroyed by one of the following:
 - i. shredding by Authorized Personnel using District-issued cross-cut shredders;
 - ii. placed in locked shredding bins for a private contractor approved by the Superintendent to come on-site and shred, witnessed by District personnel throughout the entire process; or
 - iii. incineration using District incinerators or, if conducted by non-Authorized Personnel offsite, witnessed by the Superintendent or Superintendent’s designee.

- b. CHRI on electronic media shall be removed or destroyed by one of the below methods, and computers and other digital or electronic devices or systems that have been used to process, store, or transmit sensitive information shall not be released from the District's direct control until all CHRI has been destroyed using one of the prescribed methods:
 - i. Overwriting (at least three times);
 - ii. Degaussing (magnetic or electric removal of magnetic data); or
 - iii. Physical destruction (i.e., dismantling by methods of crushing, disassembling, etc., ensuring that the platter or other storage device has been physically destroyed so that no data can be extracted).

G. Reporting Information Security Events.

The District will report information security events/cybersecurity incidents involving CHRI consistent with Board policy **[**]**EHAB. Additionally, the District shall promptly report incident information to appropriate authorities, including the New Hampshire State Police CSA Information Security Officer (ISO).

H. Violations - Misuse of CHRI.

In the event of misuse of CHRI, or violations of any provision of (a) these Internal Controls and Procedures, or (b) the CJIS Security Policy, the District will subject the employee to disciplinary action per Board policy and procedures, up to and including the termination of their employment, and the employee may face criminal prosecution.

District Administrative Adoption History:

First adopted: _____

Revised: _____

District Revision History:

Legal References Disclaimer: These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

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and local, state and federal laws, regulations and court decisions, and other relevant education activity.

NH Statutes

RSA 189:13-a

Description

[School Employee and Designated School Volunteer Criminal History Records Check](#)

RSA 189:13-b

[School Bus Driver & Transportation Monitor Criminal History Records Check](#)

RSA 189:13-c

[Credentialing Applicant and Candidate Criminal History Records Check](#)

RSA 632-A:10

[Prohibition from Child Care Service of Persons Convicted of Certain Offenses](#)

NH Dept of Ed Regulation

Code of Conduct for New Hampshire Educators

Description

[Code of Conduct for New Hampshire Educators](#)

Federal Regulations

28 CFR Part 20

Description

[Criminal Justice Information Systems](#)

Cross References

Code

EEAE

Description

[School Bus Safety Program](#)

EEAE-R(1)

[School Bus Safety Program - Safety Guidelines for Parents/Guardians of Students Using School Buses](#)

EEAEA

[Mandatory Drug and Alcohol Testing – School Bus Drivers and Contracted Carriers](#)

EEAEA-R(1)

[Mandatory Drug and Alcohol Testing – School Bus Drivers and Contracted Carriers - Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers](#)

EHB

[Data/Records Retention](#)

EHB-R(1)

[Data/Records Retention - Local Records Retention Schedule](#)

GADA

[Employment References and Verification](#)

GBCE

[Training and Information Relative to Child Sexual Abuse Prevention](#)

GDF

[Hiring of Non-Certified Personnel](#)

IJOC

[Volunteers](#)

IJOC-R(1)

[Volunteers - Confidentiality Agreement](#)

JLIF

[Receipt and Use of Sex Offender Registry Information](#)

JLIF-R(1)

[Receipt and Use of Sex Offender Registry Information](#)

Legal Reference:

First Reading:

Second Reading:

Final Adoption:

Revision:

IHBA-R – PROGRAMS FOR PUPILS WITH DISABILITIES –SECTION 504-NOTICE OF PARENT & STUDENT RIGHTS

NHSBA Sample Policy Manual
NHSBA PRM

Appendix IHBA-R(1): Programs for Pupils with Disabilities - Section 504 - Notice of Parent & Student Rights

Status:
ADOPTED

Original Adopted Date: 09/01/2016 | Last Revised Date: 05/15/2024 | Last Reviewed Date: 05/15/2024

Category: Priority/Required by Law

ADOPTION/REVISION NOTES –

Text between the highlighted lines “~~~”, and highlights in this sample should be removed prior to adoption.

- a. General – As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption/revision to assure suitability with the district’s own specific circumstances, internal coding system, current policies, and organizational structures.
- b. General - Highlighted language or blank, underscored spaces indicate areas which Boards should review, change or complete to reflect local personnel titles, internal/ external policy references, duty assignments etc.
- c. General - {**} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.
- d. General - Withdrawn & earlier versions of revised policies should be maintained separately as part of the permanent records of the District.

NHSBA history: Revised - May 2024, Sept. 2016

NHSBA Revision Notes: May 2024, Replaced former language relative to New Hampshire Special Education Procedural Safeguards (which was moved concurrently to policy IHBA), with a notice of rights relative to Section 504. Re-titled the sample to reflect the changes. **Sept. 2016**, replaced substantive language regarding procedures and safeguards relative to special education, with language redirecting families to the New Hampshire Special Education Procedural Safeguards available through the Department of Education.

Notice of Parent and Student Rights under Section 504 Rehabilitation Act of 1973

The Rehabilitation Act of 1973, commonly referred to as “Section 504,” is a nondiscrimination statute enacted by the United States Congress. The purpose of the act is to prohibit discrimination and to ensure that disabled students have educational opportunities and benefits comparable to those provided to non-disabled students.

An eligible student under Section 504 is a student who (a) has, (b) has a record of having, or (c) is regarded as having a physical or mental impairment that substantially limits a major life activity such as, but not limited to learning, self-care, walking, seeing, hearing, speaking, breathing, working, and performing manual tasks.

Dual Eligibility: Many students will be eligible for education services under both Section 504 and the Individuals With Disabilities Education Act (IDEA). Students who are eligible under IDEA have many specific rights that are not available to students who are eligible solely under Section 504. An explanation of procedural safeguards for New Hampshire students eligible for services under the IDEA may be found in the "New Hampshire Special Education Procedural Safeguards Handbook available through the school district's **Special Education/Student Services Office/Department** and sets out the rights assured by IDEA.

It is the purpose of this notice to set out the rights assured by Section 504 to those disabled students who do not qualify under IDEA. The enabling regulations for Section 504 as set out in 34 CFR Part 104 provides parents and/or students with the following rights:

1. You have a right to be informed by the school district of your rights under Section 504. (34 CFR §104.32)
2. Your child has the right to an appropriate education designed to meet his/her individual educational needs as adequately as the needs of non-disabled students are met. (34 CFR §104.33)
3. Your child has the right to free educational services except for those fees that are also imposed on non-disabled students or their parents. Insurers and similar third parties are not relieved from an otherwise valid obligation to provide or to pay for services provided to a disabled student. (34 CFR §104.34)
4. Your child has a right to placement in the least-restrictive environment. (34 CFR §104.34)
5. Your child has a right to facilities, services, and activities that are comparable to those provided for non-disabled students. (34 CFR §104.34)
6. Your child has a right to an evaluation prior to an initial Section 504 placement and prior to any subsequent significant change in placement. (34 CFR §104.34)
7. Testing and other evaluation procedures must conform to the requirements of 34 CFR §104.35 as to validation, administration, areas of evaluation, etc. The district shall consider information from a variety of sources, such as assessment, aptitude and achievement tests, teacher recommendations, physical condition or medical reports, student grades, progress reports, parent observations, and anecdotal reports. (34 CFR §104.35)

8. Placement decisions must be made by a group of persons (i.e., the Section 504 Committee) including persons knowledgeable about your child, the meaning of the least-restrictive environment, and comparable facilities. (34 CFR §104.36)
9. If eligible under Section 504, your child has a right to periodic reevaluations, generally every three years. (34 CFR §104.35) You have the right to notice prior to any action by the district in regard to the identification, evaluation, or placement of your child. (34 CFR §104.36)
10. You have the right to examine relevant records. (34 CFR §104.36)
11. You have the right to an impartial hearing with respect to the district's actions regarding your child's identification, evaluation, or educational placement, with the opportunity for parental participation in the hearing and representation by an attorney. (34 CFR §104.36)
12. If you wish to challenge the actions of the district's Section 504 Committee in regard to your child's identification, evaluation, or educational placement, you should file a written Notice of Appeal with the district's Section 504 Coordinator within 30 calendar days from the time you receive written notice of the Section 504 Committee's action(s).

[name]

[contact information]

*NOTE: This information should match the information provided in the annually updated AC-E {**}, and should be included in student/parent handbooks.*

A hearing will be scheduled before an impartial hearing officer, and you will be notified in writing of the date, time, and place for the hearing.

13. If you disagree with the decision of the impartial hearing officer, you have a right to a review of that decision by a court of competent jurisdiction. (34 CFR §104.36)
14. On Section 504 matters other than your child's identification, evaluation, and placement, you have a right to file a complaint with the district's Section 504 Coordinator (or designee), who will investigate the allegations to the extent warranted by the nature of the complaint in an effort to reach a prompt and equitable resolution.
15. You also have the right to file a complaint with the Office of Civil Rights. The address of the Regional Office with jurisdiction in New Hampshire is:

Office for Civil Rights
U.S. Department of Education,
5 Post Office Square
Boston, Massachusetts 02109-3921
Tel: (617) 289-0111
TTY: (877) 521-2172
FAX: (617) 289-0150

OCR.Boston@ed.gov

Web Contact: www.ed.gov

Legal References Disclaimer: These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

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NH Statutes

RSA 186-C

RSA 186-C:10-a

NH Dept of Ed Regulation

N.H. Code Admin. Rules Ed 1100

Federal Regulations

34 CFR 104

34 CFR 300 et seq.

Federal Statutes

20 U.S.C. § 1400-1417

20 U.S.C. §§1400 et seq.

29 U.S.C. 794

42 U.S.C. 12101, et seq.

Cross References

Description

[Special Education](#)

[Retention of Individualized Education Programs](#)

Description

[Standards for the Education of Students With Disabilities](#)

Description

[Nondiscrimination on the Basis of Handicap](#)

[Assistance to the States for the Education of Children with Disabilities](#)

Description

[Individuals with Disabilities Education Act \(IDEA\)](#)

[Individuals with Disabilities Education Law](#)

[Rehabilitation Act of 1973 \(Section 504\)](#)

[Title II of The Americans with Disabilities Act of 1990](#)

Code

AC

AC-R(2)

ACE

IHBAA

IHBAB

IHBAC

IHBAM

IKFC

Description

[Nondiscrimination, Equal Opportunity Employment, and Anti-Discrimination Plan](#)

[Nondiscrimination, Equal Opportunity Employment, and Anti-Discrimination Plan - Annual Notice of Contact Information](#)

[Procedural Safeguards: Nondiscrimination on the Basis of Disability](#)

[Evaluation Requirements for Children With Specific Learning Disabilities](#)

[Special Education Evaluations](#)

[Developmental Delay as Qualifying Disability](#)

[District Special Education Policy and Procedures Manual](#)

[Alternative Diploma for Students with Cognitive Disabilities](#)

JICD
JICD-R(1)

JICK
JICK-R(1)
JICK-R(2)
JICK-R(3)

[Student Discipline and Due Process](#)
[Student Discipline and Due Process - Memorandum of Understanding](#)
[Pupil Safety and Violence Prevention](#)
[Pupil Safety and Violence Prevention - Report Form](#)
[Pupil Safety and Violence Prevention - Bullying Report Form](#)
[Pupil Safety and Violence Prevention - School Board Notification of Bullying Report](#)

Start the policy language here.

Legal Reference:

First Reading:
Second Reading:
Final Adoption:
Revision:

JLF-R – CHILD ABUSE AND/OR NEGLECT REPORTING FORM

Report to the **New Hampshire Division for Children, Youth and Families (DCYF) Central Intake:**

CALL: 1 (800) 894-5533 / (603) 271-6562

Central Intake Fax: 603-271-6565

In cases of **current emergency, imminent danger or safety concerns, call 911.**

| | | | | | |
|---|--|---|--|------------------------------|------------------------|
| <input type="checkbox"/> Lyndeborough
Central
School | <input type="checkbox"/> Florence Rideout
Elementary School | <input type="checkbox"/> Wilton-
Lyndeborough
Coop. MS/HS | Report Form Date & Time:
Date: _____ Time: _____ | | |
| Child Information: | | | | | |
| Child Name:
First: _____
Last: _____
Nickname(s): _____ | DOB:
_____ | Age:
_____ | Sex:
_____ | School Name:
_____ | Grade:
_____ |
| Additional Information Regarding Special Needs/Considerations: (e.g., communication, developmental delays, IEP, etc.)

_____ | | | | | |
| If KNOWN, Provide Sibling Information (or Information of other children in the home). If UNKNOWN, skip. | | | | | |
| Sibling # 1 Name:
First: _____
Last: _____
Nickname(s): _____ | DOB:
_____ | Age:
_____ | Sex:
_____ | School Name:
_____ | Grade:
_____ |
| Sibling # 2 Name:
First: _____
Last: _____
Nickname(s): _____ | DOB:
_____ | Age:
_____ | Sex:
_____ | School Name:
_____ | Grade:
_____ |
| Sibling # 3 Name:
First: _____
Last: _____
Nickname(s): _____ | DOB:
_____ | Age:
_____ | Sex:
_____ | School Name:
_____ | Grade:
_____ |
| Sibling # 4 Name:
First: _____
Last: _____
Nickname(s): _____ | DOB:
_____ | Age:
_____ | Sex:
_____ | School Name:
_____ | Grade:
_____ |

| | | | | | | |
|---|--------------|---|--|--|---------------------|---------------|
| Sibling # 5 Name:
First:
Last:
Nickname(s): | | DOB: | Age: | Sex: | School Name: | Grade: |
| Additional Information Regarding Special Needs/Considerations of Siblings: (e.g., communication, developmental delays, IEP, etc.) | | | | | | |
| Legal Parent(s)/Guardian Information: | | | | | | |
| Legal Parent/Guardian Name(s):
1.
2. | | Address (Where Child Resides with Parent(s)/Guardian(s): | | | | |
| Phone Number(s): (Provide any KNOWN Phone Number(s) & Work Names): | | | | | | |
| Home: | Cell: | Work: | Work Name: | | | |
| 1. | 1. | 1. | 1. | | | |
| 2. | 2. | 2. | 2. | | | |
| Additional Information Regarding Special Needs/Considerations of Parent(s)/Guardian(s): (e.g., communication, developmental delays, mental health, substance use, domestic violence, etc.) | | | | | | |
| Incident Information: | | | | | | |
| Reporter Name:
First:
Last: | | | Title/Role at School/Org./Program Name: | | | |
| School/Org./Program Name/ Address: | | | | | | |
| Date of Report to NH DCYF: | | Time of Report to DCYF: | | Mode of Report: (Check ONE)
<input type="checkbox"/> Disclosure Allowed
<input type="checkbox"/> Disclosure NOT Allowed
<input type="checkbox"/> Anonymous | | |
| Person Completing this Report (If different from "Reporter Name" above) | | | | | | |
| Name:
First:
Last: | | | Title/Role at School/Org./Program Name: | | | |

| | | |
|---|--|---|
| Reason for Report (e.g., Alleged Perpetrator, Type of Suspected Abuse (Physical/Sexual/Emotional)/Neglect and Date) | | |
| NOTE: For suspected physical or sexual abuse, do NOT contact the parent(s)/guardian(s) regarding this report. Let DCYF/Law Enforcement be the first point of contact with the parent(s)/guardian(s) to protect the child and any potential evidence. | | |
| Did the Child Disclose Information? <input type="checkbox"/> Yes <input type="checkbox"/> No | | |
| If YES, provide the child's EXACT words and any dialog you had with the child. If NO, please explain what led to your suspicion of child abuse/neglect. Use additional paper as needed. | | |
| NH DCYF Response: | <input type="checkbox"/> Screened-In
<input type="checkbox"/> Screened-Out | Report Number: |
| Additional DCYF Response Directions: | | (Provided by NH DCYF Central Intake)
<hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> DCYF Central Intake worker Name: |
| School/Org. /Program Name Principal/Director Informed: Yes <input type="checkbox"/> No <input type="checkbox"/> | | |
| If YES, Principal/Director Name/Title: | Check ALL that Apply:
<input type="checkbox"/> Verbally Notified
<input type="checkbox"/> Provided this Report Form | |
| Police Notification: <input type="checkbox"/> Yes <input type="checkbox"/> No | | |

Legal Reference:

First Reading:
Second Reading:
Final Adoption:
Revision:

IHBAA - EVALUATION REQUIREMENTS FOR CHILDREN WITH SPECIFIC LEARNING DISABILITIES

NHSBA Sample Policy Manual
NHSBA PRM

Policy IHBAA: Evaluation Requirements for Children With Specific Learning Disabilities

Status:
ADOPTED

Original Adopted Date: 04/01/2009 | Last Revised Date: 08/01/2022 | Last Reviewed Date: 08/01/2022

Category: Priority/Required by Law

ADOPTION/REVISION NOTES –

Text between the highlighted lines “~ ~ ~”, and highlights in this sample should be removed prior to adoption.

- a. *General – As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption/revision to assure suitability with the district’s own specific circumstances, internal coding system, current policies, and organizational structures.*
- b. *Highlighted language or blank, underscored spaces indicate areas which Boards should review, change or complete to reflect local personnel titles, internal/ external policy references, duty assignments etc.*
- c. *{**} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.*
- d. *Withdrawn & earlier versions of revised policies should be maintained separately as part of the permanent records of the District.*

NHSBA history:

Revised Aug. 2022, Sept. 2016

New policy – April, 2009

NHSBA revision notes, Aug. 2022, revised to include options for the method(s) and model(s) for the district to use in order to determine if a child has a specific learning disability under both federal and state law/rules. **Sept. 2016**, significant changes were made to ensure compliance with all special education rules and NHDOE recommendations and to include a statement directing interested persons to the NHDOE’s Special Education Procedures Manual.

The District will ensure that all evaluation requirements for children with learning disabilities are evaluated consistent with applicable state and federal laws and regulations. All staff, students, parents and other interested persons are directed to the *New Hampshire Department of Education*

Special Education Procedural Safeguards Handbook.

In making determinations regarding whether a student has a specific learning disability under state and federal special education rules, the District shall use: **[THE DISTRICT MAY CHOOSE TO USE EITHER MODEL OR BOTH MODELS AS DESCRIBED BELOW]** ¹

- A. The “pattern of strengths and weaknesses” model as set forth in New Hampshire State Board of Education rule Ed 1107.02(a)(1) and in federal regulation 34 C.F.R. §§ 300.307(a)(1) and 300.309(a)(2)(ii).
- B. The “response to intervention” (RTI) model as set forth in Ed rule 1107.02(a)(2) and federal regulation 34 C.F.R. §§ 300.307(a)(2) and Ed rule 1107.02(a)(2).

The District will find the child eligible if the child satisfies either model, and shall evaluate for specific learning disabilities in a manner consistent with the procedures and standards included in N.H. Department of Education rule 1107 and 34 C.F.R. §§300.301 - .311, as applicable.

¹ The Board should consult with the Superintendent and Student Services/Special Education Director to determine whether district resources can support one or the other or both of the different model standards and modify the policy as needed.

District Policy History:

First reading: _____

Second reading/adopted: _____

District revision history:

Legal References Disclaimer: *These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

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NH Statutes

RSA 186-C:10-a

RSA 200:59

Description

[Retention of Individualized Education Programs](#)

[Screening and Intervention for Dyslexia and Related](#)

NH Dept of Ed Regulation

N.H. Code Admin. Rules Ed 1107.02(b)

Federal Regulations

34 CFR 300.307-.309

Cross References**Code**

IHBA

IHBA-R(1)

IHBAB

IHBAC

IHBAM

[Disorders](#)**Description**

[Evaluation Requirements for Children With Specific Learning Disabilities](#)

Description

[Additional Procedures for Identifying Children With Specific Learning Disabilities](#)

Description

[Programs for Pupils with Disabilities](#)

[Programs for Pupils with Disabilities - Section 504 - Notice of Parent & Student Rights](#)

[Special Education Evaluations](#)

[Developmental Delay as Qualifying Disability](#)

[District Special Education Policy and Procedures Manual](#)

Start the policy language here.

Legal Reference:

First Reading:

Second Reading:

Final Adoption:

Revision:

DAFB EQUIVALENCE OF INSTRUCTIONAL STAFF

Category: Required for Districts with Title I schools *(see Adoption Note a.)

ADOPTION/REVISION NOTES –

Text between the highlighted lines “~ ~ ~”, and highlights in this sample should be removed prior to adoption.

- a. *This policy is intended to reflect requirements under ESSA/ESEA that LEAs must follow if they operate a Title I school with one or more other schools in the same grade span(s) as the Title I school, irrespective of whether the other school is a Title I school. The policy is not required for Districts with only one school per grade span, or if the only Title I school for the pertinent grade span has fewer than 100 students.*
- b. *General – As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption/revision to assure suitability with the district’s own specific circumstances, internal coding system, current policies, and organizational structures.*
- c. **Highlighted language** or blank, underscored spaces indicate areas which Boards should review, change or complete to reflect local personnel titles, internal/ external policy references, duty assignments etc.
- d. **{**}** indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.
- e. *Withdrawn & earlier versions of revised policies should be maintained separately as part of the permanent records of the District.*

NHSBA history: New policy – May 2024

NHSBA notes, May 2024 - This is a new sample policy, required by ESSA/ESEA for districts which have Title I schools, or more specifically, districts with a Title I school (with 100 or more students) in the same grade span as another District school. Grade spans include elementary schools, middle schools, high schools, and combined elementary/secondary schools. The policy details Board requirements for the District to maintain comparability of programs and services at schools throughout the District. Key elements include maintaining consistent funding year-to-year, using federal funds to supplement (not supplant) state and local resources, and ensuring all schools offer comparable services, whether or not they receive federal aid. The District must provide written assurances to the New Hampshire Department of Education, establish procedures for compliance, and maintain and update records biannually.

A. General Policy.

The Board directs that all schools within the District are, to the greatest extent possible, equivalent in teaching, administrative, and other staff, and in provision of curricular materials and instructional supplies so that programs and services throughout the schools of the District are substantially comparable.

In reaching this equivalency status, the Board recognizes that individual teacher salary differentials due to salary schedule, experience and longevity factors will not be included in the determination of staff equivalency. Further, the District recognizes that unpredictable changes in student enrollment and personnel assignments that occur after the beginning of the school year in determining comparability of services under this policy will not be included in an analysis of equivalency.

To promote this purpose, and to comply with applicable federal law, the Superintendent, to the maximum extent possible, shall ensure the District complies with the following:

- 1. Maintenance of effort. To the maximum extent possible, the District shall maintain its programs and expenditures in a consistent manner from year to year, unless changes to District funding or attendance make such allocations unfeasible.*
- 2. Federal funds to supplement, not supplant, non-Federal funds. The District may use federal funds only to supplement the funds that would, in the absence of such federal funds, be made available from State and local sources for the education of students participating in programs assisted under this part, and not to supplant such funds. To demonstrate compliance with this requirement, the District shall maintain adequate accounting records to demonstrate that the methodology used to allocate State and local funds to each school receiving assistance under this part ensures that all schools receive all of the State and local funds it would otherwise receive if it were not receiving federal funds*
- 3. Comparability of services. Except as provided in paragraph captioned "Compliance," below, the District shall ensure that State and local funds will be used in schools receiving federal funds to provide services that, taken as a whole, are at least comparable to services in schools that are not receiving federal funds.*

If the District is serving all of its schools with federal funds, it must ensure that State and local funds are used to provide services that, taken as a whole, are substantially comparable in each school.

B. Written assurances. *The District shall provide the New Hampshire Department of Education (NHED) written assurances that the District has established and implemented:*

- 1. A District-wide salary schedule;*
- 2. A policy to ensure equivalence among schools in teachers, administrators, and other staff; and*
- 3. A policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies.*

C. Procedures and records. *The Superintendent or the Superintendent's designee:*

- 1. May adopt such written procedures as may be necessary to fully implement this policy and comply with the assurances provided to NHED;*
- 2. Maintain records that are updated biennially documenting compliance with this Policy.*

D. Compliance. *For the purpose of determining compliance with the requirement to supplement and not supplant state funds with federal funds, the District is permitted to exclude State and local funds expended for:*

- 1. Language instruction educational programs; and*
- 2. The excess costs of providing services to children with disabilities as determined by the Superintendent or Superintendent's designee.*

E. Exclusion of funds. *For the purpose of complying with the requirements of comparable services, the District may exclude receipt of supplemental State or local funds expended in any school for programs that meet the intent and purpose of 20 USC § 6321.*

JLCE/EBBC- EMERGENCY CARE & FIRST AID*

Category: Priority/Required by Law

Related policies: JLC, JLCD, JLCD-R, EBBB

All School personnel have responsibilities in connection with injuries and emergencies occurring in school and at school-sponsored events, which may be classified as follows: (1) administering first aid; (2) summoning medical assistance; (3) notifying administration; (4) notifying parents; and (5) filing accident/injury reports.

School personnel must use reasonable judgment in handling injuries and emergencies. Caution should be exercised not to minimize or maximize any injury or illness. All personnel will understand the proper steps to be taken in the event of an injury or emergency.

The Superintendent will ensure that at least one other person on staff, aside from the school nurse, has current first aid and cardiopulmonary certification (CPR). If the school nurse or licensed practical nurse is not available, the person(s) who have current first aid and CPR certification is authorized to administer first aid and CPR as needed.

The school will obtain at the start of each school year emergency contact information of parents/guardians for each student and staff member. ~~See appendix JLCE-R for a sample form.~~

The school nurse, or specially trained staff members shall assist in the treatment of injuries or emergency situations. Such individuals have the authority to administer oxygen in case of a medical emergency, if available and if appropriate. This authorization extends to administering oxygen to students without prior notification to parents/guardians.

The school nurse or other designated personnel may administer other medications to students in emergency situations, provided such personnel has all training as is required by law. Such medication may also be administered in emergency situations if a student's medical action plan has been filed and updated with the school district to the extent required by law.

Consistent with state law, the school nurse may maintain a supply of asthma related rescue medication and the emergency medication epinephrine. The school nurse or specially trained staff members may also administer epinephrine to any student in case of a medical emergency, if appropriate. This authorization extends to administering epinephrine without prior notification to parents/guardians. The school nurse or other designated personnel may administer or make available to self-administer a bronchodilator, spacer, or nebulizer to a student who has been diagnosed with asthma for use in emergency or other situations as determined by the school nurse.

The district will maintain all necessary records relative to the emergency administration of medication and will file all such reports as may be required under Board policy JLCD, or applicable laws or regulations.

Accident reports must be prepared and filed consistent with Board policy EBBB.

The Wilton-Lyndeborough Cooperative School District makes it possible for parents/guardians to subscribe to student accident insurance at low rates. This program is offered each year during September. The District does not provide student accident insurance.

Records related to the emergency administration of any medication under this policy shall be made and maintained by the school nurse as provided in Board policy JLCD and District procedures JLCD-R. The school nurse will follow other first aid reporting protocols, as may be determined by other Board policy or administrative directive.

Legal References:

RSA 200:40, Emergency Care

RSA 200:40-a, Administration of Oxygen by School Nurse

RSA 200:44-a, Anaphylaxis Training Required

RSA 200:54, Supply of Bronchodilators, Spacers or Nebulizers

RSA 200:55, Administration of Bronchodilator, Space or Nebulizer

Ed 306.04(a)(21), Emergency Care for Students and School Personnel

Ed 306.12, School Health Service

First Reading: June 2, 2010, April 5, 2022

Second Reading: July 13, 2010, May 10, 2022

Original Adoption: August 10, 2010

Revision: May 10, 2022

*Note former policy EBBC has been incorporated into policy

ADB - DRUG FREE WORKPLACE & DRUG FREE SCHOOLS

Category: Required

Related Policies:

The Wilton-Lyndeborough School District will provide a drug-free workplace in accordance with the Drug-Free Schools and Communities Act of 1988 and Amendments of 1989 (41 USC Section 701 Et. Seq.). In compliance with statutory requirements, the District will:

A. Drug-Free Workplace

- a. All District workplaces are drug- and alcohol-free. All employees and contracted personnel are prohibited from:
 - i. Unlawfully manufacturing, dispensing, distributing, possessing, using, or being under the influence of any controlled substance or drug while on or in the workplace, including employees possessing a "medical marijuana" card.
 - ii. Distributing, consuming, using, possessing, or being under the influence of alcohol while on or in the workplace.
- b. For purposes of this policy, a "controlled substance or drug" means and includes any controlled substance or drug defined in the Controlled Substances Act, 21 U.S.C. § 812(c), or New Hampshire Controlled Drug Act RSA 318-B.
- c. For purposes of this policy, "workplace" shall mean the site for the performance of work, and will include at a minimum any District building or grounds owned or operated by the District, any school-owned vehicle, and any other school-approved vehicle used to transport students to and from school or school activities. It shall also include off-school property during any school-sponsored or school-approved activity, event or function such as a field trip or athletic event where students are under the jurisdiction, care or control of the District.
- d. As a condition of employment, each employee and all contracted personnel will:
 - i. Abide by the terms of this policy respecting a drug- and alcohol-free workplace, including any administrative rules, regulations or procedures implementing this policy; and
 - ii. Notify his or her supervisor **in writing** of his or her conviction under any criminal drug statute, for a violation occurring on District premises or while performing work for the District, no later than five (5) days after such conviction.
- e. In order to make employees aware of dangers of drug and alcohol abuse, the District will endeavor to:
 - i. Provide each employee with a copy of the District drug- and alcohol-free workplace policy;
 - ii. Post notice of the District drug- and alcohol-free workplace policy in a place where other information for employees is posted;

ADB - DRUG FREE WORKPLACE & DRUG FREE SCHOOLS

- iii. Establish a drug-free awareness program to educate employees about the dangers of drug abuse and drug use in the workplace, the specifics of this policy, including, the consequences for violating the policy, and any information about available drug and alcohol counseling, rehabilitation, reentry, or other employee-assistance programs.

B. District Action Upon Violation of Policy

An employee who violates this policy may be subject to disciplinary action; up to and including termination of employment. Alternatively, the Board may require an employee to successfully complete an appropriate drug- or alcohol-abuse, employee-assistance rehabilitation program.

The Board will take disciplinary action with respect to an employee convicted of a drug offense in the workplace, within thirty (30) days of receiving notice of a conviction. Should District employees or contracted personnel be engaged in the performance of work under a federal contract or grant, or under a state contract or grant, the Superintendent will notify the appropriate state or federal agency from which the District receives contract or grant moneys of an employee/contracted personnel's conviction, within ten (10) days after receiving notice of the conviction.

The processes for disciplinary action shall be those provided generally to other misconduct for the employee/contractor personnel as may be found in applicable collective bargaining agreements, individual contracts, School Board policies, contractor agreements, and or governing law. Disciplinary action should be applied consistently and fairly with respect to employees of the District and/or contractor personnel as the case may be.

C. Drug-Free School Zone

Pursuant to New Hampshire's "Drug-Free School Zone" law (RSA Chapter 193-B), it is unlawful for any person to manufacture, sell prescribe administer, dispense, or possess with intent to sell, dispense or compound any controlled drug or its analog, within a "drug-free school zone". The Superintendent is directed to assure that the District is and remains in compliance with the requirements of RSA 193-B, I, and N.H. Ed. Part 316 with respect to establishment, mapping and signage of the drug-free zone around each school of the District.

ADB - DRUG FREE WORKPLACE & DRUG FREE SCHOOLS

D. Implementation and Review

- a. The Superintendent is directed to promulgate administrative procedures and rules necessary and appropriate to implement the provisions of this policy.
- b. In order to maintain a drug-free workplace, the Superintendent will perform a biennial review of the implementation of this policy. The review shall be designed to:
 - i. determine and assure compliance with the notification requirements of section A.5.a, b and c;
 - ii. determine the effectiveness of programs established under paragraph A.5.c above;
 - iii. ensure that disciplinary sanctions are consistently and fairly enforced; and (iv) and identify any changes required, if any.

Note: ADB replaces GBEC

District Policy History:

First Reading: September 14, 2010

Second Reading: October 12, 2010

Final Adoption: October 12, 2010

Reviewed: January 4, 2022, January 18, 2022

Revised: February 1, 2022

Legal References:

NH Statutes

RSA 318-B

Controlled Drug Act

RSA Chapter 193-B

Drug Free School Zones

Description

NH Dept of Ed Regulation

N.H. Code Admin. Rules Ed 316

Procedure to mark drug-free school zones

Description

ADB - DRUG FREE WORKPLACE & DRUG FREE SCHOOLS

| Federal Statutes | Description |
|--------------------------|---|
| 21 USC § 812 | <u>Schedules of Controlled Substances</u> |
| 41 U.S.C. §101, et. seq. | <u>Drug-free workplace requirements for Federal contractors, and Federal grant recipients</u> |

Legal References Disclaimer: These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

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ADC - PROHIBITIONS REGARDING USE AND POSSESSION OF TOBACCO PRODUCTS, E-CIGARETTES AND E-LIQUIDS IN AND ON SCHOOL FACILITIES AND GROUNDS

Category: Required

Related Policies:

USE OF TOBACCO PRODUCTS STRICTLY PROHIBITED IN/ON ALL SCHOOL FACILITIES AND/OR GROUNDS

In accordance with State law, no person shall use any tobacco product, E-cigarette, or liquid nicotine in any facility or upon any grounds maintained by the Wilton-Lyndeborough Cooperative School District. Students and minors are further prohibited from possessing such items in or upon any facility, school vehicle, or grounds owned or maintained by the District.

- A. **Definitions.** *These definitions shall also include any amendments to the referenced statutes as the same may be amended or replaced from time to time.*

"Tobacco product(s)" means any product containing tobacco including, but not limited to, cigarettes, smoking tobacco, cigars, chewing tobacco, snuff, pipe tobacco, smokeless tobacco, and smokeless cigarettes, as well as any other product or item included in RSA 126-K:2, XI.

"Device" means any product composed of a mouthpiece, a heating element, a battery, and electronic circuits designed or used to deliver any aerosolized or vaporized substance including, but not limited to, nicotine or cannabis. Device may include, but is not limited to, hookah, e-cigarette, e-cigar, e-pipe, vape pen, e-hookah, as well as any other object or item defined in RSA 126-K:2, II-a.

"E-cigarette" means any electronic smoking device composed of a mouthpiece, a heating element, a battery, and electronic circuits that *may or may not contain* nicotine or *e-liquid*. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, or e-pipes, or under any other product name as well as any other product or item included in RSA 126-K:2, II-b.

"E-liquid" means any liquid, oil, or wax product containing, but not limited to, nicotine or cannabis intended for use in devices used for inhalation as well as any other substance included or defined in RSA 126-K:2, II-c.

"Liquid nicotine" means any liquid product composed either in whole or in part of pure nicotine and propylene glycol and manufactured for use with e-cigarettes, as well as any other product or item included in RSA 126-K:2, III-a.

"Employee" shall mean every employee, stipended position (e.g., coach, trainer, drama coach, etc.), candidate, designated volunteer (whether direct or through a volunteer organization), or any other service where the contractor or employees of the contractor provide services directly to students of the District, or any applicant/person seeking to serve in any of those positions.

"Facility" is any place which is supported by public funds and which is used for the instruction of students enrolled in preschool programs and in all grades maintained by the District. This definition shall include all administrative buildings and offices and areas within

ADC - PROHIBITIONS REGARDING USE AND POSSESSION OF TOBACCO PRODUCTS, E-CIGARETTES AND E-LIQUIDS IN AND ON SCHOOL FACILITIES AND GROUNDS

facilities supportive of instruction and subject to educational administration, including, but not limited to, lounge areas, passageways, rest rooms, laboratories, classrooms, study areas, cafeterias, gymnasiums, maintenance rooms, and storage areas.

It is the responsibility of the building principal(s), or designee, to initially enforce this policy by requesting that any person who is violating this policy to immediately cease the use of tobacco products. After this request is made, if any person refuses to refrain from using tobacco products in violation of this policy, the principal or designee may call the local police who shall then be responsible for all enforcement proceedings and applicable fines and penalties.

B. Students

No student shall purchase, attempt to purchase, possess or use any tobacco product, device, e-cigarette, e-liquid, or liquid nicotine in any facility, in any school building or vehicle, or anywhere on school grounds maintained by the District.

Students are also subject to the provisions of D.2, below.

Enforcement of the prohibition against students shall initially rest with building principals, or their designees, who may also report any violation to law enforcement, for possible juvenile, criminal or other proceedings as provided under state law. Additional consequences may be administered pursuant to printed student conduct rules.

The principal will develop regulations, which cover disciplinary action to be taken for violations of this policy. These regulations will be communicated to students by means deemed appropriate by the principal. In addition to disciplinary actions taken by the school, criminal penalties for fines may result from violations of this policy.

C. Employees

No employee shall use any tobacco product, device, e-cigarette, e-liquid, or liquid nicotine, in any facility, in any school building or vehicle, or anywhere on school grounds maintained by the District.

Initial responsibility for enforcement of this prohibition shall rest with building principals, or their designees. Any employee(s) who violate(s) this policy is subject to disciplinary action which may include warning, suspension or dismissal. Violations may also be referred to appropriate law enforcement and/or other appropriate agencies for criminal or other proceedings as provided under state law.

Employees are also subject to the provisions of D.2, below.

D. All other persons

1. No visitor, contractor, vendor or other member of the public, shall use any tobacco product, device, e-cigarette, e-liquid, or liquid nicotine in any facility, in any school building or vehicle, or anywhere on school grounds maintained by the District.

ADC - PROHIBITIONS REGARDING USE AND POSSESSION OF TOBACCO PRODUCTS, E-CIGARETTES AND E-LIQUIDS IN AND ON SCHOOL FACILITIES AND GROUNDS

2. Additionally, no person, including, without limitation, students or employees (as defined above), may sell, give or furnish tobacco products, e-cigarettes, or e-liquid to any person under 21 in or upon any school facility.
3. The building principal(s), and where appropriate, other site supervisor (athletic director, vehicle driver, etc.), or their designee(s), shall have the initial responsibility to enforce this section, by requesting that any person who is violating this policy to immediately cease the use of tobacco products, e-cigarette or liquid nicotine. After this request is made, if any person refuses to refrain from using such products in violation of this policy, the principal, site supervisor, or designee may contact the appropriate law enforcement agency(ies) for possible criminal or other proceedings as provided under state law.

E. **Implementation and Notice - Administrative Rules and Procedures.**

The Superintendent shall establish administrative rules and procedures to implement this policy, which rules and procedures may be building level and/or district-wide. Rules and procedures relating to student violations and resulting disciplinary consequences should be developed in consultation with building principal(s).

The Superintendent, working with the building principal(s), shall provide annual notice to employees, students and parents of the pertinent provisions of this policy (e.g., student or staff handbook) along with applicable administrative regulations and procedures, which may include prescribed consequences for violations of this policy. Such notice should include information that violation of this Policy could lead to criminal or other such proceedings.

Signs shall be placed by the District in all buildings, facilities and school vehicles stating that the use of tobacco products is prohibited.

Note: ADC replaced policies GBED, JICG
District revision history:

First reading: May 11, 2010, August 23, 2022
Second Reading: June 2, 2010, September 20, 2022
Final Adoption: June 13, 2010
Revised: October 11, 2022

Legal References:

| NH Statutes | Description |
|--------------------|---|
| RSA 126-K:2 | <u>Definitions</u> |
| RSA 126-K:7 | <u>Use of Tobacco Products on Public Educational Grounds Prohibited</u> |
| RSA 126-K:8 | <u>Youth Access to and Use of Tobacco Products, Special Provisions</u> |

ADC - PROHIBITIONS REGARDING USE AND POSSESSION OF TOBACCO PRODUCTS, E-CIGARETTES AND E-LIQUIDS IN AND ON SCHOOL FACILITIES AND GROUNDS

RSA 126-K:6

[Possession and Use of Tobacco Products by Minors](#)

RSA 155:64 – 77

[Indoor Smoking Act \(Act starts at section 155:64\)](#)

Federal Statutes

Description

20 U.S.C. 7973

[Nonsmoking Policy for Children's Services](#)

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BGAA - POLICY DEVELOPMENT, ADOPTION, and REVIEW

Category: Recommended

*Related Policies: BAAA, BDE, BDF,
BEDH, & BGE*

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### **ADOPTION/REVISION NOTES –**

**Text between the highlighted lines “~~~~~”, and highlights in this sample should be removed prior to adoption.**

- a. ***This policy is intended as an alternative to and replacement of NHSBA sample policies BG, BGA, BGB, BGC & BGE. If a Board adopts this policy, it should concurrently withdraw policies BG – BGE. Additionally, it should review its current manual for other related policies (e.g., BGD), and make such adjustments as are necessary for continuity, to reduce redundancies, as well as local preference and practice***

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The development and adoption of policies that govern the Wilton Lyndeborough Cooperative School District is one of the School Board's most important functions. Board policies establish the goals, direction and structure of the district under the authority of applicable statutes and regulations. In addition to policies required by state and federal laws and regulations, the Board adopts policies to provide direction to the Superintendent and other administrators in the management of the district, to guide the education program, and to provide clear expectations for school staff, students and parents.

Board policies are intended to provide the framework for district operations and the educational system. In general, the operational details as to how policies will be implemented are contained in administrative procedures developed by the administration. However, the Board may adopt administrative procedures concerning its own operations, or when an issue is of sufficient legal importance to warrant a Board-level procedure.

- A. Policy Committee Responsibilities and Meetings. The Board's Policy Committee with the advice and counsel of the Superintendent, is responsible for recommending policies and policy actions to the full Board for its consideration, including adopting new policies, revising existing policies and deleting obsolete policies.
- B. Policy Committee Meetings and Agendas. The Superintendent or his/her designee, in consultation with the Policy Committee Chair shall prepare all agendas for the meetings of the Policy Committee.
- C. Review of Existing Manual. The Policy Committee shall establish a schedule for reviewing existing Board policies, and forming recommendations regarding the same for the Board.
- D. Procedures for Policy Development and Review.

BGAA - POLICY DEVELOPMENT, ADOPTION, and REVIEW

1. Individual Board members, Board standing or special committees, the Superintendent or other interested persons may submit policy suggestions, concerns, and/or drafts to the Policy Committee, in care of the Superintendent.
 2. The Superintendent or designee is responsible for notifying the Board and the Policy Committee of all policy updates and revisions provided by the New Hampshire School Boards Association. The Policy Committee will review such updates and make recommendations deemed appropriate under this policy.
 3. The Policy Committee, with the assistance of the Superintendent, will review and research policy suggestions and prepare draft policies, as appropriate. The Policy Committee may delegate research and initial drafting to other Board standing committees, to District staff or others at the discretion of the Policy Committee and the Superintendent. (E.g., a policy concerning computer use may first be delegated to the Technology Committee.) If a policy is referred to a committee, staff, professional or other person for initial review/drafting, the policy shall be reviewed by the Policy Committee before submission to the full Board.
 4. The Superintendent should seek counsel of the School Board's attorney or the New Hampshire School Boards Association when there may be a question of legality or proper legal procedure in the substance of any proposed or current board policy.
 5. The Policy Committee may also seek input from other affected persons and/or groups as appropriate.
 6. The Policy Committee will provide reports to the full board **following a committee meeting, not to exceed once a month.** The reports will include the Policy Committee's recommendations for new policies (including full text of policies/revisions to be considered for action by the Board), as well as recommendations for repeal of existing policies. Policy Committee reports should also include any information requested by the full board, and any other information deemed appropriate by the Policy Committee.
- E. Board Actions Required to Approve, Revise or Repeal Policies. Any final action regarding the approval of a new policy, or revision or repeal of an existing policy, requires a majority vote of a quorum of the board at a public meeting.
1. Policy Committee reports shall be placed on the agenda of a regular Board meeting and will be made part of the agenda package for that meeting.
 2. All new policies, and/or revisions to existing board policies are subject to a "first reading" by the full board to occur at a regular board meeting. (There is no requirement that proposed policies/revisions be read aloud at the meeting, although either a majority of the Board or the Chair may determine that actual reading is appropriate).

BGAA - POLICY DEVELOPMENT, ADOPTION, and REVIEW

3. The Board will allow opportunity for public comment on policy proposals per Board policy BEDH.
4. Any changes agreed upon or requested by the Board during the first reading shall be made by the *Superintendent OR Policy Committee OR designee* prior to the second reading.
5. At the next Board meeting (or a later meeting if so agreed by the Board), the policy shall be placed on the agenda for a second (or additional) reading, and action. Amendments may be made and acted upon at that meeting, or may be referred for further revision, etc.
6. Prior to final approval by the Board, each policy will be titled, dated, and *coded consistent with the classification system used by the New Hampshire School Boards Association.*
7. Board action regarding the adoption, revision or repeal of policies will be included in the minutes of the meeting at which the official action is taken.
8. Approved policies become effective immediately unless the motion to approve the policy, or the policy itself, includes a specific implementation date.

F. Minor Revisions by Policy Committee.

The Board authorizes the Policy Committee to make non-substantive corrections and minor changes to existing policies provided that the Policy Committee shall document such modifications and report the same at the next meeting of the School Board. For the purposes of this policy, “non-substantive changes” shall include: grammatical, typographical or other clerical changes; addition or deletion of legal, cross or other references; policy code or policy class designation changes; or correcting mis-identified or modified job titles (e.g., “school counselor” in place of “guidance counselor”). Upon review of such report from the Policy Committee, the Board may take such action as the Board deems appropriate, including accepting the report without objection or other formal action.

G. Suspension or Waiver of Policy Process.

1. The Board may adopt, amend, or repeal written policies at any meeting by a majority vote of Board members in attendance, provided that public notice of the proposed action was given at least *[days? weeks? at a previous Board meeting?]* and that each Board member was notified of the proposed action. For purposes of notification, a meeting agenda delivered to each Board member is deemed sufficient if it identifies the policy to be acted upon.
2. On matters of unusual or unexpected urgency, the Board may waive the second meeting limitation and take immediate action to adopt a new policy, or to suspend or revise an existing policy. In such instances, the meeting minutes should reflect the nature of the circumstances warranting the suspension of the normal procedures.

BGAA - POLICY DEVELOPMENT, ADOPTION, and REVIEW

H. Policy Dissemination, Records and Manual Updates.

1. All Board policies, and any written administrative rules and regulations implementing such policies constitute governmental records and are subject to the provisions of RSA 91-A.
2. Notice of new, revised and deleted policies should be provided to affected groups (i.e., school staff, students, parents) and posted on the district website and by other such appropriate means determined by the Superintendent.
3. The Superintendent shall retain as government records copies of all policies deleted from the Board policy manual.
4. An up-to-date policy manual shall be maintained on the District's website with a hard copy, in the Superintendent's Office. The Superintendent shall also assure that any hard copies of the District's policy manual are recalled annually and updated as appropriate.

District Policy History:

First reading:

Second reading/adopted:

District revision history:

Legal References:

| NH Statutes | Description |
|-------------|---|
| RSA 189:74 | <u>School Board Public Comment Period</u> |
| RSA 91-A:2 | <u>Meetings Open to Public</u> |

Legal References Disclaimer: These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

JICD - STUDENT DISCIPLINE and DUE PROCESS

Category: Required

*Related Policies: JI, JIC, JICI & JICK
See also Appendix JICD-R*

A. Policy Statement.

This Wilton-Lyndeborough Cooperative School District policy establishes the substantive parameters, procedures and due process that shall apply before a student may be subject to temporary (same day) removal from classrooms or activities, restriction from activities, detentions, suspensions and/or expulsion.

Pursuant to Board policy JIC, response to misconduct, including disciplinary measures and consequences should be designed to maximize student academic, emotional and social success, while at the same time assuring safety of all students, staff and school visitors. Administration of any of the consequences described in this policy shall be consistent with the system of supports and graduated sanctions established pursuant to Policy JIC and the applicable Student Code of Conduct.

B. Standards and Procedures Relative to Disciplinary Consequences.

1. **"Removal from the classroom"** means a student is sent to the building Principal's office or other designated area during the same school day. It is within the discretion of the person in charge of the classroom or activity to remove the student.

Students may be removed from the classroom at the classroom teacher's discretion if the student refuses to follow the teacher's directives, becomes disruptive, fails to abide by school or District rules, or the Student Code of Conduct, or otherwise impedes the educational purpose of the class. Before ordering the removal, the staff member ordering the removal shall warn the student of the infraction and allow the student to respond.

Removals under this policy are not appealable.

2. **"Restriction from school activities"** means a student will attend school, classes, but will not participate in other school extra-curricular activities, including such things as competitions, field trips, and performances. A student who has been restricted from school activities may participate in practices at the discretion of the person imposing the restriction.

Before ordering the restriction, the supervising employee (e.g., teacher, coach, director, principal, etc.) ordering the restriction shall warn the student of the infraction and allow the student to respond. If the restriction is immediate and outside of school hours, provision must be made to assure the student is not left unsupervised. The terms of the restriction shall be communicated to the Principal and the student's parent/guardian.

Restrictions under this policy are not appealable.

3. **"Detention"** means the student's presence is required for disciplinary purposes before or after the hours when the student is assigned to be in class, and may occur on one or more Saturdays.

Students may be assigned classroom detention at the classroom teacher's discretion, and building detention at the Principal's discretion, if the student refuses to obey the teacher/employee's directives, becomes disruptive, fails to abide by **printed** classroom, school or District rules, or the Student Code of Conduct, or otherwise impedes the educational purpose of the class. Before

JICD - STUDENT DISCIPLINE and DUE PROCESS

ordering the detention, the staff member ordering the detention shall warn the student of the infraction and allow the student to respond. Parents/guardians shall be notified at least 24 hours prior to a student serving detention.

Detentions before or after school shall not exceed one hour, and Saturday detentions shall not exceed three hours. The building Principal is authorized to establish, announce and post additional guidelines and rules regarding detention, supervision, building access, etc.. The length and timing of the detention, is within the discretion of the licensed employee disciplining the student or the building Principal, pursuant to the posted rules of the school.

Detentions are not appealable.

4. **"Temporary Reassignment"** or "in-school suspension" means the student will attend school but will be temporarily isolated from one or more classes while under supervision. A temporary reassignment should not exceed five consecutive school days. Parents/Guardians shall be notified at least 24 hours prior to the administration of a temporary reassignment.

The building Principal is authorized to issue reassignment, restrictions from activities, or place a student on probation for repeated failure to conform to the Student Code of Conduct, classroom rules, or for any conduct that causes material or substantial disruption to the school/class environment, interferes with the rights of others, presents a threat to the health and safety of students, employees, and visitors, is otherwise inappropriate, or is prohibited by law.

5. **"Probation"** means a student is given a conditional suspension of a penalty for a definite period of time in addition to being reprimanded. The conditional suspension will mean the student must meet the conditions and terms for the suspension of the penalty. Failure of the student to meet these conditions and terms will result in reinstatement of the penalty. Notwithstanding the assignment of probation, no imposition of the suspended consequence may be administered unless and until all of the provisions of this policy applicable to the suspended consequence (i.e., long-term suspension, expulsion, etc.) are satisfied.

6. **"Out-of-school suspension"** means the temporary denial of a student's attendance at school for a specific period of time. It includes short-term and long-term out of school suspensions.

a. Short-term suspension A "short-term suspension" means an out-of-school suspension of ten (10) consecutive school days or less. RSA 193:13, I (a).

The Superintendent or his/her written designee is authorized to suspend a student for ten (10) school days or less.

A short-term suspension may be imposed only for:

i. Behavior that is detrimental to the health, safety, or welfare of pupils or school personnel (including, but not limited to, an act of theft, credible threats of violence, destruction or violence, as defined in RSA 193-D:1); or

ii. Repeated and willful disregard of the reasonable rules of the school that is not remediated through imposition of the district's graduated sanctions described in JIC and the Student Code of Conduct.

Pursuant to RSA 193:13, XI (b) and Board policy JIC, a short-suspension over 5 days must conform to the standards included in the Student Code of Conduct.

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Before any short-term suspension may be imposed, Before any short-term suspension may be imposed, a student is entitled to the minimum due process (notice before meeting of the charge and explanation of evidence, notice of the possibility of suspension, opportunity for the student to respond, and a written decision explaining the disciplinary action taken). See New Hampshire Department of Education Rule Ed 317.04(e)(f)(1).

b. Long-term suspension A "long-term suspension" is the extension or continuation of a short-term suspension for a period **not to exceed an additional 10 days** beyond the duration of the short-term suspension.

The Superintendent is authorized to issue a long-term suspension of a pupil for a period in excess of ten (10) school days. **Provided that if the Superintendent issued the original short-term suspension, then the School Board must either appoint another person to continue the short-term suspension and issue the long-term suspension (in accordance with the procedures set forth in Ed 317.04 (f) and 317.04 (j), or do so itself.**

A long-term suspension may only be imposed for:

- i. an act that constitutes an act of theft, destruction or violence, as defined in RSA 193-D;
- ii. bullying pursuant to Board policy JICK when the pupil has not responded to targeted interventions **and** poses an ongoing threat to the safety or welfare of another student; or
- iii. possession of a firearm, BB gun, or paintball gun while on school property.

Prior to a long-term suspension, the student will be afforded a hearing on the matter. The informal hearing need not rise to the level and protocol of a formal hearing, but the process must comply with the requirements of **Ed 317.04 (f)(2), and (f)(3)(g), and 317.04 (j)** including, without limitation, the requirements for advance notice and a written decision.

c. Appeal of long-term suspension Any long-term suspension issued other than by the School Board under this policy, is appealable to the School Board, provided the Superintendent or School Board chair receives the appeal in writing within ten (10) days after the issuance of the Superintendent's (or other person designated under B.6.b, above) hearing and written decision required under N.H. Dept. of Education Rule Ed. 317.04 (f)(3)(2)e, and sub-paragraph B.6.b, above. The Board shall hold a hearing on the appeal, but will rely upon the record of the decision being appealed from.

Any suspension in excess of ten (10) school days shall remain in effect while this appeal is pending unless the School Board stays the suspension while the appeal is pending. Any request to stay a long-term suspension should be included in the original appeal.

d. Educational Assignments As required by RSA 193:13, V, educational assignments shall be made available to students during both short and long term suspensions.

e. Alternative Educational Services The school shall provide alternative educational services to a suspended pupil whenever the pupil is suspended in **excess of 20 cumulative days** within any school year. The alternative educational services shall be designed to enable the pupil to advance from grade to grade.

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f. Re-entry Meetings and Intervention Plans Prior to returning to regular classes, a suspended student, and parent/guardian (when available) shall meet with the building Principal or his/her designee to assist the student in smoothly returning to the school setting.

Any time a pupil is suspended **more than 10 school days in any school year**, upon the pupil's return to school the school district shall develop an intervention plan designed to proactively address the pupil's problematic behaviors by reviewing the problem behavior, reteaching expectations, and identifying any necessary supports.

g. Attendance Safe Harbor A student may not be penalized academically solely by virtue of missing class due to a suspension.

7. "Expulsion" means the complete denial of a pupil's attendance at school for any of the reasons listed in RSA 193:13, II and IV.

a. Grounds for Expulsion An expulsion may only be imposed for an act that poses an ongoing threat to the safety of students or school personnel AND that constitutes:

- i. A repetition of an act that warranted long-term suspension under section B.6.b, above;
- ii. Any act of physical or sexual assault that would be a felony if committed by an adult;
- iii. Any act of violence pursuant to RSA 651:5, XIII;
- iv. Criminal threatening pursuant to RSA 631:4, II (a); OR
- v. For bringing or possessing a firearm as defined in Section 921 U.S.C. Title 18 within a safe school zone as prohibited under RSA 193-D:1, or under the Gun Free School Zones Act, unless such pupil has written authorization from the Superintendent.

Before expelling a pupil, the Board shall consider each of the following factors:

- (1) The pupil's age.
- (2) The pupil's disciplinary history.
- (3) Whether the pupil is a student with a disability.
- (4) The seriousness of the violation or behavior committed by the pupil.
- (5) Whether the school district or chartered public school has implemented positive behavioral interventions under paragraph V.
- (6) Whether a lesser intervention would properly address the violation or behavior committed by the pupil.

b. Due Process to Be Afforded Prior to Expulsion Prior to any expulsion, the District will ensure that the due process standards set forth in **Ed 317.04 (f)(3) through 317.04 (j)(m)** are followed.

c. Duration of Expulsion An expulsion will run for the duration stated in the written decision or until the School Board or Superintendent restores the student's permission to attend school as provided in this policy. An expulsion relating to a firearm in a safe school zone per B. 7.a.v, shall be for a period of not less than 12 months.

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d. Educational Services The Superintendent is authorized, but not required, to arrange for educational services to be provided to any student residing in the District who has been expelled by the District or by any other school.

C. Modification or Reinstatement After Suspension or Expulsion Expelled or suspended students may request a modification of, or reinstatement from, an expulsion or suspension as provided below. Except for students establishing residency from out-of-state, requests for modification or reinstatement from expulsion/suspension shall be submitted in writing to the Superintendent no later than August 15. The request should set forth the reasons for the request, and include additional information to establish that it is in the best interest of the student and school community to reinstate the student. Such additional information may include such things as work history, letters of reference, medical information, etc. All reinstatements shall include an Intervention Plan as described in paragraph B.6.f, above, including such conditions as the reinstating authority (Superintendent or Board) deem appropriate.

1. Modification by Superintendent Subject to all other applicable laws, regulations and Board policies, and paragraph C.3, below (relating to firearms), the Superintendent is authorized to reinstate any student who has been suspended or expelled from a school in this District, and or enroll a student suspended or expelled from another school or district, on a case-by-case basis.

2. Review and Reinstatement by Board A student may request the School Board (of the district of attendance) to review an expulsion decision prior to the start of each school year by filing a written request with the Superintendent detailing the basis of the request. The Board will determine whether and in what manner it will consider any such request after consultation with the Superintendent.

3. Modification of Expulsion for Firearms A student who has been expelled from this District or any other public or private school for bringing or possessing a firearm in a safe school zone as prohibited under RSA 193-D1, or under the Gun Free Schools Act, may only be reinstated or enrolled if the Superintendent first determines: possession of the firearm was inadvertent and unknowing; the firearm was for sporting purposes and the student did not intend to display the firearm to any other person while within the safe schools zone; the student is/was in the fifth or lower grade when the incident occurred; or the Superintendent determines that the firearm was not loaded; and that no ammunition was reasonably available; and that the pupil had no intention to display the firearm to other students.

Additionally, the School Board may enroll a student expelled from a school outside of New Hampshire for a violation of the Gun Free Schools Act upon the student establishing residency.

D. Appeals to the State Board of Education Any decision by the Board (i) to expel a student, (ii) not to reinstate a student upon request, or (iii) enroll a student from another state who had been expelled for a violation of the Gun Free Schools Act, may be appealed to the State Board of Education at any time that the expulsion remains in effect, subject to the rules of the State Board of Education.

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E. Sub-committee of Board For purposes of sections B.6 and B.7 of this policy, "Board" or "School Board" may either be a quorum of the full Board, or a subcommittee of the Board duly authorized by the School Board.

F. Superintendent and Principal Designees Except where otherwise stated in this policy, the Superintendent may delegate any authority she/he has under this policy, and a principal may delegate any authority she/he has under this policy, to other appropriate personnel.

G. Disciplinary Removal of Students with Disabilities If a student is disabled under the Individuals with Disabilities Act (IDEA), the New Hampshire RSA 186-C, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, or any other law providing special rights to disabled students, those laws shall govern and shall supersede these local policies to the extent these local policies are inconsistent with those laws. Accordingly, any suspension or expulsion of a child with a disability as defined in Ed 1102.01(t) shall be in accordance with Ed 1124.01.

H. Notice and Dissemination This policy shall be made available to families, students and staff as provided in Board Policy JIC.

I. Conflict in Law or State Regulation If any provision of this policy shall conflict with State or Federal law, or regulation of the New Hampshire Department of Education, then such law or regulation shall apply, and the remainder of the policy shall be read and interpreted to be consistent with the law or regulation. School administrators and families are strongly encouraged to review the links for pertinent statutes and laws as referenced in this policy.

District Policy History:

First Reading: June 2, 2010, January 4, 2022

Second Reading: July 13, 2010, January 18, 2022

Final Adoption/Revision: August 10, 2010, January 18, 2022

Legal References:

| NH Case Law | Description |
|---------------------------------|---|
| 162 N.H. 38, 27 A.3d 689 (2011) | <u>In re Keelin B.</u> |
| NH Statutes | Description |
| RSA 159:26 | <u>Firearms, Ammunition, and Knives; Authority of the State</u> |
| RSA 186-C | <u>Special Education</u> |
| RSA 189:15 | <u>Regulations</u> |
| RSA 193-D | <u>Safe School Zones</u> |

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| | |
|-----------------|---|
| RSA 193:13 | <u>Suspension and Expulsion of Pupils</u> |
| RSA 631:4 | <u>Criminal Threatening</u> |
| RSA 651:5, XIII | <u>“Act of Violence”</u> |

| NH Dept of Ed Regulation | Description |
|--|--|
| N.H. Code Admin. Rules Ed 1100 (Chapter) | <u>Chapter Ed 1100 Standards for the Education of Children with Disabilities</u> |
| N.H. Code Admin. Rules Ed 1102.01(t) | <u>N.H. Dept. of Ed. Admin. Rule – Ed. 1102.01(t)</u> |
| N.H. Code Admin. Rules Ed 1124.01 | <u>N.H. Dept. of Ed. Admin. Rule – Ed. 1124.01</u> |
| N.H. Code Admin. Rules Ed 306.04(a)(3) | <u>Student Discipline</u> |
| N.H. Code Admin. Rules Ed 306.04(f) | <u>Student Discipline</u> |
| N.H. Code Admin. Rules Ed 306.04(g) | <u>Suspension & Expulsion</u> |
| N.H. Code Admin. Rules Ed 317.04 | <u>Suspension and Expulsion of Pupils Assuring Due Process Disciplinary Procedures</u> |

| Federal Statutes | Description |
|--------------------------|--|
| 18 U.S.C. 921 et seq. | <u>Firearms</u> |
| 20 U.S.C. § 1400-1417 | <u>Individuals with Disabilities Education Act (IDEA)</u> |
| 20 U.S.C. § 7151 | <u>Gun-Free Schools Act</u> |
| 29 U.S.C. 794 | <u>Rehabilitation Act of 1973 (Section 504)</u> |
| 42 U.S.C. 12101, et seq. | <u>Title II of The Americans with Disabilities Act of 1990</u> |

Legal References Disclaimer: These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

JRA - STUDENT RECORDS and ACCESS (FERPA)

Category: Recommended

Mentioned Policies: ILD

- A. **General Statement.** It is the policy of the School Board that all school district personnel will follow the procedures outlined herein as they pertain to the maintenance of student records. Furthermore, it is the policy of the School Board that all school district personnel will follow the provisions of the Family Educational Rights Privacy Act (FERPA) and its corresponding regulations.
- B. **"Education Record".** For the purposes of this policy and in accordance with FERPA, the term "educational record" is defined as all records, files, documents and other material containing information directly related to a student; and maintained by the school district; or by such other agents as may be acting for the school district. Such records include, but are not limited to, completed forms, printed documents, handwriting, videotape, audiotape, electronic or computer files, film, print, microfilm and/or microfiche. Educational records do not include records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute.
- C. **"Directory Information".** For the purposes of this policy, and in accordance with the provisions of FERPA and New Hampshire RSA 189:1-e, the term "directory information" means:
1. Student name(s), address(es), telephone number(s), and date(s) of enrollment;
 2. Parent/guardian name(s) and address(es);
 3. Student grade level, enrollment status and dates of attendance;
 4. Student photograph(s);
 5. Student participation in recognized school activities and sports;
 6. Athletic team member weight and height;
 7. Post-high school plans; and
 8. Student diploma(s), certificate(s), award(s), or honor(s) received.

Except for elements of a student's directory information which the student's parent or an eligible student has notified the District not to disclose, the District may release or disclose student directory information without prior consent of the student's parent/eligible student. Within the first three weeks of each school year, the District will provide notice to parents/eligible students of their rights under FERPA and that the District may publish directory information without their prior consent. Parents/eligible students will be given until September 30th to notify the District in writing of any or all directory information

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items that they refuse to permit the District to release or disclose. Notice from a parent/eligible student that any or all directory information shall not be released will only be valid for that school year and must be re-issued each school year.

- D. **"Personally Identifiable Information"**. "Personally identifiable information" is defined as data or information which makes the individual who is the subject of a record known, including information such as: a student's name; the student's or student's family's address; the name of the student's parent or other family members; a personal identifier such as a student's Social Security number; the student's date of birth, place of birth, or mother's birth name. "Personally identifiable information" also includes other information that, alone or in combination, is linked or linkable to a specific student; that would: allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with a reasonable certainty; or other information requested by a person whom the District reasonably believes knows the identity of the student to whom the education record relates.
- E. **FERPA Definition of "Parent"**. For the purposes of this policy, the term parent shall mean and include a natural. parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian, and all of their plural or singular forms.
- F. **Annual Notification/Rights of Parents and Eligible Students**. Within the first four weeks of each school year the District will publish notice to parents and eligible students of their rights under State law, Federal law, and this policy. The District will send a notice listing these rights home with each student. The notice will include:
1. The rights of parents or eligible students to inspect and review the student's education records;
 2. The intent of the District to limit the disclosure of information in a student's record, except: (a) by the prior written consent of the parent or eligible student; (b) as directory information; or (c) under certain, limited circumstances, as permitted by law;
 3. The right of a student's parents or an eligible student to seek to correct parts of the student's educational records which he/she believes to be inaccurate, misleading, or in violation of student rights; this includes a hearing to present evidence that the records should be changed if the District decides not to alter them according to the parent's or eligible student's request;
 4. The right of any person to file a complaint with the United States Department of Education if the District violates FERPA; and
 5. The procedure that a student's parents or an eligible student should follow to obtain copies of this policy.

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- G. **Procedure To Inspect Education Records.** Parents or eligible students may inspect and review that student's education records. In some circumstances, it may be more convenient for the record custodian to provide copies of records.

Since a student's records may be maintained in several locations, the school Principal may offer to collect copies of records or the records themselves from locations other than a student's school, so that they may be inspected at one site. If parents and eligible students wish to inspect records where they are maintained, school Principals will determine if a review at that site is reasonable.

Although not specifically required, in order that a request is handled in a timely manner, parents/eligible students should consider submitting their request in writing to the school Principal, identifying as precisely as possible the record or records that he/she wishes to inspect. The Principal will contact the parents or the eligible student to discuss how access is best arranged for their inspection or review of the records (copies, records brought to a single site, etc.).

The Principal will make the needed arrangements as soon as possible and notify the parent or eligible student of the time and place where the records may be inspected. **This procedure must be completed within fourteen (14) days of when the request for access is first made.** *Note: the fourteen (14) day limit is required under New Hampshire RSA 189:66, IV, in contrast to the forty-five (45) day period otherwise allowed under FERPA.*

If for any valid reason such as the parent's working hours, distance between record location sites or the parent or student's health, a parent or eligible student cannot personally inspect and review a student's education records, the Principal may arrange for the parent or eligible student to obtain copies of the records.

When records contain information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the records of the other students. If such records do contain the names of other students, the Principal will seek consultation with the Superintendent and/or the District's attorney to determine how best to proceed. ***Where practicable, it may be necessary to prepare a copy of the record which has all personally identifiable information on other students redacted, with the parent or eligible student being allowed to review or receive only a copy of the redacted record. Both the original and redacted copy should be retained by the District.***

- H. **Procedures To Seek To Correction of Education Records.** Parents of students or eligible students have a right to seek to change any part of the student's records which they believe is inaccurate, misleading, or in violation of student rights. FERPA and its regulations use both "correct/ion" and "amend." For the purposes of this policy, the two words (in all of their respective forms) shall mean the same thing unless the context suggests otherwise. To establish an orderly process to review and correct (amend) the

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education records for a requester, the following processes are established.

1. **First-level decision.** When a parent or eligible student finds an item in the student's education records that he/she believes is inaccurate, misleading or in violation of student rights, he/she should submit a written request asking the building Principal to correct it. If the records are incorrect because of clear error and it is a simple matter to make the change, the Principal should make the correction. If the records are changed to the parent's/eligible student's satisfaction, both parties shall sign a document/form stating the date the records were changed and that the parent/eligible student is satisfied with the correction.

If the Principal believes that the record should not be changed, he/she shall:

- a. Provide the requester with a copy of the questioned records at no cost;
 - b. Ask the parent/eligible student to initiate a written appeal of the denial of the request for the change, which will be forwarded to the Superintendent;
 - c. Forward the written appeal to the Superintendent; and
 - d. Inform the parents/eligible student that the appeal has been forwarded to the Superintendent for a decision.
2. **Second-level decision.** If the parent/eligible student wishes to challenge the Principal's decision to not change the student record, he/she may appeal the matter to the Superintendent. The parent/eligible student shall submit a written request to the Principal asking that the matter be appealed to the Superintendent. The Principal will forward the appeal to the Superintendent.

The Superintendent shall, within ten (10) business days after receiving the appeal:

- a. Review the request;
- b. Discuss the request with other school officials;
- c. Make a decision whether or not to make the requested correction to the educational record;
- d. Schedule a meeting with the parents/eligible student if the Superintendent believes such a meeting would be necessary; and
- e. Notify the parents/eligible student of the Superintendent's decision on their request to correct the student's educational record.

If the Superintendent determines the records should be corrected, he/she will make the change and notify the parents/eligible student in writing that the change has been made. The letter stating the change has been made will include an invitation for the parent/eligible student to inspect and review the records to verify that the records have been corrected and the correction is satisfactory. If the records are changed to the parent's/eligible student's satisfaction, both parties shall sign a document/form stating the date the records were changed and that the parent/eligible student is satisfied with the correction.

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If the Superintendent determines the records will not be corrected, he/she will notify the parents/eligible student in writing of his/her decision. Such a letter will also notify the parents/eligible student of their right to an appeal hearing before the School Board.

3. **Third-level decision.** If the parents or eligible student are not satisfied with the Superintendent's decision, they may submit a written request for a hearing before the School Board. The parents/eligible student shall submit the request for a hearing with the Superintendent within ten (10) business days of the date of the Superintendent's written decision in Section H.2, above. The Superintendent will inform the School Board of the request for a hearing and will work with the School Board to schedule a hearing within forty five (45) days of receipt of the request. Once the meeting is scheduled, the Superintendent will inform the parents/eligible student in writing of the date, time, and place of the hearing.

The hearing will be held in a non-public session consistent with the provisions of RSA 91-A:3, unless the parent/eligible student requests that the hearing be held in public session. The School Board will give the parent/eligible student a full and fair opportunity to present evidence relevant to the issues raised under their request. The parents/eligible students may be assisted or represented by one or more individuals of their own choice, including an attorney.

The School Board will issue its final decision in writing within thirty (30) days of the hearing, and will notify the parents/eligible student thereof via certified mail, return receipt requested. The School Board will base its decision solely on the evidence presented at the hearing. The School Board's written decision will include a summary of the evidence and the reasons for its decision.

If the School Board determines that the student record should be corrected, it will direct the Superintendent to do so as soon as possible. The Superintendent will then contact the parents/eligible student for a meeting so they can review and inspect the records to verify that they have been corrected. At this meeting, both parties shall sign a document/form stating the date the records were corrected and that the parent/eligible student is satisfied with the correction.

The School Board's decision will be final, except as otherwise provided by law.

4. **Parent/Eligible Student Explanation to be Included in Record.** Notwithstanding the resolution of any request to correct a student's record(s), in accordance with section (a)(2) of FERPA, a parent or eligible student may insert into that student's educational record a written explanation regarding the content of the record.
- l. **Disclosure of Student Records and Student Information.** In addition to directory information, the District may disclose student records and student information without consent to the following parties on the condition that the recipient agrees not to permit any other party to have access to the released information without the written consent of

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the parents of the student, and under the conditions specified.

1. *School officials with a legitimate educational interest.* A school official may only access student records when the school official has a legitimate educational interest.
 - a. *"School officials"* means persons employed or used by the District to perform institutional services and functions, and includes such persons as teachers, instructional aides, administrators, including health or medical staff, school resource officers, and third parties such as contractors, attorneys, consultants, and volunteers. Such third party school officials may access student records provided such persons are:
 1. Under the District's direct control with respect to the use and maintenance of education records; and
 2. Prohibited from disclosing the information to any other party without the prior written consent of the parent/eligible student, or as otherwise authorized by law.
 - b. "Legitimate educational interest" includes performing a task or engaging in an activity related to (i) one's regular duties or professional responsibilities, (ii) a student's education, (iii) the discipline of a student, (iv) a service to or benefit for a student, (v) measures to support student success, and (vi) the safety and security of the campus.
2. *Other schools into which a student is transferring or enrolling*, upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record. This exception continues after the date that a student has transferred
3. *Officials for audit or evaluation purposes.*
4. *Appropriate parties in connection with financial aid.*
5. *Organizations conducting certain studies for, or on behalf of, the School District.* Student records or student information will only be provided pursuant to this paragraph if the study is for the purpose of: developing, validating or administering predictive tests; administering student aid programs; or improving instruction. The recipient organization must agree to limit access to the information and to destroy the information when no longer needed for the purpose for which it is released. Additionally, any such studies must comply with the provisions of Board policy ILD.
6. *Accrediting organizations.*
7. *Judicial orders or lawfully issued subpoenas*, upon condition that parents and the student are notified of all such orders or subpoenas in advance of compliance therewith by the District, except when a parent is a party to a court proceeding involving child abuse or neglect or dependency. The Principal shall consult with the Superintendent and legal counsel as needed to ensure compliance with the judicial order and applicable law.

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8. *Health and safety emergencies.*

- J. **Maintenance of Student Records and Data.** The Principal of each building is responsible for record maintenance, access, and destruction of all student records. All school district personnel having access to records shall place great emphasis upon privacy rights of students and parents.

All entries into student records must be dated and signed by the person accessing such records.

The principal will ensure that all records are maintained in accordance with applicable retention schedules as may be established by law.

- K. **Disclosures Made From Education Records.** The District will maintain an accurate record of all requests for it to disclose information from, or to permit access to, a student's education records and of the information it discloses and persons to whom it permits access, with some exceptions listed below. This record is kept with, but is not a part of, each student's cumulative school records. It is available only to the record custodian, the eligible student, the parent(s) of the student or to federal, state, or local officials for the purpose of auditing or enforcing federally supported educational programs.

The record includes:

1. The name of the person who or agency which made the request;
2. In the event of a health and safety emergency, the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and the parties to whom the agency or institution disclosed the information;
3. Whether the request was granted and, if it was, the date access was permitted or the disclosure was made;
4. The date on which the person or agency made the request; and
5. The interest which the person or agency has in the information.

The District will maintain this record as long as it maintains the student's education record. The records do not include requests for access or information relative to access which has been granted to parent(s) of the student or to an eligible student; requests for access or access granted to officials of the District who have a legitimate educational interest in the student; requests for, or disclosures of, information contained in the student's education records if the request is accompanied by the prior written consent of a parent/eligible student or if the disclosure is authorized by such prior consent or for requests for, or disclosures of, directory information designated for that student.

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The records of a request for the correction of an educational record, including any appeal of a denial of that request, if the educational record is ultimately corrected shall not be treated as part of the educational record of the student and shall be preserved separately

District Policy History:

First Reading: September 14, 2010

Second Reading: October 12, 2010

Final Adoption: October 12, 2010

Reviewed: January 13, 2015, February 17, 2015

Revised: February 17, 2015

Legal References:

NH Statutes

RSA 189:1-e

[Directory Information](#)

RSA 189:66

[Data Inventory and Policies Publication](#)

RSA 91-A:5,III

[Exemptions, Pupil Records](#)

Description

Federal Regulations

34 CFR. Part 99

[Family Educational Rights and Privacy Act Regulations](#)

Description

Federal Statutes

20 U.S.C. §1232g

[Family Educational Rights and Privacy Act \(FERPA\)](#)

Description

Legal References Disclaimer: These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

DID - INVENTORY and MANAGEMENT of ASSETS

Category: Recommended

Related Policies: DAF

NOTE: Any property purchased in whole or in part with Federal funds must be managed in accordance with Board policy DAF, with specific fidelity to DAF-6 .

The District's capital assets include, but are not necessarily limited to, land, land improvements, buildings, building improvements, and infrastructure, as well as vehicles and certain machinery, equipment, software, works of art, and other tangible or intangible assets that are used in operations and that have initial useful lives extending beyond one fiscal year. Capital assets also include certain improvements, modifications, replacements, or renovations to capital assets that materially increase their value or useful life. The School Board's expectation for the District's capital asset management and accounting process is to ensure that the District's procedures are sufficiently formalized and implemented to allow for adequate financial reporting, as assessed by the District's auditors.

The Business Administrator, in consultation with the District's financial auditors, shall be responsible for establishing a written schedule of capitalization thresholds applicable to particular capital asset classes. The schedule shall be structured to capture at least 80% of the value of the District's total assets. The capitalization threshold established for single items within any of the asset classes shall not be less than [insert dollar amount],^[1] [delete endnote] except that:^[2] [delete endnote]

1. Computing devices, computer peripherals, and any instructional technology capital assets with an individual item value in excess of [insert dollar amount] shall be capitalized.
2. When qualifying as capital assets, the following shall be capitalized in groups without regard to the acquisition cost of individual items within a group:
 - a. Furniture;
 - b. Textbooks;
 - c. Library books/library media acquisitions
 - d. {other?}.

Capital assets having an acquisition cost (or other relevant valuation) above the capitalization threshold of the applicable asset class shall be valued, inventoried, depreciated for financial accounting purposes when appropriate, and regularly tracked over time through the point of retirement, sale, or other disposition.

District procedures related to capital asset management shall also account for the appropriate identification, recording, and tracking of capital assets that are acquired using (1) federal funds, (2) capital borrowing, or (3) referendum funds that are subject to specific restrictions on use.

Nothing in this policy prevents the District from otherwise inventorying (recording, counting, and tracking) supplies, equipment, and other items that are not capitalized for financial reporting purposes. Further, the District shall appropriately inventory any such non-capitalized items if required by law or by the terms of any grant or contract.

^[1] [Delete en.] The dollar amounts inserted below as capitalization thresholds, as well as the thresholds for specific asset classes that are identified in the local schedule referenced in this policy, should be established with input from the district's auditor. There are practical reasons associated with federal funds management requirements for not selecting an amount that is less than \$5,000. However, the district's auditor may identify and recommend a different amount based on size of district, current practices or other district-specific considerations.

DID - INVENTORY and MANAGEMENT of ASSETS

^[2] **[Delete en.]** In consultation with the district’s auditor, list any mandatory exceptions **categories. as determined by the Board** to the minimum capitalization threshold established in the preceding paragraph. The sample items found in the following list are examples of possible special cases that might be considered, but the items do not represent actual auditor recommendations. **Your district may choose not to include any "exception"**

District Policy History:
First reading:
Second reading/adopted:
District revision history:

Legal References:

| Legal | Description |
|---------|--|
| GASB 54 | <u>Governmental Standards Board Statement 54 (GASB 54) Link effective as of 2024.4.4</u> |

| Federal Regulations | Description |
|---------------------|-----------------------|
| 2 CFR Part 200 | <u>2 CFR Part 200</u> |

Legal References Disclaimer: These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

FF - NAMING FACILITIES

Category: Optional

A. PURPOSE AND GENERAL POLICY

The purpose of this policy is to establish a process and guidelines for the naming of Wilton Lyndeborough Cooperative School District school buildings or facilities, and dedication of areas of buildings or facilities.

The naming of a building or facility, or the designation of an area of a building or facility, is an extraordinary and rare event falling within the authority of the School Board as the District's governing body. The Board should not consider such actions lightly nor base them on recent notable events.

For purposes of this policy, "buildings and(or) facilities" shall mean and include every school, school district building, athletic field, playground, or other real estate owned or leased by the District, or otherwise under the jurisdiction of the School Board.

"Area of buildings or facilities" refers to identifiable spaces/core areas within a building or facility, including but not limited to such spaces as media centers, gymnasiums, auditoriums, hallways, wings, etc.

The Board retains the authority in its sole discretion to name, rename or change, in whole or in part, the name of any building or facility, or the designated name of any area of a building or facility. Such naming, renaming, or changing may be considered at any time the Board so chooses, including, without limitation, naming proposals recommended prior to construction, when construction is in progress, or after being acquired, by the district.

B. GENERAL GUIDELINES FOR NAMING OF BUILDINGS OR FACILITIES OR FOR DEDICATION OF SPACES.

1. The naming of school buildings or facilities or dedication of building/facility spaces is the ultimate responsibility of the School Board. Individuals or groups may submit a written naming or dedication proposal to the Superintendent. Naming or dedication proposals should include any information relating to the guidelines below, along with any other information the person/group making the proposal deems appropriate to enable the Board to make an informed decision.
2. The Superintendent will place the proposal on a Board meeting agenda, with his/her recommendation as to how to proceed.
3. If the Board determines that further study is required, or if the naming/dedication is at the Board's own initiative, the Board may establish a committee or may delegate to the Superintendent the responsibility of evaluating the proposal, or for

FF - NAMING FACILITIES

determining a process for naming a specific building or facility, or dedicating an area of a building or facility.

4. Whether included in an original proposal or not, the Board will consider required fiscal or personnel resources that might be associated with the naming/renaming or dedication.
5. Before making any final decision regarding naming/renaming or dedication, the Board shall solicit input from the students and staff of the particular building or facility as well as from the public at large.
6. The final decision to name/rename a building or facility, or to dedicate/re-dedicate any building or facility area shall be made by the Board by way of formal resolution, which may simply be an approval of a written proposal or recommendation.

C. GUIDELINES FOR NAMING OF BUILDINGS AND FACILITIES

The School Board recognizes that the official names of district buildings and facilities are vital to the district's public image and must stand the test of time. Accordingly, when selecting names for facilities, the Board will emphasize effective public communication and the honor and integrity that the name will reflect upon the building or facility.

A name for building or facility shall be that of:

1. The community, location, road or street where the public school building is located;
2. A significant and distinguishable landmark or geographical feature which will identify the school's location;
3. An educational practice, concept or aspiration;
4. A deceased person who made significant contributions to the nation, the State of New Hampshire, the Towns of Wilton and/or Lyndeborough, taking into account the following criteria:
 - a. Outstanding and exceptional support of and service to or on behalf of public school students or schools;
 - b. Outstanding citizenship and character;
 - c. General service to the community;

FF - NAMING FACILITIES

- d. Superior ethical standards; and/or
 - e. Philanthropic or financial contributions made by the person to the school district.
5. The person shall have been deceased a minimum of years.
6. The mascot of a District school.

D. GUIDELINES FOR DEDICATION OF A BUILDING OR FACILITY AREA

Dedication of spaces or areas in a building or facility may be made using the same criteria for naming of buildings or facilities but may also recognize the outstanding service of a living school district employee, school district official, volunteer or community leader provided a minimum of years has elapsed from the date of completion of service of the person to be honored.

District Policy History:

First reading:
Second reading/adopted:
District revision history:

Legal References:

XXX

Legal References Disclaimer: These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

IHBCA - ACCOMMODATION OF PREGNANCY AND RELATED MEDICAL CONDITIONS: STUDENTS

Category: Recommended

Related Policies: ACN, ACAC, JLF

ADOPTION/REVISION NOTES –

Text between the highlighted lines “~~~~”, and highlights in this sample should be removed prior to adoption.

- a. *General – As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption/revision to assure suitability with the district’s own specific circumstances, internal coding system, current policies, and organizational structures.*
- b. *Highlighted language or blank, underscored spaces indicate areas which Boards should review, change or complete to reflect local personnel titles, internal/ external policy references, duty assignments etc.*
- c. *{**} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.*
- d. *Withdrawn & earlier versions of revised policies should be maintained separately as part of the permanent records of the District.*

NHSBA History: Revised - February 10, 2025, July 2024, April 2016, November 1999, July 1998.

NHSBA Notes: February 10, 2025, Only changes are to these revision notes, which were revised to reflect the vacatur of the 2024 Title IX regulations, which resulted in the reinstatement of the 2020 Title IX regulations (described more fully in the introduction found in the NHSBA 2025 Special Title IX Policy Update Summary). Although the provisions that had been contained in the 2024 Title IX regulations concerning accommodation of pregnant students are no longer specifically included in the regulations, this policy remains a recommended practice to facilitate compliance with both federal and state nondiscrimination laws. **July 2024,** repealed and replaced in full. Primary changes include Title IX protections prohibiting sex-based harassment or discrimination for pregnant students and those with pregnancy related medical conditions and to refer to policy **{**}** ACAC for grievance procedure. **April 2016,** Significant additions are made to this policy in response to member requests for guidance relative to school district responsibilities with respect to pregnant students. NHSBA reminds its members that matters involving student pregnancy are significantly complex. NHSBA advises its members to contact local legal counsel in the event such a situation arises.

A. Policy Purpose.

This policy is intended to enable students who are pregnant or who have related medical conditions receive the accommodations to which they are entitled under Title IX of the Education Amendments of 1972 (Title IX) and state law NH RSA 193:38.

The District does not treat students differently concerning current, potential, or past parental, family, or marital status on the basis of sex. The District does not discriminate against any student based on the student’s current, potential, or past pregnancy or related conditions.

B. Definitions.

IHBCA - ACCOMMODATION OF PREGNANCY AND RELATED MEDICAL CONDITIONS: STUDENTS

1. Pregnancy. "Pregnancy" refers to the pregnancy of the specific student in question and include, but are not limited to, current pregnancy; past pregnancy; termination of pregnancy; potential or intended pregnancy (which can include infertility, fertility treatment, and the use of contraception); labor; and childbirth (including vaginal and cesarean delivery).
2. Related Medical Conditions. "Related medical conditions" are medical conditions relating to pregnancy. This includes prenatal/antenatal, and postpartum medical conditions, recovery from pregnancy as defined above, as well as lactation and related conditions. See Policy **{**}**ACN for lactation accommodations.

C. District and Employee Responsibilities Upon Notification of Student Pregnancy or Related Condition.

When a student, or a person who has a legal right to act on behalf of the student, informs any District employee of the student's pregnancy or related medical conditions, the employee shall promptly provide that person with the Title IX Coordinator's contact information and inform that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the District's educational programs and activities.

Pursuant to Board policy **{**}**ACAC and Title IX, any staff member who learns that a student is pregnant or is informed of such by the pregnant student will immediately inform the Title IX Coordinator.

Consistent with RSA 186:11, IX-e, no employee of the District, including the Title IX Coordinator, may withhold from a parent/guardian information regarding a student's pregnancy unless such employee reasonably believes, and a reasonably prudent person would believe, that such disclosure would result in abuse, abandonment, or neglect. If information indicating abuse, abandonment or neglect exists, the employee is mandated to report such information as described in policy **{**}**JLF and RSA 169-C:29 and 30.

D. Specific Actions to Prevent Discrimination and Ensure Equal Access.

When the student, or a person who has a legal right to act on behalf of the student, informs the Title IX Coordinator of the pregnancy or related condition, the Title IX Coordinator shall act to prevent sex discrimination and ensure equal access to the District's educational programs and activities. The Title IX Coordinator must inform the person of the District's obligations and provide adequate notice of nondiscrimination.

Based on the student's individualized needs and in consultation with the student, the District will make reasonable modifications to policies, practices, or procedures as necessary to prevent sex discrimination and ensure equal access to the District's educational programs and activities. The Title IX Coordinator will help the student access these rights.

The student may accept or decline each reasonable modification offered by the District. If the student accepts an offered reasonable modification, the District must implement it.

Examples of reasonable modifications may include, but are not limited to, the following:

1. breaks to attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom;

IHBCA - ACCOMMODATION OF PREGNANCY AND RELATED MEDICAL CONDITIONS: STUDENTS

2. intermittent absences to attend medical appointments;
3. access to extended learning opportunities, such as online or homebound education;
4. changes in schedule or course sequence; extensions of time for coursework and rescheduling of tests and examinations;
5. allowing a student to sit or stand, or carry or keep water nearby;
6. counseling;
7. changes in physical space or supplies (for example, access to a larger desk or a footrest); elevator access;
8. other changes to policies, practices, or procedures; or
9. breaks during class to express breast milk or breastfeed in an appropriate lactation space (i.e., a space other than a bathroom, that is clean, shielded from view, free from intrusion from others, and which may be used by a student for expressing breast milk or breastfeeding as needed). See Policy {**}ACN regarding lactation.

E. Voluntary Leaves of Absence.

The student may voluntarily take a leave of absence from school for, at minimum, the period of time deemed medically necessary by the student's licensed healthcare provider. If the student qualifies for a longer period of leave under another District leave policy, the student is permitted to take voluntary leave under that policy instead, if the student so chooses. Upon return to school, the student will be reinstated to the academic status and, as practicable, the extracurricular status that the student held when the voluntary leave began.

F. Supporting Documentation.

The District will treat pregnancy or related conditions in the same manner and under the same policies as any other temporary medical conditions. The District may not require supporting documentation for activities that are generally available to students without documentation.

The District will only require supporting documentation when it is necessary and reasonable for determining reasonable modifications to make or whether to take additional specific actions. Supporting documentation is not necessary and reasonable when the student's need is obvious, such as when a student who is pregnant needs a bigger desk, water nearby, or restroom breaks, or when a postpartum student has lactation needs.

The District may not require a student who is pregnant or has related conditions to provide certification that the student is physically able to participate in class, programs, or extracurricular activity unless such certification is required of all students participating in the class, program, or extracurricular activity.

G. Complaints or Reports.

IHBCA - ACCOMMODATION OF PREGNANCY AND RELATED MEDICAL CONDITIONS: STUDENTS

Complaints or reports regarding violations of this policy should be made in the first instance according to the procedures found in policy {**}ACAC

District Policy History:

First Reading: September 14, 2010

Second Reading: October 12, 2010

Final Adoption: October 12, 2010

District revision history:

Legal References:

| NH Statutes | Description |
|--------------------|--|
| RSA 169-C | <u>Child Protection Act</u> |
| RSA 186:11, IX-e | <u>Notice to Parents/Guardian Required</u> |
| RSA 186:11, XXXIII | <u>Discrimination</u> |
| RSA 193:38 | <u>Discrimination in Public Schools</u> |
| RSA 354-A:1 | <u>(Human Rights) Title and Purposes of Chapter</u> |
| RSA 354-A:27 | <u>Opportunity for Public Education without Discrimination a Civil Right</u> |

| Federal Statutes | Description |
|-------------------------|---|
| 20 U.S.C 1681, et seq | <u>Title IX of the Education Amendments of 1972</u> |
| 29 U.S.C. 794 | <u>Rehabilitation Act of 1973 (Section 504)</u> |

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IHBI - ALTERNATIVE LEARNING PLAN

Category: *Required*

Related Policies: *IMBC, IHBH, ILBA, ILBAA*

ADOPTION/REVISION NOTES –

Text between the highlighted lines “~ ~ ~”, and highlights in this sample should be removed prior to adoption.

- a. *General – As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption/revision to assure suitability with the district’s own specific circumstances, internal coding system, current policies, and organizational structures.*
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- c. **{**}** indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.
- d. *Withdrawn & earlier versions of revised policies should be maintained separately as part of the permanent records of the District.*

NHSBA history:

Revised: May 2014

New Policy: May 2008

NHSBA Note, May 2014: Only changes are to Legal References.

Purpose

In an effort to reduce the number of students who do not complete the requirements to graduate from high school and earn a diploma, the Board establishes a program for alternative learning plans for students to obtain a high school diploma or its equivalent. The District, through an Alternative Learning Plan team comprised of teachers, administrators, and guidance counselors, are directed to identify students who may be at risk for dropping out of high school, for developing alternative learning plans consistent with this policy, and for assisting students who are participating in alternative learning plans.

Alternative learning plans may include, but are not limited to, extended learning opportunities, independent study, private instruction, performing groups, internships, community service, apprenticeships, online courses/distance education, or other opportunities approved by the Superintendent or his/her designee, in conjunction with Board policies.

The purposes of alternative learning plans are to provide students with educational experiences that are meaningful, to provide students with opportunities to explore and achieve at high levels, and to meet State and District requirements to obtain a high school diploma or its equivalent. In order to maximize student achievement, this policy permits students to employ alternative learning plans that fulfill or exceed the expectations set forth by State minimum standards and applicable Board policy.

Alternative learning plans may include extended learning opportunities taken for credit or taken to supplement regular academic courses. If the alternative learning plan includes extended learning opportunities taken for credit, the provisions of Policies IMBC, Alternative Credit Options and IHBH, Extended Learning Opportunities, will apply. The granting of credit shall be based on a student's mastery of course competencies, as defined by Policies ILBA, Assessment of Educational Programs and ILBAA, High School Competency Assessments. Highly Qualified Teachers and the Principal must authorize the granting of credit for learning accomplished through extended learning opportunities. If credit is not

IHBI - ALTERNATIVE LEARNING PLAN

granted, the extended learning opportunity may be used to fulfill prerequisite requirements for other courses.

Roles and Responsibilities

Alternative learning plan components shall have specific instructional objectives aligned with the State minimum standards and District curriculum standards. All alternative learning plans will comply with applicable laws and regulations, including child labor laws and regulations governing occupational safety.

Teachers, Guidance Counselors and Administrators should inform students of the District's promotion of alternative learning plans and similar programs. District employees who believe a student may be at risk for dropping out of high school should inform either the Principal or the Guidance Counselor of the Teacher's concerns. The Principal will then schedule a meeting with the student, the Principal, the Guidance Counselor, and the student's parent/guardian to discuss the student's participation in an alternative learning program. Students expressing interest in pursuing such a plan or program should be referred to the Guidance Counselor, Principal, or the Principal's designee.

The Guidance Counselor or Principal's designee is responsible for assisting students and their parents/guardians in preparing application forms and other necessary paperwork for alternative learning plans. The alternative learning plan components will be determined through a team consisting of the student, school personnel, parent/guardian and other appropriate people based on the individual student need.

The Principal or Principal's designee and the designated team will have primary responsibility and authority for approval and implementation of alternative learning plans and will oversee all aspects of such programs. The Principal will be responsible for reviewing and approving alternative learning plans and credits awarded toward the attainment of a high school diploma or its equivalent.

Parents/guardians and/or students may appeal decisions rendered by the Principal within the provisions set forth below (see Appeal Process).

Students approved for alternative learning plans must have parent/guardian permission to participate in such a program. Such permission will be granted through a Memorandum of Understanding for Educational Services signed by the parent/legal guardian and returned to the district before beginning the program. For alternative learning plans that require off-campus attendance, the District will require a signed agreement among the school, the student, and a designated agent of the third-party host. The agreement should specify the roles and responsibilities of each party.

Students engaged in alternative learning plans will remain as enrolled students of their district. Alternative learning plans that are approved by the District become the responsibility of the District to facilitate implementation, including associated costs and transportation.

Approval Process

1. The student/parent/guardian seeking an alternative learning plan shall meet with the guidance counselor or principal to discuss alternative learning plan options and initiate the formation of an alternative learning plan team. The team, including the student and parent/guardian, will meet to design the alternative learning plan designed to enable the student to remain enrolled in school and complete educational requirements.

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2. The Superintendent or Superintendent's designee will review the paperwork and will determine whether or not to approve the alternative learning plan. The Superintendent or designee's decision will be made within ten (10) days of receipt of the paperwork. The student and parent/guardian will be notified in writing of the decision. If additional information is requested, the information must be submitted within ten (10) days of receipt of the request.
3. It is the student's responsibility to maintain academic standing and enrollment in the approved program. Any failure to complete an approved program may jeopardize the student's ability to remain in the program and receive credit towards obtaining a high school diploma or its equivalent. The student and parent/guardian recognize that in the event the student withdraws from an approved program, the District cannot guarantee placement in an equivalent District-offered course.
4. The District reserves the right to determine the number of credits to be awarded. The course name and actual grade earned will be noted on the student's official transcript.

Evaluation Criteria

The Superintendent or designee will evaluate all applications of students wishing to participate in an alternative learning plan or program. At a minimum, any alternative learning plans must meet the following criteria:

Provides for proper administration and supervision of the program or plan

Provides that certified school personnel oversee and monitor the program

Requirement that each extended learning opportunity, if included in the alternative learning plan, meets rigorous standards, including the minimum standards established by the State Board of Education and all other applicable District standards

Includes age-appropriate academic rigor and the flexibility to incorporate the student's interests and manner of learning

Are developed and amended, if necessary, in consultation with the student, a school Guidance Counselor, the school Principal and at least one parent/guardian of the student

Appeal Process

If the submitted plan is rejected, the Superintendent or designee will provide the student/parents with a rationale as to why the proposal was rejected. Students whose application has been denied by the Superintendent may appeal that decision to the School Board. The School Board will place the item on its agenda for its next regularly scheduled meeting. Alternatively, if scheduling and time constraints do not allow for the matter to be placed on the agenda at the Board's next meeting, the Board may hold a separate meeting to hear the matter. The matter will be discussed in non-public session, pursuant to RSA 91-A:3, II, unless the parents request the Board hear the matter in public session, in which case the request will be honored. If the School Board upholds the Superintendent's determination, the decision of the School Board may be appealed to the State Board of Education, consistent with applicable law. The School Board will inform the student/parents of their appeal rights.

Program Integrity

IHBI - ALTERNATIVE LEARNING PLAN

In order to insure the integrity of the learning experience approved under this program, the student will be required periodically or upon demand to provide evidence of progress. The Principal will be responsible for certifying completion of the plan or program and the award of credits, consistent with the District's policies on graduation.

If a student is unable to complete the alternative learning plan for valid reasons, the Principal will evaluate the experience completed to date and make a determination for the award of partial credit or recommend an alternative experience. The Principal will determine the validity of such reasons on a case-by-case basis.

If a student ceases to attend or is unable to complete alternative learning plan for insufficient reason (lack of effort, failure to follow through, indecision, etc.), the Principal may determine that the student's transcript be adjusted to reflect the experience as a failure.

In order to certify completion of curricular programs and activities based upon specific instructional objectives aligned to the standards, the Principal will develop appropriate mechanisms to document student progress and program completion on student personnel records.

District Policy History:

First Reading: May 11, 2010

Second Reading: June 2, 2010

Final Adoption: June 2, 2010

District revision history:

Legal References:

| NH Statutes | | Description |
|---|--|---|
| RSA 193:1 | | <u>Duty of Parent; Compulsory Attendance by Pupil</u> |
| NH Dept of Ed Regulation | | Description |
| N.H. Code Admin. Rules Ed 306.04(a)(13) | | <u>Extended Learning Opportunities</u> |
| N.H. Code Admin. Rules Ed 306.04(a)(14) | | <u>Alternative Means Of Demonstrating Achievement Of Competencies</u> |
| N.H. Code Admin. Rules Ed 306.21 | | <u>Alternative Programs</u> |

IHBI - ALTERNATIVE LEARNING PLAN

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DRAFT