

**Public Notice of Meeting**  
**WILTON-LYNDEBOROUGH COOPERATIVE**  
**POLICY COMMITTEE MEETING**  
**Wednesday, December 6, 2023**  
**Wilton-Lyndeborough Cooperative MS/HS-Library**  
**6:00 p.m.**

Videoconferencing: [meet.google.com/njg-zkzk-vky](https://meet.google.com/njg-zkzk-vky)

Audio: [+1 402-751-0266](tel:+14027510266) PIN: 666 511 527#

- I. CALL TO ORDER**
- II. ADJUSTMENTS TO AGENDA**
- III. REVIEW MEETING MINUTES**
  - a. 09/19/23**
- IV. OLD BUSINESS**
  - a. BDFB - Facilities Committee Goals and Preparation of Capital Improvement Plan -  
- BDFB-R Project Request Worksheet**
  - b. JLCF-Wellness Policy**
  - c. JLCJ-Concussions and Head Injuries**
  - d. EBCA-Emergency Plans**
    - i. EB-Safety Program**
    - ii. EBB- School Safety Program**
    - iii. EBBC- Emergency Care & First Aid**
- V. NEW BUSINESS**
  - a. EEA - Student Transport Services**
  - b. DFGA-Crowdfunding**
  - c. JH - Student Absences and Excuses**
  - d. BBBE - Vacancies and Unexpired Term Fulfillment**
  - e. JKAA - Use of Child Restraint and Seclusion**
  - f. ACN - Nursing Mother Accommodation**
  - g. EFAA - Meal Charging**
  - h. EHAB - Data Governance**
  - i. BEDG - Meeting Minutes**
  - j. GBCD - Criminal Background**
  - k. KD - School District Social Media Websites**
  - l. Withdrawn Policies Audit Results**
- VI. PUBLIC COMMENT**
- VII. SETTING NEXT MEETING DATE AND AGENDA**
- VIII. ADJOURNMENT**

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.

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**WILTON-LYNDEBOROUGH COOPERATIVE  
POLICY COMMITTEE MEETING MINUTES  
Tuesday September 19, 2023  
Wilton-Lyndeborough Cooperative MS/HS  
5:30 p.m.**

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**I. CALL TO ORDER at 5:42pm**

Present: Jonathan Lavoie, Brianne Lavallee in person; Tiffany Cloutier-Cabral online.

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**II. REVIEW MEETING MINUTES**

**a. 8/15/2023**

*A MOTION was made by Brianne Lavallee and SECONDED by Tiffany Cloutier-Cabral to accept the minutes as written. Voting: via roll call vote, three ayes, motion carried.*

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**III. OLD BUSINESS**

**a. JLCF-Wellness Policy;** Update provided by Brianne Lavallee, discussion was had with Kristie Laplante and administration would like more time to review, there are a number of details to work out JLCF. The committee is in agreement that we should hold off on final edits at this time.

**b. GBEBB-Staff Dress Code;** Staff proposed removing business casual, but the committee decided to keep that in. WE would like some kind of language that indicates our desire for professional standards. Discussion was had regarding the term “business casual” vs “professional attire” it was the opinion of the committee that “business casual” was less restrictive so we updated the language in the whole policy to reflect that. Committee was in agreement that we need more input from Administration and the WLCTA and if the staff would seriously like to remove the term, they are advised to recommend a similar term prior to our next board meeting. Brianne Lavallee will coordinate with Peter Weaver to obtain opinions of all interested parties in preparation for the board discussion. Discussion was had regarding the Jewelry definition and excessive jewelry and how to word that into exclusions. Our desire is to provide Administration with the ability to apply at the building level. Jonathan Lavoie proposed addition of the wording “Administration may request removal of excessive jewelry that may be deemed as a distraction.”

*A MOTION was made by Jonathan Lavoie and SECONDED by Tiffany Cloutier-Cabral to send the updated policy GBEBB to the School Board for consideration. Voting: via roll call vote, three ayes, motion carried.*

**c. JLC-Student Health Services;** Discussion was had that the District Nurse has reviewed this policy, it is a required policy and is acceptable as written.

*A MOTION was made by Brianne Lavallee and SECONDED by Jonathan Lavoie to send the updated policy GBEBB to the School Board for consideration. Voting: via roll call vote, three ayes, motion carried.*

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**d. JLCJ-Concussions and Head Injuries;** Discussion was had regarding our current policies JHCI, and JHCI-R, both are antiquated, Brianne Lavallee recommends they be withdrawn in favor of JLCJ. Discussion was had regarding the language around “suspected to have experienced a concussion” in the second paragraph may need to be removed, believes some documentation from a doctor would be required, further investigation needed. Tiffany

54 agreed. Suggestion by Brianne Lavallee to take out the suspected portion and add at the end -  
55 “documentation from a medical provider will be requested in accordance with the procedure  
56 set forth below.” Committee was in agreement. Brianne suggests making A,3 become -  
57 Administration will be responsible for developing a form for the health office to notify  
58 parents of a potential head injury and shall include the signs and symptoms to observe and the  
59 recommendation for follow up as needed Original A,3 would now become A,4, etc, moving  
60 all numbers forward one. Discussion continued around A,4 - 4th line down, appropriate  
61 district staff, will obtain documentation of injury from a medical provider, and establish a  
62 graduated learning reentry plan. Discussion regarding bullet 4 - Frequency of assessments by  
63 the school nurse or follow up my medical provider, until full return to the classroom and  
64 extracurricular athletic activities are authorized; Suggestion was made to possibly investigate  
65 Adding a hyperlink to NFHS suggested guideline for management of concussion in sports  
66 into our posted online policy of JLCJ. Committee in agreement with changes, Brianne  
67 Lavallee will continue work on the policy and bring it back in October.  
68

69 **e. JLCJA - Emergency Plan for Sports Related Injuries;** Discussion was had, no  
70 edits except removing related policies that don’t exist.  
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72 *A MOTION was made by Jonathan Lavoie and SECONDED by Brianne Lavallee to*  
73 *send the updated policy JLCJA to the School Board for consideration. Voting: via roll*  
74 *call vote, three ayes, motion carried.*  
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76 **f. JLCK-Special Physical Health Needs of Students;** Discussion was had  
77 regarding draft, no edits suggested.  
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79 *A MOTION was made by Brianne Lavallee and SECONDED by Tiffany Cloutier-*  
80 *Cabral to send the policy JLCK to the School Board for consideration. Voting: via*  
81 *roll call vote, three ayes, motion carried.*  
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83 **g. JLDBB - Suicide Prevention and Response;** Discussion was had regarding  
84 latest draft, no new changes suggested.  
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86 *A MOTION was made by Briane Lavallee and SECONDED by Jonathan Lavoie to*  
87 *send the updated policy JLDBB to the School Board for consideration. Voting: via*  
88 *roll call vote, three ayes, motion carried.*  
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90 **h. EBCA-Emergency Plans;**

91 **i. EB-Safety Program;** EB - Technically not required. Brianne suggests deleting  
92 this policy if Peter will agree. Reasoning is because each school has by law set  
93 emergency procedures (EOP) that are reviewed yearly and signed off on by  
94 Administration, the Police force, and School Board and these policies are not. A  
95 thorough review with a cross reference with the EOP is recommended.  
96

97 *Jon motion to remove EB in favor of policy EBB, Tiff seconds. All in favor.*  
98

99 **ii. EBB- School Safety Program;** EBB - School safety program

100 Peter worked on this one. Highlights are noted. Discussion was had about doing a  
101 thorough review of all the emergency policies and deciding which ones are  
102 necessary vs. which ones are addressed in the EOP. Tiffany will work on  
103 eliminating non essential emergency policies that are no longer required because  
104 they are covered by EBB.

105                    **iii. EBBC- Emergency Care & First Aid;** Discussion was had that EBBC is  
106                    required but we currently have it listed as JLCE with an asterisk how EBBC was  
107                    incorporated into ours. Jon recommended renaming JLCE to EBBC, since EBBC is  
108                    required and JLCE is not. Committee all in agreement, Brianne will have Kristina  
109                    update the title.  
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111                    **IV.                    NEW BUSINESS**

112                    **a.                    Facilities Document** - Facilities Committee is asking the policy committee to get  
113                    recommended feedback from Will Phillips. Brianne will facilitate this. Hope to have  
114                    something to bring to the facilities meeting, first Tues. in Oct. and to the board by second  
115                    meeting in October.  
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117                    **b.                    NHSBA legislative update.** Brianne attended the Legislative updates webinar and on  
118                    Oct. 10th she'll attend a webinar going over required policy changes in response to the new  
119                    legislation. Brianne also printed the list of withdrawn policies from NHSBA to help us clean  
120                    ours up.  
121

122                    **c.                    Ask board to look at BBBE.** RSA is vague so we need to better define a vacant board  
123                    position and how to fill it.  
124

125                    **d.                    EFAA** - Jon and Megan Nantel went over and made necessary changes. Kristie  
126                    LaPlante needs a bit of time to go over this with the USDA requirements.  
127

128                    **e.                    Discussion was had regarding feedback received in the last School Board meeting:**  
129                    Pertaining to NHSBA membership dues. Sending a note to not allow our membership dues to  
130                    contribute to lobbyist fees. We need to direct administration to put this note on all payments,  
131                    which we believe they already do. Discussion was had regarding policy JJJ, Letter B - add  
132                    "including the class syllabus, to parents...." Committee is all in agreement that we can move  
133                    forward with that change. Brianne will update the draft and provide to Kristina for a 2nd read  
134                    at the next meeting.  
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136                    **V.                    PUBLIC COMMENT No public present**

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138                    **VI.                    SETTING NEXT MEETING DATE AND AGENDA** Next meeting: Oct. 26th at  
139                    5:30pm, we plan to finalize facilities doc, follow up on EFAA, discuss list of policies that are  
140                    presented on October 10th.  
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142                    **VII.                    ADJOURNMENT**

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144                    *A MOTION was made by Tiffany Cloutier-Cabral and SECONDED by Brianne Lavallee*  
145                    *to adjourn. Voting: via roll call vote, three ayes, motion carried; meeting adjourned at*  
146                    *7:34pm.*  
147

# BDFF- Facilities Committee Goals and Preparation of Capital Improvement Plan

*Category: Recommended*

*Related Policies: BDE, BDFF-R*

- D1 Policy Statement. As the Board seeks to incorporate the most appropriate and cost-effective risk management techniques for loss prevention and control, and to overcome deficiencies in its physical plant, it will strive to provide new and remodeled facilities that will offer the best possible physical environment for learning and teaching. The Board specifically recognizes the need and importance of regular and substantial capital maintenance, renovation, improvement and expansion consistent with realistic fiscal constraints.
- B. Purpose. The purpose of this policy is to establish criteria and operating norms for the Wilton-Lyndeborough Cooperative School District (WLC) Facilities Committee and the WLC District's Capital Improvement Plan (CIP). In accordance with Policy BDE the Facilities Committee shall be responsible for the ongoing development of a Facilities plan to include:
- a. A one year plan due each year by October 1st that would include specifics for budget planning
  - b. A 3 year plan, revised on a yearly basis
  - c. A long term plan, revised on a yearly basis
  - d. ~~support the District's School Board by reviewing each facility's current conditions, at least annually, review and prioritize project needs and requests, and maintain and update the District's Capital Improvement Plan annually.~~
- F 1 Facility Considerations, Goals and Objectives. In establishing specific facility plans, the Board will use the following considerations, goals and objectives
- a. ~~The Facilities Committee~~ Shall work with the Superintendent, the District's Director of Maintenance and other District employees as designated by the Superintendent or requested by the Committee.
  - b. "Facilities" shall include all buildings, grounds, and playing fields, that accommodate the organization and instructional patterns that support the district's educational philosophy and instructional goals.
  - c. Ensure the meeting all safety requirements through the remodeling and renovation of older structures.
  - d. Ensure building renovations meet requirements on the availability of public school facilities to handicapped persons whenever possible.
  - e. Evaluate building designs, construction, and renovations that will lend themselves to low maintenance costs and the conservation of energy.
  - f. Ensure the community is informed about the condition of district facilities as well as the perceived needs in the areas of capital improvement expansion and acquisition.
  - g. Decisions pertaining to education specifications of new buildings and those undergoing extensive remodeling will be developed with the input of teachers, students, parents, and the community
  - h. The Facility Plan shall account for each facility owned by the District and document the use of each such facility. For each then unused facility, the plan shall specify any uses intended within the next two years of the annual plan approval relative to academic purposes, extracurricular activities, administrative functions, and/or sports. The Superintendent shall submit a report of "Unused Facilities" to the New Hampshire Department of Education no later than July 1 of each year in accordance

## BDFB- Facilities Committee Goals and Preparation of Capital Improvement Plan

with RSA 194:61. “Unused Facilities” shall mean any district owned school building which is not currently used for academic purposes, extracurricular activities, administrative school functions, or sports, and for which the School Board has not approved a written plan for future use.

- i. The Facilities Committee will provide ~~its~~ all recommendations to the School Board for the board’s approval.
    - i. The approved CIP will be used annually by the School Board and Budget Committee as a tool during the annual budget process.
    - j. The Facilities Committee shall have the authority to establish subcommittees. Subcommittees shall report their findings and recommendations to the Facilities Committee. After review of any recommendation, the Facilities Committee may accept the recommendation, ask for additional information or choose not to accept the recommendation. Recommendations accepted should be included in the current year’s draft Capital Improvement Plan (CIP) or immediate action items shall be forwarded to the School Board for final approval. I believe this conflicts with policy BDE
- D. Members and Terms. The Facilities Committee will consist of three (3) School Board members ~~to be appointed in accordance with Policy BDE~~, the Superintendent or their designee, the District’s Director of Maintenance, ~~one~~ **two** representatives from the WLC Budget Committee and one (1) community member from Lyndeborough and Wilton. Only School Board members will have voting authority, ~~and non-school board members serve as advisory members only~~. All actions by the Facilities Committee are ONLY recommendations that must receive approval from the majority of the School Board unless so designated by the School Board in advance.
- a. ~~Ideally,~~ **When possible** each School Board member would serve **on the Facilities Committee for the length of their elected term** ~~a three (3) year term beginning in the year they were elected to the School Board~~. This is designed to ensure continuity.
  - b. The District’s Budget Committee may appoint ~~one (1)~~ **two** of its members to the Facilities Committee each year following the district’s elections.
  - c. Community members **will be appointed in accordance with policy BDE**. ~~would serve two (2) year terms with the Lyndeborough term starting in even years and the Wilton term beginning in odd years. Two (2) weeks prior to the Annual District Meeting, a solicitation should be posted to request volunteers to replace the member whose term is ending. The solicitation should end at the close of business the Monday following the School District Meeting. The School Board should select the new community member at its next meeting. The School Board retains the right to not select from the list of volunteers and to appoint one, if no volunteers are received.~~

Substitutes for members chosen by the School Board and Budget Committee are not allowed to actively participate in meetings unless they are permanent replacements.

- E. CAPITAL IMPROVEMENT PLAN (CIP) SCOPE. The Facilities Committee will provide the School Board with an updated 20-year CIP by October 1<sup>st</sup> each year. **The language provided by facilities would require a yearly review vs. the statute that requires** **The Facilities Committee will prepare and update a long-range capital improvement program, to be reviewed at least every 2 years, that identifies District school facility goals, provides projected expenditures, and outlines procedures and guidelines to be followed to accomplish Board and District goals. This program will be provided to the**

## BDFF- Facilities Committee Goals and Preparation of Capital Improvement Plan

Department of Education pursuant to RSA 198:15-a, so that the state can project funds needed for building projects occurring in the District and elsewhere. The CIP will include:

- a. **All known items**, (wording?, it seems unclear) even if replacement isn't anticipated within the 20-year period.
  - b. **Any surpluses from completed projects will be reallocated within the CIP.** (We should have Kristie double check this and make sure it is accurate and legally sound. In addition to the plan for expenditures, the CIP will include
  - c. The projected revenues needed for at least the next five (5) years to support the plan ~~and include the impact on taxes from the previous year. For example, if \$150,000 was added to the previous year's CIP and the proposed CIP is requesting \$175,000 in new revenue, the CIP will indicate a \$25,000 or "x" impact on the tax rate for each town. One of the goals of the CIP is to keep the impact on the tax rate for capital expenditure as stable as possible.~~
  - d. ~~The CIP will also show All fund balances for existing projects will be indicated. in the event that funds are carried to the CRF from previous years.~~
- F. REQUIREMENTS FOR CIP PROJECTS. Projects to be included in CIP based on:
1. The projects will cost \$20,000 or more.
  2. Projects less than \$20,000, if approved in advance by the School Board, i.e., paving of a parking lot at a smaller facility, may be included.
  3. New project expenditures shall not be added within three (3) years of their due date. These projects will be added to the CIP and funded for their next replacement.
  4. **Any newly identified project over \$20,000 would be added to CIP**
- G. FORMAT AND FUNDING. **To be added to CIP, application must be submitted to Facilities Committee, vetted, discussed, and defined, then presented to the board for approval. Items for consideration of being added or removed should be submitted using form BDFF-R.**

The CIP used by the Facilities Committee will include the following for each capital project:

- a. Description of each proposed project
  - b. Last date completed
  - c. Last project cost
  - d. Life expectancy of the project
  - e. Estimated replacement cost and year
  - f. Amount of funding allocated for each project annually, unless \$0
  - g. Project funding outside of the District's CIP
  - h. Allocating funding in the CIP for projects **should** begin **no later than**:
    - i. 15 years prior to the due date for items costing \$100,000 or more
    - ii. 10 years prior to the due date for items costing between \$50,000 and \$99,999
    - iii. 5 years prior to the due date for items costing less than \$50,000
- H. RANKING CIP ITEMS. The ranking for CIP projects will be reviewed annually to ensure;
- a. Replacement cost and date of replacement is accurate.
  - b. The annual planned spending is prioritized by items that are:
    - i. mandated by State, Federal or School Board
    - ii. needed to mitigate a known public health or safety hazard

## BDFF- Facilities Committee Goals and Preparation of Capital Improvement Plan

- iii. failed or will fail in the next year
- iv. able to maintain a stable effect on the tax rate
- v. able to reduce operating costs

- I. ~~PUBLISHING~~ **PUBLIC NOTIFICATION**. The CIP approved annually by the School Board should be included in the District's Annual Report and **other areas** used by the district to disseminate information. The CIP posted should include as a minimum the next five (5) years; both expenditures and anticipated revenue needs, the project description, estimated replacement cost and year of replacement and annual project funding (attachment #1).

The approved CIP will be used annually by the School Board and Budget Committee as a tool during the annual budget process. **This was moved to objectives section**

~~Adding or removing items from CIP: See attached attachment 2.~~ **Moved to section above, form listed as BDFF-R**

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### **District Policy History:**

***First reading:***

***Second reading/adopted:***

***District revision history:***

### **Legal References:**

*RSA 194:61 Unused District Facilities*

*RSA 198:15-a Grant for School Construction*

**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.



## EEA - STUDENT TRANSPORT SERVICES

*Category: Recommended*

*Related Policies: EEA-R, EEAB, EEAE, EEAE-R, EEAEA, EEAEA-R, EEAE, EEAG, EEAG-R, & JICC*

### A. General Policy, Transportation Coordinator and Determination of Residency.

The District will make available transportation services to all regular education resident students grades K-12, who live at least 2 miles from their assigned school.

The Superintendent, or his/her designee, will fulfill the duties of Transportation Coordinator as described in this and other applicable Board policies.

Residency is determined under RSA 193:12. For children with parents/guardians residing in separate households, residency will be determined pursuant to RSA 193:12, I (a)(2) and, when applicable, parenting plans established under RSA 461-A. In such circumstances, the District is not required to provide transportation beyond the designated attendance area for the school to which the child is assigned, or beyond the geographical limits of the school district in which the child resides. Parents/guardians in such circumstances should contact the Superintendent's office with any questions or requests for special accommodations.

**Pupils who attend chartered public or non-public schools shall be entitled to the same transportation privileges within the District as are provided for pupils in public school using the same routes and termination points as are established for students attending the District's schools.** Drivers may not load or unload pupils at other than authorized bus stops.

The District shall also provide transportation to, and pay transportation costs for, all students who reside in the District and attend a regional career and technical education center, or who attend an alternative program at a regional career and technical education center or other comprehensive high school. The Superintendent is responsible for recovering such transportation costs per RSA 188-E:8.

### B. Establishment and Appeal of Routes, Schedules and Stops

The Transportation Coordinator will establish bus routes, schedules and stops. Routes will be developed annually and posted.

Parents who wish to request a change or exemption from any of the Board transportation policies, including bus routes or bus stops, may engage in the request and appeal process detailed in Policy {\*\*}EEAB.

### C. Authorized Transportation Providers

The District authorizes students to be transported to school or school activities via school bus drivers, and to school activities via contracted carriers. See Policy EEAE for details.

All other authorized transportation of students must be in accordance with Policy EEAG.

### D. Student Conduct on School Buses

Bus drivers have the responsibility to maintain orderly behavior of students on school buses and will report, in writing, misconduct to the student's Principal.

## EEA - STUDENT TRANSPORT SERVICES

Student conduct while on District transportation is regulated in accordance with Board policy JICC, and any District or school rules implementing the same. See the District's School Bus Conduct Rules (administrative procedures {\*\*}JICC-R).

Students who violate regulations for student conduct within those policies may have bus riding privileges suspended. Such suspensions are in addition to other interventions or disciplinary consequences provided under the Student Code of Conduct [or other such rules as termed by the district] and such other applicable Board policies and District or school rules and regulations. Parents/guardians may appeal transportation suspensions per Board policy JICC and accompanying administrative procedures.

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### **District Policy History:**

*First Reading: September 14, 2010*

*Second Reading: October 12, 2010*

*Final Adoption: October 12, 2010*

*District revision history:*

### **Legal References:**

*RSA 189:6, Transportation of Pupils*

*RSA 189:8, Limitations and Additions*

*RSA 189:9, Pupils in Private Schools*

*RSA 189:9-a, Pupils Prohibited for Disciplinary Reasons*

**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.

*Category: Recommended*

*Related Policies: KCD, JLCF*

### **A. Purpose and General Policy Statement.**

The purpose of this policy is to establish and regulate parameters for use of crowdfunding or other forms of online fundraising and solicitations for classroom, school or district programs.

The Wilton Lyndeborough Cooperative School Board recognizes that crowdfunding campaigns and other forms of online fundraising have become an increasingly popular method by which educators and school sponsored activity groups or organizations can procure funding for specific projects and/or programs. The revenue-raising potential that crowdfunding campaigns may provide may be a benefit for District programs and classrooms. The Board further recognizes, however, that unregulated employee use of crowdfunding campaigns on behalf of the District can subject both the District and its employees to significant potential legal liability.

For purposes of this policy, “crowdfunding”, is the practice of using online sites (e.g, donorschoose.org, classful.com, etc.) to solicit donations, whether monetary or in-kind, on behalf of the School District, including any class, extra/co-curricular program. A crowdfunding campaign is considered “to be on behalf of the School District” if it uses imagery, logos or language that would lead a reasonable person to believe that (1) the School District or any school within the District, or program/activity of a school within the District, is associated with the campaign or (2) the campaign has the purpose or effect of providing resources or a benefit to the District.

### **B. Unapproved Crowdfunding Prohibited.**

Crowdfunding on behalf of the District is prohibited unless undertaken by a District employee or school sponsored organization with prior written approval under this policy. No public action towards initiating a crowdfunding campaign on behalf of the District may be taken until the campaign is approved in writing pursuant to this policy.

No employee or student will be compelled to initiate or participate in a crowdfunding campaign on behalf of the District. Students are permitted to participate in publicizing an employee’s approved crowdfunding campaign but are prohibited from otherwise engaging in crowdfunding on behalf of the District. Employees or students who participate in crowdfunding on behalf of the District are acting in their capacity as employees or students and are subject to all rules governing employee and student conduct.

Except in furtherance of an approved campaign, employees are prohibited from doing any of the following as part of a crowdfunding campaign: identifying as an employee of or stating an association with the District; using a District email address, school name,

## DFGA - CROWDFUNDING

logo, or mascot; or linking to or referencing any school website, social media site, platform, or account associated with the District.

Approved crowdfunding campaigns will operate in compliance with all laws and other Board policies and regulations.

### **C. Crowdfunding Request and Approval Procedures.**

1. Crowdfunding Requests. Any request for approval of a crowdfunding campaign shall be in writing and shall include the following information:
  - a. the employee's name, job title, school, and email address;
  - b. the approved crowdfunding website to be used;
  - c. the nature and quantity or amount of donations being requested;
  - d. the classroom, program, or activity to be benefitted and the educational purpose to be served;
  - e. the exact language that will be used in the crowdfunding campaign, as well as any graphics that will be included;
  - f. the start and end dates of the crowdfunding campaign; and
  - g. a statement of recognition by the requester that any proceeds of the campaign are school property.
2. The Superintendent may create and make available a form, which may be online, to be used for such requests.
3. Approved Crowdfunding Sites

The Superintendent or designee shall create a list of approved crowdfunding sites. All approved crowdfunding sites must (1) be operated by an entity with no known significant history of fraud, unlawful activity, financial mismanagement, or other misconduct and (2) have a policy requiring all donations on behalf of the District to go directly to the District. The Superintendent/designee shall encourage the use of sites focused on K-12 education.

If no site meets these requirements or the Superintendent or designee does not approve any sites, no crowdfunding requests will be approved.
4. Approval Process. Notwithstanding anything to the contrary in Board policy KCD, Gifts and Bequests, the terms of this section control the approval of proposed online crowdfunding campaigns.
  - a. Review by the Building Principal. To be eligible for approval under this policy, employees must submit in writing a fully completed approval request form to the building Principal. Notwithstanding any contrary provision in Board policy KCD, the

## DFGA - CROWDFUNDING

Building Principal has authority to approve proposed campaigns seeking a dollar value up to the amount of \$500. Regardless of the amount sought to be donated, the Building Principal has authority to deny a proposed campaign because the campaign is not in compliance with the requirements of this policy or because, in the judgment of the Building Principal, the proposed campaign would produce unacceptable inequity in the educational environment.

If a proposed campaign seeks a dollar value in excess of \$500, and the building Principal believes that the proposed campaign is in compliance with the requirements of this policy and should be accepted, the building Principal shall refer the proposed campaign to the Superintendent or designee.

- b. Review by the Superintendent. The Superintendent or designee shall review referred approval request forms and seek additional information about proposed campaigns as appropriate. The Superintendent or designee has authority to approve proposed campaigns seeking a dollar value up to \$2,500. Regardless of the amount sought to be donated, the Superintendent or designee may deny a referred campaign because the campaign is not in compliance with the requirements of this policy or because, in the judgment of the Superintendent or designee, the proposed campaign would produce unacceptable inequity in the educational environment.

Consistent with Board policy KCD, if a proposed campaign seeks a dollar value in excess of \$2,500, and the Superintendent or designee believes that the proposed campaign is in compliance with the requirements of this policy and should be accepted, the Superintendent or designee shall refer the proposed campaign to the Board.

- c. Review by the Board. Subject to the requirements of Board policy KCD, the Board may approve a campaign that seeks a dollar value in excess of \$2,500, although pursuant to RSA 198:20-b, unanticipated funds of \$20,000 or more also require a public hearing before acceptance. [4 delete fn.] After considering the Superintendent's or designee's recommendation, the Board will decide whether to approve or deny the proposed campaign.
5. Criteria of Approval of Crowdfunding Requests. Crowdfunding requests will not be approved unless the proposed campaign:
    - a. meets all requirements of applicable Board policies and administrative regulations, and is consistent with the requirements of Title IX, FERPA, the IDEA, and any other applicable state or federal laws or regulations;
    - b. uses a crowdfunding site that has been approved by the Superintendent pursuant to Section C.2, above;
    - c. is consistent with the District's approved curriculum;
    - d. does not create significant disparities or inequities among similarly situated students;

## DFGA - CROWDFUNDING

- e. does not solicit funds for items or projects that are religious or political in nature or that have a religious or political purpose;
  - f. seeks donations that are compatible with the District's Data and Privacy Governance Plan, as confirmed by the District's Director of Technology or designee.
  - g. has a specific, pre-determined beginning and ending date;
  - h. does not disparage the District or any of its buildings, programs, representatives, employees, or students;
  - i. does not include pictures or the identifying or confidential information of any District student, unless specifically approved by the student's parent or guardian in writing and attached to the approval request form;
  - j. furthers the educational mission of the school and is not used for the unrelated personal gain of any individual;
  - k. does not result in donations being delivered directly to the requester;
  - l. is not contingent on the District matching funds or making any expenditure;
  - m. does not request food or beverage items inconsistent with the District Wellness Policy **JLCF**;
  - n. does not suggest or state that the donation sought is required for or integral to a student's special education program, a student's ability to achieve his or her IEP goals, or the participation of students with disabilities in any school program.
6. Any crowdfunding campaign that does not fully comply with the requirements of this policy is prohibited. It is the responsibility of the employee implementing an approved crowdfunding campaign to ensure that all applicable policies, regulations, and laws, including the requirements of the crowdfunding site, are followed.

The Board reserves the right to terminate any approved crowdfunding campaign or refuse any donation for any reason and at any time.

### 7. **Receipt and Allocation of Donations**

All monetary donations will be made payable to and deposited into an account designated by the SAU business office. All in-kind donations must be inventoried in accordance with Board policy and District procedures.

All donations, regardless of their form, obtained through crowdfunding on behalf of the District are school property. As a general matter, the employee who completed an approved crowdfunding campaign should be given preference in the use of the donations obtained. Employees shall only use donations from a crowdfunding campaign for the approved purpose stated in the campaign. The Board reserves the right to transfer donations to a different use at

the Board's sole discretion.

### 8. **Record Keeping**

After donations obtained through an approved crowdfunding campaign have been utilized, the employee must file a written report with the Superintendent or Building Principal detailing how the donations were used and how students benefited. Such records will be forwarded to the District's business office.

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#### **District Policy History:**

*First reading:*

*Second reading/adopted:*

*District revision history:*

#### **Legal References:**

*198:20-b Appropriation for Unanticipated Funds Made Available During Year*

**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.

## **JH - STUDENT ABSENCES AND EXCUSES**

### ***Category: Priority/Required by Law***

Students between the ages stated in RSA 193:1 are required to maintain regular and punctual patterns of attendance. Each building principal is responsible for overseeing attendance procedures and for ensuring that:

1. Attendance is accurately checked, recorded, and reported to the school office each day for each class.
2. All student absences are recorded.
3. All permanent records of student attendance are maintained at either the school district or SAU central office.

*The Board considers the following to be excused absences when accompanied by a phone call or written/evidence is provided by the parent/guardian:*

1. *Illness*
2. *Recovery from an accident*
3. *Required court attendance*
4. *Medical and Dental appointments*
5. *Death of an immediate family member*
6. *Observance or celebration of a bona-fide religious holiday*
7. *Such other good causes deemed acceptable by the principal or permitted by law.*

*If a parent or legal guardian wishes for their child to be absent for a reason not listed above, the parent must provide a written explanation of the reason for such absence, including why the student will be absent and for how long the students will be absent.*

*The principal will make a determination as to whether the stated reason for the student constitutes good cause and will notify the parents of the decision. If the principal determines that good cause does not exist, the parents may request a conference with the principal to explain the reasoning further. The Principal may then reconsider the initial decision. However, at this point the Principal's decision will be final.*

### **Family Vacations/Educational Opportunities**

*Generally absences other than those listed above are discouraged. The school principal or designee may however grant special approval of absence for family vacations, provided written approval is given in advance. Parents are asked to write a note to the school principal at least two weeks before the trip. The advance planning will allow enough time to work with parents and the student(s) regarding assignment completion.*



An unauthorized absence is considered truancy and will be treated as such. Truant students may be subject to school disciplinary measures in line with applicable Wilton-Lyndeborough Cooperative School Board policies.

~~Absent students not having parent/guardian permission are considered as being truant. Students so identified will be contacted by either a school official or the juvenile officer and brought to school. The school administration will send a letter to parents/guardian of the truant student. If the truancy problem continues, the school administrator will send by registered mail a letter to the parents of the truant student, indicating the nature and seriousness of the problem and enclose a copy of RSA 193:1.~~

### Truancy

- a. *Truancy is defined as any unexcused absence from class or school. Ten half-days of unexcused absences during the school year constitutes habitual truancy.*
- b. *A half-day absence is defined as the student missing more than two hours of instructional time and less than 3.5 hours of instructional time.*
- c. *Any absence of more than 3.5 hours of instructional time will be considered a full-day absence.*
- d. *The Principal is hereby designated as the District employee responsible for overseeing truancy issues.*

*When a student is absent more than ten half-days, the school may require parents/guardians to contact their provider by phone. If the student does not need to be seen in the office, the provider will indicate this in writing and notify the school. It is understood that a child with a documented chronic illness may have period where they are not able to fully participate in the academic setting and may need to stay home and rest. The principal will ensure accommodations are in place on a case by case basis to excuse necessary absences for students with chronic illnesses.*

### Intervention Process to Address Truancy

*The Principal shall ensure that the administrative guidelines on attendance properly address the matter of truancy by including a process that identifies students who are habitually truant, as defined above.*

*When the Principal identifies a student who is habitually truant or who is in danger of becoming habitually truant, he/she shall commence an intervention with the student, the student's parents, and other staff members as may be deemed necessary. The intervention shall include processes including, but not limited to:*

1. *Investigating the cause(s) of the student's truant behavior;*
2. *Considering, when appropriate, modification of his/her educational program to meet particular needs that may be causing the truancy;*
3. *Involving the parents in the development of a plan designed to reduce the truancy;*

4. *Seeking alternative disciplinary measures, but still retains the right to impose discipline in accordance with the District's policies and administrative guidelines on student discipline;*
5. *Determination as to whether school record keeping practices and parental notification of the student's absences have an effect on the child's attendance.*

### **Parental Involvement in Truancy Intervention**

*When a student reaches habitual truancy status or is in danger of reaching habitual truancy status, the Principal will send the student's parent a letter which includes:*

1. *A statement that the student has become or is in danger of becoming habitually truant;*
2. *A statement of the parent's responsibility to ensure that the student attends school; and*
3. *A request for a meeting between the parents and the Principal or Principal's designee to discuss the student's truancy and to develop a plan for reducing the student's truancy.*

### **Developing and Coordinating Strategies for Truancy Reduction**

*The Board encourages the administration to seek truancy-prevention and truancy-reduction strategies along the recommendations listed below. However, these guidelines shall be advisory only. The Superintendent is authorized to develop and utilize other means, guidelines and programs aimed at preventing and reducing truancy.*

1. *Coordinate truancy-prevention strategies based on the early identification of truancy, such as prompt notification of absences to parents.*
2. *Assist school staff to develop site attendance plans by providing development strategies, resources, and referral procedures.*
3. *Encourage and coordinate the adoption of attendance-incentive programs at school sites and in individual classrooms that reward and celebrate good attendance and significant improvements in attendance.*

*Additionally, the Superintendent shall ensure that this policy is included or referenced in the student handbook and is mailed to parents annually at the beginning of each school year.*

### **Legal References:**

RSA 193:1, Duty of Parent; Compulsory Attendance by Pupil

RSA 193:7 Penalty RSA 193:8, Notice Requirements

RSA 193:16 Bylaws as to Nonattendance

NH Code of Administrative Rules, Section Ed 306.04 (a)(1), Attendance and Absenteeism

NH Code of Administrative Rules, Section Ed 306.04 (c), Policy Relative to Attendance and Absenteeism

First Reading: June 2, 2010

Second Reading: July 13, 2010

Final Adoption: August 10, 2010

Revised:

## BBBE - VACANCIES AND UNEXPIRED TERM FULFILLMENT

*Category: Recommended*

*Related Policies: BBBC*

**A. Definition and Occurrence of a Vacancy.** A vacancy on the School Board or other District office is defined in RSA 652:12, and occurs when subsequent to election but prior to the expiration of that person's term, the office holder/office holder elect, either:

- i. Resigns (see Board policy BBBC for resignation process);
- ii. Dies;
- iii. Ceases to have domicile in the district or town from which he/she was elected;
- iv. Is determined by a court to be mentally incompetent;
- v. Is/has been convicted which disqualifies him/her holding office (e.g., bribery, willful violation of election laws) or sentenced while in office after conviction for a felony;
- vi. Has the election voided by a court or the ballot law commission; or
- vii. Fails to take the oath of office within 30 days of the election, or fails to give/renew a bond required by law

Although a formal resignation best serves the district when possible, many of the reasons cause a vacancy to occur by operation of law (e.g., death or relocation). In circumstances that are unclear (e.g., relocation out of district), the Superintendent and/or Board Chair should consult with counsel.

A temporary absence does not constitute a vacancy.

**B. Authority to Fill Vacancy.**

1. Vacancy on School Board. In the event of a vacancy on the school board the remaining school board members representing the same town or towns as the departed member shall fill the vacancy, provided that there are at least 2 such members. At-large seats and members are considered to be "representative(s) of the same town or towns." If there are less than 2 remaining members on the cooperative school board representing the same town or towns as the departed member, or if the remaining members are unable, by majority vote, to agree upon an appointment, then the Select Board or Select Boards representing the same town/towns as the departed member may make the appointment, failing which the District Moderator will make the appointment. RSA 671:33, II(b).
2. Vacancy of Any Office Other than School Board, Budget Committee or Moderator. The entire school board shall fill vacancies occurring in other district offices, except that of budget committee member, and moderator, until the next annual meeting of the district. RSA 671:33, II(a) and RSA 197:26.

## **BBBE - VACANCIES AND UNEXPIRED TERM FULFILLMENT**

3. **Moderator Vacancy.** Vacancies in the office of moderator shall be filled by vote at a school meeting or election, provided that, until a replacement is chosen, the school District Clerk shall serve as moderator or shall appoint a moderator pro tempore. See RSA 671:33, III and RSA 197:20.
4. **Budget Committee Vacancy.** In the event of a vacancy on the cooperative budget committee, the remaining budget committee members representing the same town or towns as the departed member shall fill the vacancy, provided that there are at least 2 such remaining members. At-large seats and members are considered to be “representative(s) of the same town or towns.” If there are less than 2 remaining members on the cooperative school board representing the same town or towns as the departed member, or if the remaining members are unable, by majority vote, to agree upon an appointment, then the Select Board or Select Boards representing the same town/towns as the departed member may make the appointment, failing which the District Moderator will make the appointment. RSA 671:33, IV.

**C. Duration of Appointment.** For positions normally elected by the voters, a person appointed to fill a vacancy will serve only until the next election, at which point the voters will vote for a replacement to serve for the remainder of the original holder’s term. For non-elected positions (i.e., those ordinarily appointed by the board), the person appointed to fill the vacancy will serve until the expiration of the original holder’s term. See RSA 671:33.

**D. Vacancy Arising During Filing Period.** Other than a seat that is already open (for election or re-election) as of the beginning of the filing period, a vacancy which occurs between the beginning of the filing period and the district election shall be filled by appointment. See RSA 671:33, V.

**E. Process to Fill Vacancies by the Board.** The Board will employ the following process when there is a vacancy on the Board, or in another office for which the Board has authority to fill the vacancy. Except as required by RSA 91-A:2 and 3, the Board reserves the right to waive, supplement or otherwise amend any part of the process.

Discussion by the Board of the process to be used to fill a vacancy, and the appointment process itself, including candidate interviews, shall occur in public session during a duly noticed meeting. The only possible exception could be a limited discussion regarding a potential candidate wherein that part of the discussion is likely to adversely affect the reputation of a person other than a board member. See RSA 91-A:3, II(c).

Once the Board has confirmed or acknowledged the vacancy, the Board will advertise/post notice of the vacancy on the District web-site and in such other manner as the Board deems appropriate.

## **BBBE - VACANCIES AND UNEXPIRED TERM FULFILLMENT**

Among other things, the notice shall invite interested persons to submit a letter of interest to the Board Chair, with a copy to the Superintendent. All such letters shall be included in the public meeting materials for the meeting at which the appointment is to be considered.

Interviews of candidates for vacant positions will take place in a meeting open to the public.

After motion and second, vote shall occur by voice or hand in a public session (secret ballots are not allowed under RSA 91-A:2, II).

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### **District Policy History:**

***Revised: August 2006***

***Revised: February 2004***

***Revised: November, 1999***

***Revised: July, 1998***

***New Policy First Reading: October 26, 2011***

***Second Reading: November 8, 2011***

***Final Adoption: November 8, 2011***

***District revision history:***

### **Legal References:**

<i>Pt 1, Art. 11</i>	<i><u>New Hampshire Constitution, Elections and Elective Franchises</u></i>
<i>RSA 197:20</i>	<i><u>Clerk</u></i>
<i>RSA 197:26</i>	<i><u>Vacancies</u></i>
<i>RSA 607-A:2</i>	<i><u>Rights Lost</u></i>
<i>RSA 652:12</i>	<i><u>Vacancy (applicable by way of RSA 652:1, Elections).</u></i>
<i>RSA 671:33</i>	<i><u>Vacancies</u></i>

## BBBE - VACANCIES AND UNEXPIRED TERM FULFILLMENT

**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.

DRAFT

## **JKAA – USE OF CHILD RESTRAINT AND SECLUSION**

**This required policy seems to include our JKAA-R within it now. We should delete JKAA-R from our policy list after adopting the new JKAA. Our current JKAA has a preamble that I'm not sure is required.**

- A. **Policy Statement.** This policy is designed to help ensure the safety and dignity of all students by limiting and regulating the use of restraint and seclusion only as crisis or emergency responses. Restraint and seclusion of students is prohibited in the District except as described below.
- B. **Definitions.** For the purposes of this policy,
1. **"Restraint"** means bodily physical restriction, mechanical devices, or any device that immobilizes a person or restricts the freedom of movement of the torso, head, arms, or legs. It includes mechanical restraint, physical restraint, and medication restraint used to control behavior in an emergency or any involuntary medication. It is limited to actions taken by persons who are school or facility staff members, contractors, or otherwise under the control or direction of a school or facility.
    - a. **"Medication restraint"** occurs when a child is given medication involuntarily for the purpose of immediate control of the child's behavior.
    - b. **"Mechanical restraint"** occurs when a physical device or devices are used to restrict the movement of a child or the movement or normal function of a portion of his or her body.
    - c. **"Physical restraint"** occurs when a manual method is used to restrict a child's freedom of movement or normal access to his or her body.
    - d. **"Prone restraint"** is a prohibited physical restraint technique which occurs when a child is intentionally placed face-down on the floor or another surface, and the child's physical movement is limited to keep the child in a prone position. For the purpose of this definition, physical restraint that involves the temporary controlling of an individual in a prone position while transitioning to an alternative, safer form of restraint is not considered to be a prohibited form of physical restraint.

e. **Exceptions to definition of restraint.** The term "restraint" DOES NOT, however, include:

- i. Brief touching or holding to calm, comfort, encourage, or guide a child, so long as limitation of freedom of movement of the child does not occur.
- ii. The temporary holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a child to stand, if necessary, and then walk to a safe location, so long as the child is in an upright position and moving toward a safe location.
- iii. Physical devices, such as orthopedically prescribed appliances, surgical dressings and bandages, and supportive body bands, or other physical holding when necessary for routine physical examinations and tests or for orthopedic, surgical, and other similar medical treatment purposes, or when used to provide support for the achievement of functional body position or proper balance or to protect a person from falling out of bed, or to permit a child to participate in activities without the risk of physical harm.
- iv. The use of seat belts, safety belts, or similar passenger restraints during the transportation of a child in a motor vehicle.
- v. The use of force by a person to defend himself or herself or a third person from what the actor reasonably believes to be the imminent use of unlawful force by a child, when the actor uses a degree of such force which he or she reasonably believes to be necessary for such purpose and the actor does not immobilize a child or restrict the freedom of movement of the torso, head, arms, or legs of any child.

2. **“Dangerous Restraint Technique”** are prohibited forms of restraint and/or behavior techniques that include:

- a. Prone restraint, or any other physical restraint or containment technique that:
  - i. Obstructs a child's respiratory airway or impairs the child's breathing or respiratory capacity or restricts the movement required for normal breathing;
  - ii. Places pressure or weight on, or causes the compression of, the chest, lungs, sternum, diaphragm, back, or abdomen of a child;



- iii. Obstructs the circulation of blood;
  - iv. Involves pushing on or into the child's mouth, nose, eyes, or any part of the face or involves covering the face or body with anything, including soft objects such as pillows, blankets, or washcloths; or
  - v. Endangers a child's life or significantly exacerbates a child's medical condition.
- b. The intentional infliction of pain, including the use of pain inducement to obtain compliance.
  - c. The intentional release of noxious, toxic, caustic, or otherwise unpleasant substances near a child for the purpose of controlling or modifying the behavior of or punishing the child.
  - d. Any technique that unnecessarily subjects the child to ridicule, humiliation, or emotional trauma.
  - e. Other forms of physical and medical restraint shall be administered in such a way so as to prevent or minimize physical harm. During the administration of restraint, the physical status of the child, including skin temperature, color, and respiration, shall be continuously monitored. The child shall be released from restraint immediately if they demonstrate signs of one or more of the following: difficulty breathing; choking; vomiting; bleeding; fainting; unconsciousness; discoloration; swelling at points of restraint; cold extremities, or similar manifestations.
3. **"Seclusion"** means: the involuntary confinement of a child alone in any room or area from which the child is unable to exit, either due to physical manipulation by a person, a lock, or other mechanical device or barrier, or from which the child reasonably believes they are not free to leave; or, the involuntary confinement of a child to a room or area, separate from their peers, with one or more adults who are using their physical presence to prevent egress.

The term "seclusion" DOES NOT, however, include: the voluntary separation of a child from a stressful environment for the purpose of allowing the child to regain self-control, when such separation is to an area which a child is able to leave; circumstances in which there is no physical barrier, and the child is physically able to leave; or involuntary confinement of a child to a room or area with an adult who is actively engaging in a therapeutic intervention. A circumstance may be considered seclusion even if a window or other device

for visual observation is present, if the other elements of this definition are satisfied.

C. **Training Required.** Under RSA 126-U:5, II, the restraint may only be used/implemented by trained school staff, while 126-U:5-a, II applies the same limitation to the use of seclusion. The Superintendent shall ensure that:

1. each school building has staff who have been appropriately trained in the proper and safe implementation of seclusion or restraint techniques;
2. each school building has staff who have been appropriately trained and are authorized to assess the mental, emotional, and physical well-being of a student relative to a period of restraint that exceeds 30 minutes in conditions described in \_\_\_\_, below; and
3. All employees, designated volunteers and other persons who are required to have criminal history background checks under Board policy GBCD receive *general training* in the requirements and prohibitions of this policy, as well as basic de-escalation procedures. *Personnel who have only received such general training are not authorized to use restraint or seclusion upon any student.*

D. **Procedures for Managing the Behavior of Students.** General procedures for managing student behavior are found in Board policies, District and each school's Codes of Conduct, and student handbooks. Behavior of individual students may be addressed in applicable individualized educational plans, 504 plans, behavior intervention plans, or other such individualized documents. The Superintendent is authorized to establish additional procedures for managing student behavior and to implement this Policy as needed. Such procedures shall be consistent with all Board policies and all applicable laws or regulations. The Superintendent is further authorized to establish any other procedures necessary to implement this policy and/or any other legal requirements.

E. **Provisions Governing the Circumstances in Which – and Conditions by Which Forms of Restraint May and May Not Be Used.**

1. **Authorized Use of Restraint.**

a. General.

- i. Restraint may only be used by trained personnel using extreme caution when *all other interventions have failed or have been deemed inappropriate*.
  - ii. The determination of whether the use of restraint is justified in a specific instance must be made with consideration of all relevant circumstances, including whether continued acts of violence by a child to inflict damage to property will create a substantial risk of serious bodily harm to the child or others.
  - iii. Restraint may only be used to ensure the immediate physical safety of any person when there is a substantial and imminent risk of serious bodily harm to the student or others.
  - iv. Restraint shall never be used either explicitly or implicitly as punishment for the behavior of a child.
  - v. Restraint will not be imposed for longer than is necessary to protect the student or others from the substantial and imminent risk of serious bodily harm.
  - vi. Restraint will be *discontinued immediately* if a child demonstrates signs of one or more of the following: difficulty breathing; choking; vomiting; bleeding; fainting; unconsciousness; discoloration; swelling at points of restraint; cold extremities, or similar manifestations.
- b. Restraint Periods Exceeding 15 Minutes. Pursuant to RSA 126-U:11, no period of restraint of a student may exceed 15 minutes without the approval of a supervisory employee designated by the Superintendent or Principal to provide such approval.

*However, no period of restraint of a student may exceed 30 minutes unless an assessment of the mental, emotional, and physical well-being of the student is conducted by an employee trained and authorized to make such assessments.*

Such assessments shall be repeated at least every 30 minutes during the period of restraint. Each such assessment shall be documented in writing and such records shall be retained by as part of the Written Notification required in Section G.1.c, below.

2. **Prohibition of Certain Forms of Restraint.** The use of any dangerous restraint technique as defined in Section A, above, is prohibited. Additionally,

medical and mechanical restraints are prohibited except that limited mechanical restraint may be used in transportation as described in and subject to the conditions set forth in paragraph 3, of this Section.

3. **Limited Use of Mechanical Restraints During Transportation.** Pursuant to RSA 126-U6, the use of Mechanical Restraints is generally prohibited. However, RSA 126-U:12 allows the use of mechanical restraint during transportation when case-specific circumstances dictate that such methods are necessary.

Whenever a student is transported to a location outside the school, the Superintendent or designee will ensure that all reasonable and appropriate measures consistent with public safety are made to transport or escort the student in a manner which:

- a. Prevents physical and psychological trauma;
- b. Respects the privacy of the child; and
- c. Represents the least restrictive means necessary for the safety of the child.

Whenever a student is transported using mechanical restraints, the Superintendent or designee will document in writing the reasons for the use of the mechanical restraints as described in Section G.3 below.

4. **Reporting and Notification.** Any occurrence or incident or occurrence in which restraint is used shall be followed by reports and notification as described in Section G, below.

#### F. **Use of Seclusion.**

1. **Circumstances in Which - and Conditions by Which - Seclusion May and May Not Be Used.**
  - a. Seclusion may only be used by personnel trained in the proper use of seclusion as provided in Section C, above.
  - b. Seclusion may only be used when a student's behavior poses a substantial and imminent risk of physical harm to the student or others and may only continue until that danger has dissipated.

- c. Seclusion shall only be used after other approaches to the control of behavior have been attempted and been unsuccessful or are reasonably concluded to be unlikely to succeed based on the history of actual attempts to control the behavior of a particular child.
- d. Seclusion will not be used explicitly or implicitly as a form of punishment or discipline for the behavior of a student.
- e. Seclusion shall not be used in a manner that unnecessarily subjects the child to the risk of ridicule, humiliation, or emotional or physical harm.

2. **Conditions of Seclusion.** When seclusion is permitted under this policy,

- a. it may only be imposed in rooms which:
  - i. Are of a size which is appropriate for the chronological and developmental age, size, and behavior of the children placed in them.
  - ii. Have a ceiling height that is comparable to the ceiling height of the other rooms in the building in which they are located.
  - iii. Are equipped with heating, cooling, ventilation, and lighting systems that are comparable to the systems that are in use in the other rooms of the building in which they are located.
  - iv. Are free of any object that poses a danger to the children being placed in the rooms.
  - v. Have doors which are either not equipped with locks or are equipped with devices that automatically disengage the lock in case of an emergency. For the purposes of this subparagraph, an "emergency" includes, but is not limited to:
    - A. The need to provide direct and immediate medical attention to a child;
    - B. Fire;
    - C. The need to remove a child to a safe location during a building lockdown; or
    - D. Other critical situations that may require immediate removal of a child from seclusion to a safe location.

- b. Each use of seclusion shall be directly and continuously visually and auditorily monitored by a person trained in the safe use of seclusion (e.g., in person, window with accommodation for sound, video with audio feed).
3. **Required Use of Co-Regulators.** When seclusion is used, the Principal, or when he or she is not immediately available, her/his designee or the then supervising employee, shall designate a co-regulator to monitor the child and develop a plan to help the child manage their state of regulation and their return to a less restrictive setting. The co-regulator shall check the child at regular intervals not to exceed 30 minutes between any one interval. The co-regulator shall be selected and designated in the following order of preference:
  - a. A trusted adult selected by the child.
  - b. A clinician or counselor trained in trauma informed practices.
  - c. A staff member known to have a positive relationship with the child.
  - d. A staff member who was **NOT** involved in the incident that led to seclusion.
4. **Reporting and notification.** Any occurrence or incident in which seclusion is used shall be documented and followed with reports and notification as described in Section G, below. Multiple incidents of seclusion/restraint may be present within a single occurrence, and should be individually described within the reports and notifications.

**G. Reporting, Notification and Record Keeping Requirements.**

1. **Restraint and Seclusion.** Whenever restraint or seclusion has been used on a child, the following shall apply:
  - a. Immediate verbal report to Principal, designee or then current supervising employee: Immediately after the occurrence of seclusion or restraint and any threat to safety is no longer imminent, the employee who uses seclusion or restraint shall provide verbal notice to the Principal, principal's designee or other supervising employee on duty.
  - b. Initial Notification to Parent/Guardian: Upon receipt of a report of the use of seclusion or restraint, and unless prohibited by court order, the Principal, principal's designee or other supervising employee who received the immediate verbal report described in Paragraph G.1.a, s/he shall make reasonable efforts to contact the child's parent or

guardian as soon as is practicable, but in *no later than the time of the return of the child to the parent/guardian or the end of the business day, whichever is earlier*. The form of notice shall be in the manner calculated to give the parent/guardian actual notice of the incident at the earliest possible time.

- c. Written Notification to Superintendent: Within five business days of the use of seclusion or restraint, the employee who used seclusion or restraint on a child, will, with the assistance of the Principal or other employee who received the immediate verbal report (or if the employee is not available, the Principal or other recipient of the immediate report) will submit written notification on the form provided by the New Hampshire Departments of Education and Health and Human Services (the "DOE/DHHS form") to the Superintendent. In the absence of the availability of the DOE/DHHS form, the submission shall nonetheless be in writing and include all of the information required under RSA 126-U:7, II. The DOE/DHHS form or other writing used will be referred to as the Written Notification.

If the use of restraint on a child exceeded 30 minutes, the Written Notification shall also include information pertaining to the assessments described in Section E.1.b, above.

- d. Written Information to Parent/Guardian: Unless prohibited by court order, within 2 business days of receipt of the Written Notification, the Superintendent/designee shall send by USPS first class mail, or transmit by electronic means, to the child's parent/guardian all of the information included in the Written Notification or the Written Notification itself.
- e. Final Investigation and Report: The Superintendent or Superintendent's designee shall review and investigate each incident of seclusion or restraint for a determination as to whether the use complied with this policy, RSA 126-U and Ed 1201-1203. After the completion of a reasonable review/investigation, the Superintendent or her/his designee, shall follow the Written Notification with a Final Report of the incident. The Final Report should include findings and conclusions, the documentary and other physical evidence (or summary of oral evidence), and a description of actions taken in response to those findings and conclusions.

2. **Additional Reporting Required for Injury or Death of a Child Subject to Restraint or Seclusion.** In cases involving serious injury or death to a child subject to restraint or seclusion in a school, the Principal/Superintendent designee shall, in addition to the reports and notifications described above, and in accordance with the provisions of RSA 126-U:7, notify the Commissioner of the Department of Education, the New Hampshire Attorney General, general, and the New Hampshire Disability Rights Center using the contact information provided by the Department of Education. Such notice shall include the Official/Written Notification required in Section G.c, above.
3. **Additional Documentation Regarding Use of Mechanical Restraint.** Whenever a child is transported using mechanical restraints, the person(s) completing the Official Report Form/written notification described in G.1.c, above, shall include the reasons for the use of mechanical restraints. Such documentation shall be treated and retained as a notification of restraint under RSA 126-U:7.
4. **Documentation for Other Intentional Physical Contact Between Employee and Student.** The following shall apply whenever there is an instance where a school employee or designated volunteer has intentional physical contact with a student in response to a student's aggressive misconduct or disruptive behavior.
  - a. Notice to parents: the Principal, designee or other supervising employee will make reasonable efforts to promptly notify the student's parent or guardian. Such *notification shall be made no later than the time of the return of the child to the parent/guardian or the end of the business day, whichever is earlier.* The form of notice shall be in the manner calculated to give the parent/guardian actual notice of the incident at the earliest possible time.
  - b. Physical Contact Written Description: Unless the incident is subject to the notice and reporting requirements of Section G.1 above, the Principal shall prepare a written description of the incident ("Physical Contact Written Description") of the incident within five (5) business days of the occurrence/incident. The Physical Contact Written Description will include:
    - i. The date and time of the incident.
    - ii. A brief description of the actions of the child before, during, and after the occurrence.



- iii. The names of the persons involved in the occurrence.
- iv. A brief description of the actions of the facility or school employees involved before, during, and after the occurrence.
- v. A description of any injuries sustained by, and any medical care administered to, the child, employees, or others before, during, or after the incident.

5. **Circumstances when Reporting/Notification is not Required.** The notification, reporting and record keeping requirements included in Section G are not required in the following circumstances:

- a. When a child is escorted from an area by way of holding of the hand, wrist, arm, shoulder, or back to induce the child to walk to a safe location. If, however, the child is actively combative, assaultive, or causes self-injury while being escorted, then the notification requirements described above are applicable.
- b. When actions are taken such as separating children from each other, inducing a child to stand, or otherwise physically preparing a child to be escorted.
- c. When the contact with the child is incidental or minor, such as for the purpose of gaining a misbehaving child's attention. However, blocking of a blow, forcible release from a grasp, or other significant and intentional physical contact with a disruptive or assaultive child shall be subject to the notification and reporting requirements described above.

6. **Retention of Records.** All reports, notifications and other records created pursuant to this Section, or Sections H, I or J, shall be retained [the term of the student's enrollment plus three years, unless:

- a. the student is or was a student with an individualized educational program, in which case, the records shall be retained and destroyed in accordance with paragraph B.1 of Board policy EHB; or
- b. a longer period is required pursuant to instruction by the Department of Education or the Department of Health and Human Services.

H. **Mandatory Reporting of Violations by Others.** Any school employee who has reason to believe that the action of another may constitute a violation of this policy, or the provisions of RSA 126-U, must report the suspected violation to the Principal or Superintendent in accordance with the reporting procedures of Board policy

**GBEAB (we don't have)**. The conduct giving rise to the suspected violation may well likely require reporting under Board policies JLF – Reporting Child Abuse or Neglect.

- I. **Complaints of Violation of RSA 126-U**. Any individual may file a complaint with the Superintendent's office alleging a violation of this policy or RSA 126-U. The complainant should be encouraged to file the complaint in writing with the information listed in paragraph 1 below, but if declined, the Superintendent/designee should promptly prepare a written summary of the complaint with such information as could be obtained from the complainant. The complaint should be made as soon as possible after the incident. (Note that under Ed 1203.02, complaints to the New Hampshire Department of Education made more than twelve months after an incident will be dismissed by the Department.)

1. **Complaint Contents.** The written complaint or complaint summary should include:
  - a. The complainant's name, unless the complaint refuses;
  - b. The date or approximate date of the alleged incident;
  - c. The location of the alleged incident;
  - d. The name of the child or children subject to the alleged restraint or seclusion, if known;
  - e. The name of the school personnel alleged to have restrained or secluded the child, if known;
  - f. A description of the alleged restraint or seclusion; and
  - g. The date of complaint.
2. **Investigation and Resolution of Complaint.** The complaint or grievance will be investigated by the Superintendent, or another person designated by the Superintendent. The Complainant should be contacted no later than 5 business days (excluding school year vacations) following the date of the complaint.

In most cases, investigation of the complaint should be completed within 20 days following receipt of the complaint. If the Superintendent is not personally conducting the investigation, however, the extension of time must first be approved by the Superintendent. When extra time is required, the reasons for the extension should be included in the final investigative report.

A written investigative report of the findings and conclusions (whether the complaint is founded or unfounded) should be completed within five days of completion of the investigation. In addition to findings and conclusions, the

investigative report must include the documentation of the evidence (or summary of oral evidence) relied upon.

The Superintendent will contact the complainant within 5 days after the report is completed to discuss the completion of the investigation. The amount of information provided is dependent on the nature of the complainant and the legal privacy of the concerned parties. If the complainant is the parent or guardian of the child concerned, the Superintendent may allow the parent/guardian access to the written report in the same manner as any other student record.

The Superintendent shall take such actions as are appropriate in light of the investigative report, including, without limitation, any mandatory or discretionary reports to outside agencies, employee discipline, ordering further investigation, training, etc..

Any further review of the original complaint or investigative report will be in accordance with other established processes, e.g., grievance processes within applicable collective bargaining agreements, Board policies relating to complaints such as found in KEB and **GBK (we don't have)**

The written complaint/complaint summary, the investigative report, evidence and other documents concerning the complaint shall be retained in accordance with Ed 1202.02(e).

**J. Review of IEP or 504 Plan Following the Use of Restraint or Seclusion.**

Pursuant to RSA 126-U:14, upon information that restraint or seclusion has been used for the first time upon a child with a disability as defined in RSA 186-C:2, I or a child who is receiving services under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. section 701, and its implementing regulations, the school shall review the individual educational program and/or Section 504 plan and make such adjustments as are indicated to eliminate or reduce the future use of restraint or seclusion.

If there have been multiple instances of restraint or seclusion of a child with a disability since the last IEP/504 plan review, an additional review shall occur at the request of the parent or guardian of the child.

**K. Prohibition Against Retaliation or Harassment.** No person shall subject any individual to harassment or retaliation for filing, in good faith, a report under this

policy, RSA 126-U, or Department of Education Rules Ed 1200. **Dissemination of Policy**. A copy of this policy shall be provided to the parent, guardian, or legal representative of each full or part-time student upon enrollment, and annually thereafter printed in each student handbook. Additionally, the policy will be included on each school's website and/or the online School Board Policy Manual available to the general public.

- L. **Dissemination of Policy**. A copy of this policy shall be provided to the parent, guardian, or legal representative of each full or part-time student upon enrollment, and annually thereafter printed in each student handbook. Additionally, the policy will be included on each school's website and/or the online School Board Policy Manual available to the general public.

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**District Policy History:**

***Original Adoption:*** March 28, 2013

***First Reading:*** December 9, 2014

***Second Reading/Adopted:*** January 13, 2015

***District Revision History:***

DRAFT

## ACN – Nursing Mothers Accommodation

### **Category: Priority/Required By Law**

#### A. Statement of Purpose.

The District provides a supportive environment as to time and place for [students and] employees (collectively “nursing mothers”). Subject to the terms and exceptions set forth in this policy, the District will accommodate the needs of nursing mothers by providing reasonable times and suitable spaces for nursing mothers to nurse during school and work hours for one year after the birth of the child. Nursing for purposes of this policy will include expression of milk by manual or mechanical means.

No nursing mother will be discriminated against for nursing or nursing related activities as provided in this policy, and reasonable efforts will be made to assist nursing mothers in meeting their infant feeding goals while at work or school.

#### B. Accommodation Notice and Plans.

A nursing or expectant mother should contact the building principal, school nurse, or employee’s supervisor at least two weeks before the need for nursing accommodations arises. The District will endeavor to meet the break and space needs of each nursing mother. However, when ordinary accommodations (as discussed below) will create undue hardship to the operations of the school/workplace, the District will work with the nursing mother to determine whether other acceptable accommodations may be made. Such other accommodations could include such items as a change in work/class assignments, or schedules. When acceptable accommodations are unattainable, the school nurse, building principal or other administrator working with the nursing mother should consult with the District’s [Human Rights/Non-Discrimination Officer or Superintendent].

A nursing accommodation plan should be revisited upon the nursing mother’s request, or at least every three months, with adjustments made to the accommodations for breaks as nursing needs change.

#### C. Reasonable Time to Express Milk during the School Day.

Accommodations as established under Section B, above, a nursing mother will have

## ACN – Nursing Mothers Accommodation

a minimum of three opportunities (“nursing period”) during a work or school day, at agreed upon intervals (which should include flexibility as appropriate and practicable) for the purpose of nursing or to address other needs relating to nursing. An employee or student can use usual break and meal periods if she chooses. A nursing mother who is an hourly employee [CHOOSE ONE OF TWO OPTIONS] [OPTION 1] will not be paid during nursing periods unless either (a) the nursing period falls during a regular paid break (e.g., a paid lunch), or she is not completely relieved of duties during the nursing break. [OR OPTION 2] will be paid during nursing periods. Nursing mothers shall not be required to “make up” time relating to the use of unpaid nursing periods.

### D. Suitable Private Areas for Nursing.

Nursing mothers will be provided with a private place, other than a bathroom, in each school district building in which a nursing mother spends her working or school day.

The nursing area:

1. May be temporary or permanent.
2. Shall be shielded from view and free from intrusion by other persons, including without limitation other staff or students;
3. Shall be within a reasonable walk to the nursing mother’s work-station or classroom unless otherwise agreed by the nursing mother;
4. Have at a minimum an electrical outlet and a chair if feasible;
5. Have a sink with running water if feasible, or be in proximity to one;
6. Have a refrigerator for breast milk storage if feasible, or be in proximity to one; and
7. Shall be cleaned regularly by District staff assigned to that duty.

### E. Nursing Mother Responsibilities.

Nursing mothers will:

1. Provide at least two weeks advance notice of the need for nursing accommodations, preferably prior to their return to school following the birth of the child. This will allow school administrators the opportunity to establish a location and work out scheduling issues.
2. Maintain the nursing area by wiping down surfaces with antibacterial wipes so the area is clean for the next user.

## ACN – Nursing Mothers Accommodation

3. Provide their own supplies as is necessary.

### F. Prohibited conduct.

Any intentional act which violates a nursing mother's privacy, aims to frustrate a nursing mother's intentions to use the nursing facilities, or constitutes harassment on account of a nursing mother's needs or breastfeeding status is prohibited, and shall be treated as violation of the applicable code of conduct, with possible disciplinary consequences and may constitute sexual harassment and reported to the Title IX Coordinator.

### G. Dissemination of policy.

This policy shall be printed or summarized in the applicable employee and student handbook. For employees, if the handbook is not provided at the time of hire, then the District will provide a copy of this policy at the time of hire.

***First Reading:***

***Second Reading:***

***Final Adoption:***

***Reviewed:***

***Revised:***

## EFAA - MEAL CHARGING

*Category: Required*

*Related Policies: AC, DAF, EF, EFA, EFE, & JLCF*

The Wilton Lyndeborough Cooperative School District encourages all parents and guardians (hereinafter “parents”) to provide a healthy breakfast and lunch for their student(s). Parents are welcome to send students to school with a “brown bag/lunch box” meal. The District provides the opportunity to purchase breakfast and lunch from the school cafeteria. Each meal meets or exceeds the federal nutrition standards. Payment is expected no later than when the meal is served. Payment may be in cash (check) or as a debit against funds deposited into an established student lunch account.

The school lunch program is required by federal law to operate as a non-profit which must end each fiscal year without a negative balance. Uncollected debt must be paid to the school lunch program from other funds. **Therefore, parents of students required to pay the full or reduced price for meals must ensure that the school lunch program is paid for their student’s meals.** The District’s policy is to quickly escalate efforts to bring student meal accounts into positive balance, to avoid circumstances where these accounts build significant debt.

### **Student Meal Accounts**

The District uses a point-of-sale computerized meal payment system which has an account for all students. Parents of students who will be purchasing meals using this system are required to establish and maintain a positive balance in the student’s meal account.

Funds may be deposited into a student lunch account by cash, check, or on-line payment. Cash or checks made out to Wilton-Lyndeborough Cooperative School District should be presented to the Cashier at the cafeteria, the Principal’s Office, or the Food Service Office. A check may also be mailed to: 192 Forest Rd. Lyndeborough, NH 03082. The District utilizes the services of [www.MyMealTime.com](http://www.MyMealTime.com). The use of checks or on-line payments is encouraged, as each provides a record. Parents are responsible for any fees charged by the on-line service. In accordance with United States Department of Agriculture (“USDA”) guidance SP 02-2015, there will be no processing fee for deposits to a student meal account made by cash or check.

Bank fees incurred on any check returned for insufficient funds will be charged to the parent. The fee may not exceed \$25.00, RSA 358-C:5, I.) In accordance with RSA 358-C:5, notice of the fee charged for a check that is returned for insufficient funds shall be included in any letter sent to a Parent seeking payment because the student meal account has a negative balance.

Each notice to parents will include information on how to verify a student meal account balance, to resolve concerns regarding the accuracy of the account balance, or to obtain information on



## EFAA - MEAL CHARGING

the school meal program, including the name, title, hours when available, phone number, and e-mail address of an appropriate member of the District staff.

### **Parental Restrictions on Use of Student Meal Account**

Parents who establish a meal account for their student are responsible for establishing any restrictions with their student that the parent chooses to place on use of the account. Unless restricted by the parent, a student may purchase a la carte items in addition to the regular meal choices. **Some students purchase more than one meal at one sitting.** Parents must monitor the student's use of the meal account to ensure that a sufficient balance is available at all times for their student to charge for meals. (The District's on-line payment system [www.MyMealTime.com](http://www.MyMealTime.com) allows a parent to check their student's balance at any time.)

The District's policy is to ensure that students have access to healthy meals and that no student will be subject to different treatment from the standard school meal or school cafeteria procedures. Therefore, the District will allow students to purchase a meal, even if the student's meal account has insufficient funds. This policy applies to all meal offerings generally available at the cafeteria. Example: Breakfast and lunch. **Should we add the information regarding a la carte items may not be purchased?**

### **Balance Statements**

The Superintendent shall establish a procedure at each school requiring that a low balance statement be sent to parents whenever the balance in a student's meal account falls to or below a set amount that approximates the amount typically necessary to pay for one week of meals.

The notices will be sent by e-mail when practical, otherwise by a note, sealed in an envelope, can be sent home with the student. Notice prior to the account reaching zero is intended to reinforce the requirement that a positive balance be maintained in the student meal account. If a student meal account falls into debt, the initial focus will be on resuming payments for meals being consumed to stop the growth of the debt. The secondary focus will be on restoring the account to routinely having a positive balance. Only **[CA1]** those District staff who have received training on the confidentiality requirements of federal and state law, including the United States Department of Agriculture's ("USDA") guidance for school meal programs, and who have a need to access a child's account balance and eligibility information may communicate with parents regarding unpaid meal charges. Volunteers, including parent volunteers will not be used to communicate with parents regarding unpaid meal charges. 42 U.S.C. 1758(b)(6).

### **Free or Reduced Price Meals**

The District participates in the federally supported program to provide free or reduced price meals to students from families whose economic circumstances make paying for meals difficult. Income guidelines for eligibility are based on family size and are updated each year by the

## EFAA - MEAL CHARGING

USDA. The District will ensure parents are informed of the eligibility requirements and application procedures for free or reduced cost meals as well as the requirements of this policy.

Parents shall be provided with a copy of this policy and an application for free or reduced cost meals annually at the start of the school year through a mailing or in the parents' handbook, **are we doing this?** upon enrollment of a transfer student during the school year, and as a component of all notices sent to parents seeking payment to correct a negative balance in the student meal account. The communication explaining the availability of the free or reduced price meals shall include all the elements required by federal regulation, 7 C.F.R. 245.5. Each notice shall also identify a member of the District staff, with contact information, who is available to answer questions or assist the parents with applying for free or reduced price meals.

As required by the Civil Rights Act of 1964 and USDA guidance, parents with Limited English Proficiency ("LEP") will be provided with information on this policy and the free and reduced price meal program in a language the parents can understand. The District will utilize USDA and community resources to fulfill this requirement. This policy and links to application materials for the free or reduced price meal program will be posted on the school website and made available to parents at each school.

The District will proactively enroll students found to be categorically eligible into the free or reduced price meal program. The District will seek to enroll eligible students in the free or reduced price meal program upon learning from any source of the student's potential eligibility. When eligibility is established, the District will apply the earliest effective date permitted by federal and state law. **Do we do this, I thought we couldn't...**

The District will provide a copy of this policy and application materials for free or reduced price meals to town welfare offices/human services offices and other local social service agencies who may have contact with parents who are confronting layoffs or other financial hardship.

### **Students Without Cash in Hand or a Positive Account Balance**

Regardless of whether a student has money to pay for a meal or has a negative balance in the student meal account, a student requesting a meal shall be provided with a meal from among the choices available to all students. The only exception will be where the student's parents have provided the District with specific written direction that the student not be provided with a school lunch program meal, the student has a meal sent from home, or otherwise has access to an appropriate meal. Under no circumstances will a student's selected meal be thrown away because of the status of the student's meal account.

It is the parents' responsibility to provide their student with a meal from home or to pay for school prepared meals. Therefore, the District's policy is to direct communications to parents about student meal debt. When parents choose to provide meals sent from home, it is the parents'

## EFAA - MEAL CHARGING

responsibility to explain to their student the necessity of the student not using the school meal program.

Initial efforts to contact parents will be by email or phone, however if those efforts are unsuccessful, letters to parents may be sent home in sealed envelopes with the student. Resolution of the problem should seek to ensure the student has ongoing access to an appropriate meal. Should the student's meal account balance fall below zero, a balance statement requesting immediate payment shall be sent to parents no less than once each month.

If the student's meal account balance debt grows to \$50.00 or more a letter demanding immediate payment shall be sent by US Mail to the parent or the parent shall be contacted by the Principal or designee by phone or in person. Where warranted, the Principal or designee may arrange a payment schedule to address current meal consumption and arrearages while the school continues to provide the student with meals.

If the student's meal account debt grows to \$50.00 or more the parents will be requested to meet with the principal. When appropriate, the Principal or designee should explore with the parents whether an application for free or reduced cost meals is warranted. Where extenuating circumstances of financial hardship exist and the family is not eligible for free or reduced cost meals, the District will work with the parents to identify and engage governmental and private charitable resources which are available to assist the family.

If a student with a negative balance in his or her meal account seeks to purchase a meal (or a la carte item) with cash or check, the student will be allowed to do so. There is no requirement that the funds be applied first to the debt.

### **Unresolved Debt**

If the Principal determines that the best available information is that the parents are able to pay the expenses of the student's meals and the parents decline to cooperate with resolving the debt in a timely manner, the Principal shall send a letter to the parents directing them to have their student bring meals from home and cease utilizing the school meal program. The student may resume using the school meal program when a positive account balance is restored in the student's meal account. Note: this does not apply to free or reduced priced meals.

If the student continues to use the school meal program, a second letter shall be sent to the parents using certified mail, return receipt requested. Note: this does not apply to free or reduced priced meals.

If parents continue to fail to provide the student with a meal sent from home, continue to fail to provide funds for their student to use the school lunch program, continue to refuse to cooperate with reasonable requests by District staff to address the overdue debt, and the parent is believed

## EFAA - MEAL CHARGING

to have the ability to pay, the Superintendent may pursue payment through civil legal action, including filing a claim in small claims court pursuant to RSA Chapter 503. The Superintendent is delegated authority to assess the likelihood that civil action will lead to payment, the resources required to pursue collection, and to pursue such action only when doing so is in the best interest of the District. Note: this does not apply to free or reduced priced meals.

The Superintendent shall try to identify non-profit charities that are willing to contribute funds to the district to assist in keeping a positive balance in the meal account of students whose parents do not qualify for free meals and who due to financial hardship are unable to consistently keep the student meal account in a positive balance. If at the end of the fiscal year uncollected debt in student meal accounts must, as a last resort to fulfill federal requirements, be paid to the school meal program from other District funds, the parents' debt for unpaid meal charges shall be owed to the District. Note: this does not apply to free or reduced priced meals.

Applying the policy set forth above, the Superintendent shall determine if further collection efforts are in the best interest of the District. Any payments collected on debt that has been offset with District funds, shall be credited to the District. All debt collection efforts shall comply with RSA Chapter 358-C, New Hampshire's Unfair, Deceptive or Unreasonable Collection Practices Act.

### **Staff Enforcement of Policy/Training**

A copy of this policy and refresher training shall be provided annually to all food service and school staff responsible for serving student meals or enforcing this policy. New staff with these responsibilities shall be provided with a written copy of the policy and training on the policy during their initial training or orientation. In accordance with federal requirements, a record shall be maintained documenting that new staff receive the policy and training. The record must also document that all applicable staff receive a copy of the policy and refresher training annually.

### **Student with Special Dietary Needs**

Nothing in this policy prohibits providing an appropriate meal to a student with special dietary needs such as, but not limited to, diabetes, provided these needs have been documented in a health plan, Section 504, or IEP. If the meal is medically required, and the student has a negative student meal account balance, or does not have cash to purchase the meal, the necessary dietary needs will be met.

To request meal accommodations for students whose dietary needs qualify them for accommodation under law or to file a school meal program complaint with the District, contact WLC Food Services at phone number 603-732-9344.

To file a program complaint of discrimination with the USDA, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at:

[http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office, or write a letter

## EFAA - MEAL CHARGING

addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

This District is an equal opportunity provider.

### **Nondiscrimination**

It is the District's policy that in the operation of child feeding programs, no child will be discriminated against because of race, sex, color, national origin, age, or disability. 7 C.F.R. 245.5(a)(1)(viii). Students will not be denied meals due to the existence of other unpaid charges at the school or for disciplinary reasons.

### **Assessment for Neglect Reporting**

If a student who has been determined to be ineligible for free or reduced cost meals or whose parents have refused to cooperate with filing an application for free or reduced cost meals is consistently not provided with meals, either through a meal sent from home or the payment for a meal through the school meal program, the Principal will assess whether a report of child neglect is warranted to the New Hampshire Department of Health and Human Services, Division for Children, Youth, & Families, as required by RSA 169-C:29-31.

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### **District Policy History:**

*First reading:*

*Second reading/adopted:*

*District revision history:*

### **Legal References:**

USDA Guidance SP37-2016

*Meaningful Access for Persons with Limited English Proficiency (LEP) in the School Meal Programs*

USDA SP 46-2016

*No later than July 1, 2017, all SFA's operating the Federal school meal program are required to have a written meal charge policy.*

## EFAA - MEAL CHARGING

<i>RSA 189:11-a</i>	<i><u>Food and Nutrition Programs</u></i>
<i>RSA 358-C</i>	<i><u>New Hampshire's Unfair, Deceptive or Unreasonable Collection Practices Act; NH Dept. of Education Technical Advisory - Food and Nutrition Programs</u></i>
<i>2 C.F.R. §200.426</i>	<i><u>Bad Debts</u></i>
<i>7 C.F.R §210.09</i>	<i><u>Agreement with State agency</u></i>
<i>7 C.F.R §210.10</i>	<i><u>Meal requirements for lunches and requirements for afterschool snacks</u></i>
<i>7 C.F.R §210.15</i>	<i><u>Reporting and recordkeeping</u></i>
<i>7 C.F.R. §245.5</i>	<i><u>Public announcement of the eligibility criteria</u></i>
<i>7 C.F.R. Part 15, Subpart A &amp; B</i>	<i><u>Civil Rights Act of 1964 <a href="#">PENDING LINK</a></u></i>
<i>15 U.S.C. § 1692-1695</i>	<i><u>Federal Fair Debt Collection Practices Act (FDCPA)</u></i>
<i>42 U.S.C. 1758(b)(6)</i>	<i><u>Use or disclosure of information</u></i>

**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.

## **EHAB - DATA GOVERNANCE**

*Category: Required*

*Related Policies: EHAA, EHB, GBEBD, GBEF, IHBH, JICJ, & JICL*

To accomplish the District's mission and comply with the law, the District must collect, create and store information. Accurately maintaining and protecting this data is important for efficient District operations, compliance with laws mandating confidentiality, and maintaining the trust of the District's stakeholders. All persons who have access to District data are required to follow state and federal law, District policies and procedures, and other rules created to protect the information.

The provisions of this policy shall supersede and take precedence over any contrary provisions of any other policy adopted prior to the date of this policy.

### **A. Definitions**

Confidential Data/Information - Information that the District is prohibited by law, policy, or contract from disclosing or that the District may disclose only in limited circumstances. Confidential data includes, but is not limited to, personally identifiable information (i.e., "PII") regarding students and employees.

Critical Data/Information - Information that is determined to be essential to District operations and that must be accurately and securely maintained to avoid disruption to District operations. Critical data is not necessarily confidential.

Cybersecurity Incident – an occurrence that actually or potentially jeopardizes the confidentiality, integrity, or availability of an information system or the information processes, stores, or transmits, if that constitutes a violation or imminent threat of violation of security policies, security procedures, or acceptable use policies.

### **B. Data and Privacy Governance Plan - Administrative Procedures.**

1. Data Governance Plan. The Superintendent, in consultation with the District Information Security Officer ("ISO") (see paragraph C, below), shall update the Data and Privacy Governance Plan ("Data Governance Plan") for presentation to the Board no later than June 30 each year.

The Data Governance Plan shall include:

- a. An inventory of all software applications, digital tools, and extensions. The inventory shall include users of the applications, the provider, purpose, publisher, privacy statement, and terms of use;
- b. A review of all software applications, digital tools, and extensions and an assurance that they meet or exceed minimum standards set by the New Hampshire Department of Education;

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- c. Policies and procedures for access to data and protection of privacy for students and staff including acceptable use policy for applications, digital tools, and extensions used on District hardware, server(s) or through the District network(s);
- d. A response plan for any breach of information/cybersecurity incidents; see RSA 31:103-b and RSA 359-C:19-21;
- e. A requirement for a service provider to meet or exceed standards for data protection and privacy; and
- f. A provision that students participating in career exploration or career technical education may, **with written parental consent**, register for technology platforms and services to be used as part of the student's approved program of study, which require the provision of personally identifiable information. Copies of written parental consent shall be retained as part of a student's educational record.

The Data Governance Plan shall include standards and provisions that meet or exceed the standards set forth in the N.H. Dept. of Education's *Minimum Standards for Privacy and Security of Student and Employee Data*.

2. Policies and Administrative Procedures. The Superintendent, in consultation with the ISO, is directed to review, modify, and recommend (policies) create (administrative procedures), where necessary, relative to collecting, securing, and correctly disposing of District data (including, but not limited to Confidential and Critical Data/Information, and as otherwise necessary to implement this policy and the Data Governance Plan. Such policies and/or procedures may or may not be included in the annual Data Governance Plan.

### C. Information Security Officer.

The Director of Technology is hereby designated as the District's Information Security Officer (ISO) and reports directly to the Superintendent or designee. The ISO is responsible for implementing and enforcing the District's security policies and administrative procedures applicable to digital and other electronic data, and suggesting changes to these policies, the Data Governance Plan, and procedures to better protect the confidentiality and security of District data. The ISO will work with both the District and building level administrators and Data managers (paragraph E, below) to advocate for resources, including training, to best secure the District's data.



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The Assistant Director of Technology or designee is the District's alternate ISO and will assume the responsibilities of the ISO when the ISO is not available.

### **D. Responsibility and Data Stewardship.**

All District employees, volunteers and agents are responsible for accurately collecting, maintaining, and securing District data including, but not limited to, confidential and/or critical data/information.

### **E. Data Managers.**

All District administrators are data managers for all data collected, maintained, used and disseminated under their supervision as well as data they have been assigned to manage in the District's data inventory. Data managers will monitor employee access to the information to ensure that confidential information is accessed only by employees who need the information to provide services to the District and that confidential and critical information is modified only by authorized employees. Data managers will assist the ISO in enforcing District policies and procedures regarding data management.

### **F. Confidential and Critical Information.**

The District will collect, create or store confidential information only when the Superintendent or designee determines it is necessary, and in accordance with applicable law. The District will provide access to confidential information to appropriately trained District employees and volunteers only when the District determines that such access is necessary for the performance of their duties. The District will disclose confidential information only to authorized District contractors or agents who need access to the information to provide services to the District and who agree not to disclose the information to any other party except as allowed by law and authorized by the District.

District employees, contractors and agents will notify the ISO or designee immediately if there is reason to believe confidential information has been disclosed to an unauthorized person or any information has been compromised, whether intentionally or otherwise.

The Superintendent and/or the ISO shall immediately report any known or suspected cybersecurity incidents within the District's information systems, or within an information system of any vendor of the District, to the New Hampshire Cyber Integration Center of the Department of Information Technology. The Superintendent and/or the ISO shall disclose all known information and interactions. See RSA 31:103-b.

The ISO or designee will investigate immediately and take any action necessary to secure the information, issue all required legal notices and prevent future incidents. When necessary, the

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Superintendent, ISO, or designee is authorized to secure resources to assist the District in promptly and appropriately addressing a security breach.

As a part of this investigation, the ISO or designee will promptly determine the likelihood that any information part of a cybersecurity incident has been or will be misused. If the determination is that the misuse of information has occurred or is reasonably likely to occur, or if a determination cannot be made, the ISO will notify the affected individuals as soon as possible, consistent with the notification requirements under RSA 359-C:20.

Likewise, the District will take steps to ensure that critical information is secure and is not inappropriately altered, deleted, destroyed or rendered inaccessible. Access to critical information will only be provided to authorized individuals in a manner that keeps the information secure.

All District staff, volunteers, contractors, and agents who are granted access to critical or confidential information/data are required to keep the information secure and are prohibited from disclosing or assisting in the unauthorized disclosure of such confidential or critical data/information. All individuals using confidential and critical data/information will strictly observe all administrative procedures, policies, and other protections put into place by the District including, but not limited to, maintaining information in locked rooms or drawers, limiting access to electronic files, updating and maintaining the confidentiality of password protections, encrypting and redacting information, and disposing of information no longer needed in a confidential and secure manner.

### **G. Using Online Services and Applications.**

District staff members are encouraged to research and utilize online services or applications to engage students and further the District's education mission. District employees, however, are prohibited from installing or using applications, programs or other software, or online system/website, that either stores, collects, or shares confidential or critical data/information, until the ISO approves the vendor and the software or service used. Before approving the use or purchase of any such software or online service, the ISO or designee shall verify that it meets the requirements of the law, Board policy, and the Data Governance Plan, and that it appropriately protects confidential and critical data/information. This prior approval is also required whether or not the software or online service is obtained or used without charge.

Notwithstanding the prohibition on the use of applications, etc. that store, collect or share personally identifiable information concerning a student ("PII"), students participating in career exploration or career technical education may, **with written parental consent**, register for technology platforms and services to be used as part of the student's approved program of study, even if said platforms and services require the collection, storage and sharing of the student's PII. Use of these platforms and services is subject to the conditions set forth in B.1(f), above, and related provisions of the Data Governance Plan. The written parental consent forms shall be retained as student records.

### **H. Training.**

The ISO will provide appropriate training to employees who have access to confidential or critical information to prevent unauthorized disclosures or breaches in security. All school employees will receive annual training in the confidentiality of student records, and the requirements of this policy and related procedures and rules.

### **I. Data Retention and Deletion.**

The ISO or designee shall establish a retention schedule for the regular archiving and deletion of data stored on District technology resources. The retention schedule should comply with, and be incorporated into the data/record retention schedule established under Board policy EHB and administrative procedure EHB-R], including but not limited to, provisions relating to Litigation and Right to Know holds as described in Board policy EHB.

### **J. Consequences**

Employees who fail to follow the law, or District policies or procedures, regarding data governance and security (including failing to report) may be disciplined, up to and including termination. Volunteers may be excluded from providing services to the District. The District will end business relationships with any contractor who fails to follow the law, District policies or procedures, or the confidentiality provisions of any contract. In addition, the District reserves the right to seek all other legal remedies, including criminal and civil action and seeking discipline of an employee's teaching certificate.

The District may suspend all access to data or use of District technology resources pending an investigation. Violations may result in temporary, long-term, or permanent suspension of user privileges. The District will cooperate with law enforcement in investigating any unlawful actions. The Superintendent or designee has the authority to sign any criminal complaint on behalf of the District.

Any attempted violation of District policies, procedures, or other rules will result in the same consequences, regardless of the success of the attempt.

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### **District Policy History:**

***First Reading: October 25, 2022***

***Second Reading: November 15, 2022***

***Final Adoption: December 20, 2022***

### **Legal References:**

*15 U.S.C. §§ 6501-6506 \* Children's Online Privacy Protection Act (COPPA)*  
*20 U.S.C. § 1232g \* Family Educational Rights and Privacy Act (FERPA)*  
*20 U.S.C. § 1232h \* Protection of Pupil Rights Amendment (PPRA)*  
*20 U.S.C. § 1400-1417 \* Individuals with Disabilities Education Act (IDEA)*  
*20 U.S.C. § 7926 \* Elementary and Secondary Education Act (ESSA)*  
*RSA 189:65 \* Definitions*  
*RSA 186:66 \* Student Information Protection and Privacy*  
*RSA 189:67 \* Limits on Disclosure of Information*  
*RSA 189:68 \* Student Privacy*  
*RSA 189:68-a \* Student Online Personal Information*  
*RSA 359-C:19-21 \* Right to Privacy/Notice of Security Breach*

**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.

# BEDG - MEETING MINUTES

*Category: Recommended*

*Related Policies: BEC & EH*

## A. Minutes Required.

Under RSA 91-A, the school board, and each of the school board's committees (irrespective of whether standing or ad hoc, and irrespective of whether deemed a sub-committee or an advisory committee) is required to keep minutes for every "meeting" as defined under 91-A:2, I. As used below, "Board" shall mean and include the district school board, and each such board committee.

The Board will appoint a ["minute taker"/"recording clerk" <sup>1</sup> [delete fn.] ] to prepare the minutes of each meeting. Should the person so appointed be absent from all or part of a meeting (e.g., non-public session), the Chair, subject to being overruled by the Board, shall appoint a person to take the minutes.

In addition to "minutes" as described below, a more comprehensive "record" and/or "decision" may be required in the event of a "hearing" regarding individual rights/claims (e.g., teacher non-renewal, student expulsion, manifest educational hardship, etc.). In such instances, the Board and or Superintendent should consult with counsel to assure that any statutory or regulatory requirements are satisfied.

## B. Required Content of Minutes.

At a minimum, all minutes, including minutes of non-public sessions, must include:

1. the names of members participating;
2. persons appearing before or addressing the School Board (members of the public who do not address the board, and are there as attendees only, do not need to be identified);
3. a brief description of each subject matter discussed; <sup>2</sup> [delete fn.]
4. identification of each member who made a first or second of any motion;
5. a record of all final decisions;
6. when a recorded or roll call vote on a motion is required by law or called for by the Chair (or other presiding officer), a record of how each board member voted on the motion; and
7. in the event that a board member objects to the subject matter discussed by the board, if the board continues the discussion above the member's objection, and upon the request of the objecting member, then - and irrespective of whether the objection/discussion occurred in public or non-public session - the public minutes shall also reflect (i) the objecting member's name, (ii) a statement that the member objected, and (iii) a "reference to the provision of RSA 91-A:3, II that was the basis for the objection and discussion." (See RSA 91-A:2, II-a.).

**NOTE:** See Section **D** below for additional content requirements for minutes of any

## BEDG - MEETING MINUTES

*meeting at which the Board enters a non-public session.*

### C. Approval and Access to Minutes.

Approval and availability of minutes will depend in part on whether the minutes are of a public or non-public session, and as to non-public minutes, whether they are sealed or not. “Approved minutes” refers to the final version of minutes approved by vote of the Board. “Draft minutes” refers to minutes that have not been formally approved by the Board. “Sealed minutes” refers to minutes from a non-public session and which the Board has determined should not be disclosed pursuant to RSA 91-A:3, III and as discussed in Section D, and paragraph C5, below.

1. Location and Retention of Minutes. In accordance with Board policy {\*\*} EH, and N.H. Dept. of Education rule Ed 302.02 (j), all minutes will be kept at the office of the Superintendent. Minutes for non-public sessions that have not been sealed shall be kept in the same location and indexed in the same manner as for public minutes.
2. Access to Approved & Unsealed Minutes. Approved and unsealed minutes shall be available for inspection by the public during the normal business hours of the SAU office, and in accordance with RSA 91-A:2 through 91-A:4 (subject to the exemptions stated in RSA 91-A:5), and Board policy {\*\*}EH. Requests for access to minutes shall be processed in accordance with District administrative procedures {\*\*} EH-R.

Additionally, all approved and unsealed minutes shall be posted in a consistent and reasonably accessible location on the District's web site, or the web site shall contain a notice describing where the minutes may be reviewed and copies requested.

3. Access to Draft Minutes and Minute Preparation Materials. “Draft” or “unapproved” minutes that have not been sealed will be available for inspection upon request at the SAU office during normal business hours. 3[delete fn.] Drafts for public sessions must be available within 5 business days of the meeting, while drafts of non-public session minutes that have not been sealed by the Board must be available within 72 hours (3 calendar days) of the meeting.

Notes and other materials used in the preparation of the minutes must be retained until the minutes are approved or finalized and shall likewise be available for inspection during that period.

4. Approval of All Minutes Other Than Sealed. Draft public minutes and non-public minutes that were not sealed will be circulated to the members of the Board before the meeting at which they are to be approved. Board members may send suggested changes back to the minute recorder **without copying the other members.** Changes made by the Board to draft minutes shall be recorded either by (i) retaining the draft with the final approved minutes, (ii) including notations (e.g., “redline” edits) in the final approved minutes, or (iii) outlined/described in the minutes of the meeting at which the Board approved.

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5. Approval of Sealed Non-Public Minutes of Non-Public Sessions. Unless previously sealed by the Board, draft minutes for all non-public sessions will be made available for public inspection within seventy-two (72) hours after the non-public session.

Drafts of non-public minutes will be provided to the Board, either (i) at the conclusion of the non-public session and may be approved at the time, prior to any vote to seal, or (ii) if sealed, provided to Board at the meeting, if any, at which they are to be approved. If copies of draft, sealed minutes are provided to Board members for the purpose of review and/or approval, the copies shall be recovered by the Chair or recording clerk and destroyed. Only the official record copy may be retained, with a list maintained for sealed non-public minutes as described in Section D, below.

### D. Special Provisions for Minutes Relating to Non-Public Sessions.

For any public meeting that includes a non-public session (see Board policy **{\*\*}** BEC for statutorily required procedures relative to entering and exiting non-public sessions), additional information beyond that discussed in paragraphs B.1- 7, is required both for the public meeting minutes, and for minutes specific to the non-public session, irrespective of whether the non-public minutes are “sealed” (see discussion in Paragraph D.2, below).

1. Information Regarding Non-Public Session Included in Public Minutes. The public minutes of the meeting at which the non-public session occurs must include the statutory reason given in the motion as the foundation for each non-public session, as well as a roll call record of how each Board member voted on the motion to enter. Public minutes must also reflect any motion to seal (described in paragraph C.2., above), along with the statutory reason permitting the sealing (see D.2, below), and record how each member voted on the motion to seal.
2. Sealing Non-Public Minutes.
  - a. As used in this policy, “sealed” minutes in reference to minutes of non-public sessions, means that the Board determined by 2/3 majority vote in public session that “divulgence of the information” (i.e., information in the minutes of the non-public session):
    - i. Would affect adversely the reputation of a person other than a Board member;
    - ii. Would render ineffective the action/proposed action taken in non-public session; or
    - iii. Pertain matters relating the preparation for and carrying out of all emergency functions intended to thwart a deliberate act intended to result in widespread or severe damage to property or widespread injury or loss of life (i.e., terrorism).
  - b. A motion to seal, if any, should be the first item of public business after the Board exits the non-public session, and must state one of the three grounds

## BEDG - MEETING MINUTES

above allowing sealing.

- c. If the minutes are not prepared/approved during the non-public sessions itself, the Board should discuss the content of the minutes prior to exiting so that any vote to seal will be an informed vote.
  - d. When making or voting upon a motion to seal, the movant/Board should consider and state the duration that minutes be sealed based upon the grounds supporting the sealing. This can be done either by stating a date they sealed until, or a date by which the Board might review the minutes' status. For instance, minutes sealed because divulgence of the information would likely affect adversely the reputation of a person other than a member of the Board might be remain sealed permanently, while minutes sealed because disclosure would “render the action ineffective” should be sealed only for as long as that reason exists or is anticipated to exist. Pursuant to RSA 91-A:3, III, non-public minutes relating to discussion about lease, purchase or sale of property (91-A:3, II(d)) must be made available “as soon as practicable after the transaction has closed or the Board has decided not to proceed with the transaction.”
3. Minutes of the Non-Public Session Itself. In addition to the information included in all minutes as described in paragraphs B.1-7, above, minutes of the non-public session must include “all actions” and decisions (i.e., votes, including negative votes) taken by the Board, with a record of how each member voted. If the Board does not “seal” the minutes of the non-public session, then such information must be disclosed to the public within 72 hours of the close of the meeting.
  4. Sealed Minutes List. In order to comply with RSA 91-A:3, III, the Superintendent is directed to maintain a list of all sealed minutes for non-public sessions occurring after July 1, 2021. The list (referred to as the “Sealed Minutes List”) shall include:

*[NOTE: items marked with an \* are specifically required under RSA 91-A:3, III. The remaining items on the list are recommended to help assure compliance.]*

- a. the name of the public body (e.g., School Board, Policy Committee, etc.); \*
- b. the date, \* time \* and location of the public meeting (from meeting notice);
- c. the start and end times \* of the non-public session;
- d. the specific grounds upon which the non-public session occurred (e.g., RSA 91-A:3, II (b) and (c), etc.); \*
- e. the specific grounds upon which the minutes were sealed (e.g., “disclosure would render the action ineffective” or “disclosure would likely adversely affect the reputation of a non-board member,” etc.);
- f. the date the vote to seal the minutes occurred; \*



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- g. the date, if any stated in the original motion or subsequently, on which the sealed minutes will be unsealed; the motion to seal should, <sup>4</sup> [delete fn.] when possible, state the date the minutes should be unsealed or at least reviewed by the Board or other public body; and
- h. the date, if any, of a subsequent decision to unseal the minutes. \*

*The Sealed Minutes List shall be updated each time the public body seals non-public minutes, and the updated List shall be made as soon as practicable for public disclosure.*

- 5. Reviewing and Unsealing Previously Sealed Minutes. Pursuant to RSA 91-A:3, IV, starting on October 3, 2023, sealed minutes must either be reviewed within each ten year period or unsealed no later than the expiration of ten years following the date they were sealed or last reviewed. **Minutes sealed prior to October 3, 2023 must be reviewed and/or unsealed by October 3, 2033.**

**TWO OPTIONS - RSA 91-A:3, IV provides two options for boards to consider, one with adopted procedures (91-A:3, IV(a)), and one without (91-A:3, IV(b)). Procedures (i.e., Option 1) are necessary if the Board wishes to delegate initial review. Such procedures would also help ensure that the statute is followed not only for minutes currently sealed, but for going forward as well. Option 1 below establishes sample procedures. The procedures can be modified as deemed appropriate by the Board. Option 2 below simply and generally restates the new statute's requirements/directives..**

### **OPTION 1 - procedures.**

**The Board establishes the following procedures pursuant to RSA 91-A:3, IV(a) for reviewing sealed minutes: <sup>5</sup>[delete fn.]**

- a. Record of Minutes Sealed Prior to October 3, 2023. The Board directs the Superintendent for her/his designee to compile a log of non-public minutes that have been sealed prior to October 3, 2023 ("Record of Minutes Sealed Before 10/3/2023" or "Record") using information from the exterior of the envelopes or other available external notations for the sealed minutes. The preparation of the Record will include minutes that are also included on the Sealed Minutes List kept according to paragraph D, above.

The preparation of the Record shall not include reviewing the sealed minutes themselves. The Record should include as much of the same information for all previously sealed minutes as is required on the Sealed Minutes List (see paragraph D.4, above). The Record of Minutes Sealed Before 10/3/2023 shall be completed no later than **[May 1, 2024]**.

Upon completion of the log of previously sealed minutes, the Board will establish a schedule for completing a review of all of the previously sealed minutes no later than June 1, 2033.

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- b. Initial Review of Previously and Newly Sealed Minutes. [The Board will [OR] The Policy {or other \_\_\_\_} Committee will [OR] the Superintendent will [OR] The Chair will designate one\_\_ board member[s] at the first regular board meeting following the organizational meeting to] (the "Reviewing Designee") review all sealed non-public minutes according to the schedule established in the Record of Minutes Sealed Before 10/3/23, and for those minutes that are sealed after 10/3/23 according to the review date appearing on the Sealed Minutes List maintained according to paragraph D.

If the Reviewing Designee is a committee of more than one, then the initial review of sealed minutes shall be conducted in non-public session pursuant to RSA 91-A:3, II (m), but only in a duly notice meeting in full compliance with RSA 91-A:2.

In the initial review, the Reviewing Designee will inspect the sealed minutes to determine whether, in the Reviewing Designee's opinion, the reasons (see D.2.A.i-iii, above) that justified keeping the minutes from the public (i.e. sealing) under 91-A:3, III still apply.

*NOTE: In years past, 91-A did not require a public motion to seal. Accordingly, a review of non-public minutes --or even public minutes-- may not include sufficient information to determine what the original circumstances were that justified sealing the minutes.*

If the Reviewing Designee is of the opinion that the reasons initially justifying the sealing of the minutes no longer apply, or if the minutes themselves do not include information upon which the then current board could determine that the minutes should not be disclosed, then the Reviewing Delegee will recommend to the Board that the Board unseal those minutes.

If, however, the Reviewing Designee determines that the reasons justifying non-disclosure continue to apply, the Reviewing Designee shall assign a new date - within 9 years and 10 months thereafter - for the sealed minutes to be reviewed next. The Reviewing Designee will assure that the Sealed Minutes List maintained pursuant to paragraph D.4 is updated to reflect the new date, and any additional data pertaining to the sealed minutes required by the list which was not previously discernible from external sources.

Board Determination Whether to Disclose Previously Sealed Minutes.

Upon receipt of recommendations from the Reviewing Designee that previously sealed minutes should be disclosed, the Board will review such minutes in non-public session under RSA 91-A:3, II(m) to determine whether the circumstances that justified keeping meeting minutes from the public under RSA 91-A:3, III no longer apply.

While the Board's review and discussion regarding previously sealed minutes

## BEDG - MEETING MINUTES

may occur in non-public session, pursuant to RSA 91-A:3, II(m) any vote by the Board whether to disclose minutes shall take place in public session.

If the Board votes to disclose/unseal, the minutes shall be available for release to the public within 72 hours.

### **OPTION 2 - No specific procedures**

The Board will review previously sealed non-public minutes within ten years of the date the minutes were first sealed, or within ten years of the last time those minutes were last reviewed by the Board. The minutes shall be unsealed by majority vote of the Board if the circumstances justifying sealing the minutes no longer apply. Minutes which are not reviewed after 10 years will be automatically unsealed. Although discussion of whether to unseal such minutes should occur in non-public session pursuant to RSA 91-A:3, II (m), any vote to unseal must occur in public session.

NOTE: In years past, 91-A did not require a public motion to seal. Accordingly, a review of non-public minutes --or even public minutes-- may not include sufficient information to determine what the original circumstances were that justified sealing the minutes. In such event, and assuming the minutes themselves do not include information upon which the then current board could determine that the minutes should not be disclosed, then the minutes in question should be disclosed

<sup>1</sup>[Delete fn.] Many districts refer to the minute taker as the "Clerk". NHSBA believes that title might cause confusion relative to the distinction between the "District Clerk", and the minute taker. If using "clerk" to reference the minute taker, we suggest using the title "Recording Clerk".

<sup>2</sup>[Delete fn.] This is the only requirement relative to the subject matter discussed. Minutes are not a transcript, but a record of the board's "doings" and actions. A board may require or include more extensive "descriptions", e.g., summaries of debate, etc., but that is not required.

<sup>3</sup>[Delete fn.] RSA 91-A:2, II-b requires each district to either post "approved" minutes on the district's website, or a notice as to where approved minutes may be inspected and copied. The statute does not discuss "draft" minutes, other than to require that minutes of every meeting be available for inspection and copying within 5 business days of the meeting (or 72 hours for minutes of non-public sessions).

<sup>4</sup> [Delete fn.] The 2021 amendment to RSA 91-A:3, III (see 2021 HB108), states that minutes relative to non-public sessions under 91-A:3, II(d) "must be made available to the public as soon as practicable after the transaction has closed or the public body has decided not to proceed with the transaction." Thus, while the bill does not state that the original motion must include such a date, it would be helpful to assure future compliance with the new provision.

<sup>5</sup>[Delete fn.] The 2023 amendment allows a Board to establish procedures for review of sealed minutes. These procedures may include delegation of the initial review of minutes. Historically,

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some boards sealed virtually all of their non-public minutes, such that in order to maintain Board efficiency, the volume might lend itself to the delegation approach. The delegate could be one or more members of the board (less than a quorum), a specially designated standing committee of the board, or even an administrator. Of course, the Board could simply retain the initial review authority to itself. If delegated, the delegated reviewer would not have the authority to disclose sealed minutes, but would instead recommend to the Board that upon inspection the reviewer believes that the circumstances that justified earlier nondisclosure under 91-A:3, III no longer apply.

[6] **[Delete fn.]** The statute does not require review of sealed minutes. If no concerns exist about unsealing minutes, then the ten years can be allowed to run and the minutes will be automatically unsealed

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### **District Policy History:**

***First Reading: September 14, 2010***

***Second Reading: October 12, 2010***

***Final Adoption: October 12, 2010***

***District revision history:***

### **Legal References:**

RSA 91-A:2 II, Public Records and Meetings: Meetings Open to Public

RSA 91-A:3 III, Public Records and Meetings: Non-Public Sessions

RSA 91-A:4 I, Public Records and Meetings: Minutes and Records available for Public Inspection

RSA 189:29-a Record Retention and Disposition

**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.

## **GBCD - BACKGROUND INVESTIGATION AND CRIMINAL HISTORY RECORDS CHECK**

*Category: Priority/Required by Law*

*Related Policies: EEAE, EEAEA, GDF & IJOC*

To help assure the safety of District students, it is the policy of the Wilton Lyndeborough Cooperative School Board that before any person is employed by the School District, or are otherwise placed into positions whereby they have frequent close contact with - or supervision of - students, that the administration conduct proper investigation into such person's background, including, without limitation, a criminal history records check under RSA 189:13-a - 189:13-c.

**A. Definitions.** As used in this policy:

1. **"Applicant"** shall mean and include an applicant for employment or any person seeking to serve in any position falling within the term "Covered Person" as defined below, who is selected by the District for further consideration for such position.
2. **"Background investigation"** means an investigation into the past employment and other background of an Applicant with the intent of determining whether:
  - a. The applicant/covered person is qualified for the position for which he/she has applied, will/would be assigned, or will/would perform, and
  - b. The applicant has been found guilty of any criminal activity or conduct that would make him/her ineligible or unsuitable for employment or service in the district.
3. **"Conditional offer of employment"** means an offer of employment extended to a selected Applicant subject to a successful completed criminal history record check (defined below) which is satisfactory to the SAU or school district.
4. **"Contractor"** means a private business or agency or an employee or employees of the contractor which contracts with a SAU, school district, or charter school to provide services.
5. **"Covered Person"** shall mean every employee, stipend 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. NOTE: Only those volunteers who meet the definition of "Designated Volunteer" below are considered "Covered Employees". See Board policy IJOC for additional provisions relating to all volunteers. All Covered Persons are required to undergo training.
6. **"Criminal History Records Check" or "CHRC"** means a criminal history records inquiry under RSA 189:13-a - 13-c, conducted by the New Hampshire State Police through its records and through the Federal Bureau of Investigation.
7. **"Designated Volunteer"** is any volunteer who:
  - a. Comes in direct contact with students on a predictable basis (e.g., library volunteer, field trip chaperone;

- b. Meets regularly with students (e.g., community mentor, volunteer assistant coach);
- c. Meets with students on a one-on-one basis; OR
- d. Any other volunteer so designated by the School Board or Superintendent.

The administrative supervisor for the applicable activity or program (e.g., building principal, athletic director), shall have the responsibility of determining whether a volunteer position is a "Designated Volunteer", subject to any additional rules or procedures established by the Superintendent.

**8. "Educator Candidate"** means a student at an institution of higher education in New Hampshire who has been selected to participate in a K-12 educator preparation program (RSA 189:13-c, I(b)). This definition includes both Educator Candidates who are placed as student teachers in the district, and those who might be in the District for a different purpose (e.g., Methods, etc.).

**9. "Section V Offense(s)"** are those criminal offenses listed in RSA 189:13-a, V, as that list may be amended by the Legislature from time to time. The current list of offenses may be accessed at:

<http://www.gencourt.state.nh.us/rsa/html/XV/189/189-13-a.htm>

**"Non-Section V Offenses"** are all other crimes offenses, whether felonies or misdemeanors.

**10. "Designee"** shall mean, a person designated by the Superintendent to receive and inspect results of the Criminal History Records Check. Under RSA 189:13-a, II, the Designee for purposes of CHRC may only be an assistant superintendent, head of human resources, the personnel director, the business administrator.

**B. Background Investigation.** The Superintendent will require a Background Investigation of any Applicant or Covered Person as defined in this policy. The Superintendent may assign the Background Investigation (but not the CHRC) to someone other than Designee, but shall be completed prior to making a final offer of employment, approving the contract with an individual contracting directly with the District, student teacher, or a Designated Volunteer. For Covered Persons who are employed by a third-party contractor or assigned as a Designated Volunteer by a volunteer agency, the Superintendent or Designee may waive the Background Investigation and instead rely on suitable assurances from the contracting company or agency regarding a background investigation. The requirement for a Criminal History Records Check under paragraph D, below, however, may not be waived. *All decisions regarding employment and the pre-employment process shall conform to the District's Anti-Discrimination and Equal Opportunity policy, AC.*

As part of the application process, each Applicant shall be asked whether he/she has ever been convicted of any crime and whether there are any criminal charges pending against him/her at the time of application. The Applicant will also be directed to report any criminal charges brought against him or her after the application is submitted and until either hired or until notified that s/he will not be hired. Failure to report will be treated in the same manner as falsification of information under Section C, below.

General record of completion of a Background Investigation (but not copies of the results of a CHRC) shall be retained in an employee's personnel file and retained pursuant to the

District's Record Retention Schedule EHB-R.

**C. False Information.** The falsification or omission of any information on a job application, during the pendency of the application, or in a job interview, including, but not limited to, information concerning criminal convictions or pending criminal charges, shall be grounds for disqualification from consideration for employment, withdrawal of any offer of employment, or immediate discharge from employment.

**D. Criminal History Records Check.**

**1. General.** As part of the District's Background Investigation, each Applicant must submit to a Criminal History Records Check ("CHRC") through the State of New Hampshire in full compliance with RSA 189:13-a. No Covered Person/Applicant shall be employed, extended a Conditional Offer of Employment, or begin service in the District, until the Superintendent, or his/her designee, has initiated a CHRC.

The Applicant shall provide the District with a criminal history records release form as provided by the New Hampshire State Police along with a full set of fingerprints taken by a qualified law enforcement agency according to RSA 189:13-a, II.

Refusal to provide the required criminal history records release form (with fingerprints) and any other required releases to authorize the CHRC will result in immediate disqualification of the Applicant/Covered Person and will not be considered for the position.

**2. Special Provisions for Educator Candidates, Bus Drivers & Bus Monitors, and Substitutes.**

**a. Educator Candidate.** Educator Candidates who are placed in the District as a student teacher shall undergo a CHRC prior to beginning in the District. For Educator Candidates in the District under a status other than student teacher (e.g. observation, Methods Course or Practicum student), the Superintendent or Designee will determine whether to require a CHRC using the same parameters included in the Designated Volunteer definition, above.

**b. Bus Drivers and Bus Monitors.** Pursuant to RSA 189:13-a, VI and RSA 189:13-b, criminal history records checks for bus drivers and bus monitors shall be processed through the New Hampshire Department of Education ("NHED"). Although NHED will conduct the CHRC, the Superintendent or designee shall require a Background Investigation in accordance with paragraph B.

**c. Substitute Teachers and Bus Monitors**

Employees hired as Substitute Teachers and Bus Monitors shall complete a CHRC in accordance with paragraph B, and processed through the school district as a matter of employment, under RSA 189:13-a.

**3. Results of Criminal History Records Check.** The results of the CHRC shall be delivered to the Superintendent or designee who shall be responsible for maintaining their confidentiality. The Superintendent or Designee shall destroy all results and reports of any CHRC within sixty (60) days of receiving said information.

**4. Pending Charges or Convictions for Section V Offenses.** If the results of the CHRC disclose that the Applicant has either been convicted of or is charged pending disposition of a violation or attempted violation of a Section V offense, that person shall not receive an offer or final offer of employment. Additionally, the Superintendent (not the Superintendent's

Designee), shall notify NHED through its Investigator or the Chief of the Governance Unit or as otherwise directed by NHED.

**5. Non-Section V Offenses and/or Past Charges of Section V Offenses.** If the results of a CHRC disclose that the Applicant has been charged (whether pending or previously concluded) with a Non-Section V Offense, or has been previously charged with a Section V Offense which the charge has been disposed of other than by a conviction, the Superintendent or Designee shall take such information into account prior to hiring or assigning such Applicant. In making a determination regarding such an Applicant, the Superintendent or Designee shall consider all reliable information, and assess whether, in light of the totality of the circumstances, the Applicant's suitability for the position sought with student safety being the priority consideration. (Circumstances the Superintendent should consider, include, but are not limited to, nature and date of the charge, information about reduced charges, age at time of charge, relationship of the nature of the charged offense to the duties of the position sought),

If the Superintendent chooses to nominate, appoint or assign an Applicant who has a history of conviction or pending charges of a Non-Section V Offense, or of past concluded charges of Section V Offenses that did not result in a conviction, then the final hiring decision or appointment of another Covered Person must be approved by the School Board. The Superintendent may share to the Board in non-public session general information about the offense/conviction but is prohibited under RSA 189:13-a from sharing the CHRC report.

**6. Fees for Criminal History Records Check.** Any applicant for whom the Board requires a CHRC check, or, in the instance of third party contractors/organizations, the Covered Person's employer/organization, shall pay the actual fees and costs associated with the fingerprinting process and/or the submission or processing of the CHRC, unless otherwise determined by the Board.

**7. Additional Criminal Records Checks.** To the extent permitted by law, the Superintendent or Designee may require a CHRC of any Covered Person at any time after hire or appointment to a position within the District.

**E. Conditional Offer of Employment.** Applicants who have been selected for employment may be given a conditional offer of employment, with the final offer subject to the successful completion of the Background Investigation and CHRC, and a determination that there are no disqualifying pending charges or convictions.

Any Applicant who is offered conditional employment, by way of individual contract or other type of letter of employment, will have clearly stated in such contract or letter of employment that his/her employment or approval to work within the District is entirely conditioned upon the results of a CHRC and Background Investigation being satisfactory to the District.

**F. Final Offer of Employment.** No Applicant shall be extended a final offer of employment or be allowed to serve/provide services in the District if such person has charges pending or has been convicted of any Section V Offense; or where such person has been convicted of the same conduct in another state, territory, or possession of the United States; or where such person has been convicted of the same conduct in a foreign country.

An Applicant may only be extended a final offer of employment or final approval to work/serve within the District's schools upon the satisfactory completion and results of CHRC and Background Investigation,



**G. Administrative Protocols/Procedures.** The Superintendent is authorized to establish written protocols for background investigations, and such protocols may vary depending on the nature of the position(s) (e.g., verification of academic records and achievements for certified professionals, credit checks for personnel with fiscal responsibilities). The written protocols may include additional specific disqualifying misdemeanor or felony convictions or charges (e.g., prostitution, theft, etc.) in addition to the Section V Offenses.

**H. Contractor and Vendor Provisions.** The Superintendent shall take such steps as are necessary to assure third party agreements which involve covered personnel to include a provision for such personnel to complete CHRCs and Background Investigations as required under this policy, as well as training and information relative to child sexual abuse prevention as required under RSA 189:13-a, XII.

**I. Training of Superintendent/Designee.** The Superintendent or any Designee shall complete such training relative to the reading and interpretation of criminal records as required by NHED.

**J. Reports of Criminal Offenses Post-Hire or Commencement of Service.** When the District receives a notification of a Covered Person being charged with or convicted of a Section V Offense or other crime which is evidence of the individual's unsuitability to continue in their role, the Superintendent shall take immediate appropriate action to remove the individual from contact with students. Employees shall be placed on paid administrative leave, if not subject to immediate discharge. The Superintendent will then take appropriate employment or other action, consistent with law and any applicable employment contract or collective bargaining agreement to address the individual's ongoing relationship with the District. If the Covered Person charged/convicted of a Section V Offense is a credential holder as defined in the New Hampshire Code of Conduct for Educators, the Superintendent shall report to the New Hampshire Department of Education pursuant to section 510.05 of the Code.

**Legal References:**

*RSA 189:13-a, School Employee and Designated School Volunteer Criminal History Records Check*

*RSA 189:13-b, School Bus Driver and Transportation Monitor Criminal History Records Check*

*Code of Conduct for New Hampshire Educators*

*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.*

***First Reading:*** May 11, 2010, January 4, 2022, October 25, 2022

***Second Reading:*** June 2, 2010, January 18, 2022, November 15, 2022

***Final Adoption:*** June 2, 2010, January 18, 2022

***Revised:*** December 20, 2022

## **KD - SCHOOL DISTRICT SOCIAL MEDIA WEBSITES**

### ***Category: Recommended***

The School Board recognizes the value of technology such as social media platforms in promoting community involvement and collaboration. The purpose of any official district social media platform shall be to further the district's vision and mission, support student learning and staff professional development, and enhance communication with students, parents/guardians, staff, and community members. As such, the Superintendent is authorized to establish social media websites and platforms in furtherance of the District's values, goals, and mission.

### **Establishment of Regulations**

The Superintendent or his/her designee will establish administrative regulation, guidelines and protocols for official district social media platforms to ensure the appropriate and responsible use of these resources and compliance with law, Board policy, and regulation.

### **Limitation of Public Comments**

Official district social media platforms shall be used only for their stated purposes and in a manner consistent with this policy and administrative regulation. By creating these official sites, the District does not intend to allow for public comment. The sole purpose of these social media platforms is to communicate information one way, that is from the District to students, parents/guardians, staff, and community members.

Official district social media platforms shall not contain content that is obscene, libelous, or so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, violation of school rules, or substantial disruption of the school's orderly operation.

Staff who post prohibited content shall be subject to discipline in accordance with district policies and administrative regulations.

### **Privacy**

The Superintendent or his/her designee will ensure that the privacy rights of students, parents/ guardians, staff, and other individuals are protected on official district social media platforms.

The District will not require or request that any student provide his/her personal or private social media account information with relation to any District social media website.

Students, parents, staff and members of the public are hereby given notice that the District reserves the right to and will monitor all District social media websites. As such, there is

no expectation of privacy for information posted on the District's social media websites.

## **Definitions**

"**Social media**" means any online platform for collaboration, interaction, and active participation, including, but not limited to, social networking sites such as Facebook, Instagram, Twitter, YouTube, LinkedIn, or blogs.

"**Official district social media platform**" is a site authorized by the Superintendent or his/her designee. Sites that have not been authorized by the Superintendent or designee but that contain content related to the district or comments on district operations, such as a site created by a parent-teacher organization, booster club, or other school-connected organization or a student's or employee's personal site, are not considered official district social media platforms.

## **Guidelines for Content**

The Superintendent or his/her designee shall ensure that official district social media platforms provide current information regarding district programs, activities, and operations, consistent with the goals and purposes of this policy and regulation. Official district social media platforms shall contain content that is appropriate for all audiences.

The Superintendent or his/her designee shall ensure that official district social media platforms are regularly monitored. Staff members responsible for monitoring content may remove posts based on viewpoint-neutral considerations, such as lack of relation to the site's purpose or violation of the district's policy, regulation, or content guidelines.

## **Copyright**

The Superintendent or his/her designee shall ensure that copyright laws are not violated in the use of material on official district social media platforms.

## **Legal Reference:**

***First Reading:***

***Second Reading:***

***Final Adoption:***

***Revision:***