

**Public Notice of Meeting**  
**WILTON-LYNDEBOROUGH COOPERATIVE**  
**POLICY COMMITTEE MEETING**  
**Tuesday August 15, 2023**  
**Wilton-Lyndeborough Cooperative MS/HS-Admin Conference Room**  
**5:30 p.m.**

Videoconferencing: [meet.google.com/rzw-zpjr-cze](https://meet.google.com/rzw-zpjr-cze)

Audio: [+1 646-632-2887](tel:+16466322887) PIN: 199 649 398#

- I. CALL TO ORDER**
- II. REVIEW MEETING MINUTES**
  - a. 5/25/2023**
- III. OLD BUSINESS**
  - a. JLDBB - Suicide Prevention and Response**
  - b. EBCA-Emergency Plans**
    - i. EB-Safety Program**
- IV. NEW BUSINESS**
  - a. Updated Required Policies List**
  - b. Proposed Policies**
    - i. JLCF-Wellness Policy**
    - ii. GBCD- Criminal Record Checks**
    - iii. BEDH-Public Participation In Board meetings**
    - iv. IKFC-Alternative Diploma for Students with Significant Cognitive Disabilities**
    - v. IHBA-Programs for People with Disabilities**
      - IHBA-R- Procedural Safeguards**
    - vi. JFAM- Education of Military Children & Military Connected Students**
    - vii. GBEBA-Staff Dress Code**
- V. PUBLIC COMMENT**
- VI. SETTING NEXT MEETING DATE AND AGENDA**
- VII. ADJOURNMENT**

**WILTON-LYNDEBOROUGH COOPERATIVE  
POLICY COMMITTEE MEETING MINUTES  
Wednesday April 26, 2023  
Wilton-Lyndeborough Cooperative MS/HS-Library  
6:30 p.m.**

- I. CALL TO ORDER @ 6:32pm** present [Tiffany Cloutier-Cabral](#), Jonathan Lavoie, and Brianne Lavallee. Discussion was had regarding moving Policy JICK until Darlene could join the meeting.

*A MOTION was made by Brianne Lavallee and SECONDED by Tiffany Cloutier-Cabral to adjust the agenda to accommodate the request. Voting: via roll call vote, three ayes, motion carried.*

*Darlene Anzalone joined the meeting at 6:38pm*

- II. REVIEW MEETING MINUTES:** 4/26/23 minutes were reviewed, discussion was had accept with adjustments to indicate Darlene was online and make a note to indicate the connect was poor

*A MOTION was made by Tiffany Cloutier-Cabral and SECONDED by Brianne Lavallee to accept the minutes with the proposed adjustments. Voting: via roll call vote, three ayes, one absention by Darlene Anzalone, motion carried.*

**III. OLD BUSINESS**

- A. JICK – Public Safety and Violence Prevention – Bullying** Discussion was had regarding the waiver and the timeline for investigation, change the wording under number 1 and number 4 to calendar days and add to number 6 the wording 7 calendar days or as needed in extenuating circumstances.

*A MOTION was made by Tiffany Cloutier-Cabral and SECONDED by Brianne Lavallee to send the final draft of JICK to the Board as written. Voting: via roll call vote, four ayes, motion carried.*

- B. DAF-11- Subrecipient Monitoring and Management** Discussion was had regarding the final draft, no new changes have been proposed by administration.

*A MOTION was made by Tiffany Cloutier-Cabral and SECONDED by Darlene Anzalone to send the final draft of DAF-11 to the Board as written. Voting: via roll call vote, four ayes, motion carried.*

- C. DAF-6 - Inventory Management -Equipment and Supplies Purchased with Federal Funds** Discussion was had regarding the final draft, no new changes have been proposed by administration.

*A MOTION was made by Tiffany Cloutier-Cabral and SECONDED by Darlene Anzalone to send the final draft of DAF-6 to the Board as written. Voting: via roll call vote, four ayes, motion carried.*

- D. EB-Safety Program: EBCA-Emergency Plans** Discussion was had regarding the need for Administration to review the current policy and related policies, Peter will look at all these policies; this and they will cross reference everything and the related policies and possibly strike this one and not move forward with adopting the actual policy. Peter can provide the information

*regarding if we are already doing this so there is not need to re-invent the wheel we will discuss at the next meeting; We had a discussion about the Sports emergency policies and this should be an item on a future agenda.*

**E. BOARD POLICIES**

**1. BEDDA-Board Meeting Rules of Order and Procedure** Discussion was had under section B meeting rules, number 7: no changes made but clarification of rule was discussed, Number 13 discussed and we will add lines to create table format.

2.

*A MOTION was made by Tiffany Cloutier-Cabral and SECONDED by Darlene Anzalone to send the final draft of BEDDA to the Board with the changes discussed. Voting: via roll call vote, four ayes, motion carried.*

**3.BBBF-Student Board Members** Discussion was had that this has already been addressed at the Board meeting.

**IV. NEW BUSINESS**

**A. JLCD - Administering Medications to Students** Discussion was had regarding a the policy no changes need will add review date

**B. JLCD-R - Procedures for Administering Medications to Students** Discussion was had regarding the draft presented to the committee, no new changes indicated

*A MOTION was made by Tiffany Cloutier-Cabral and SECONDED by Darlene Anzalone to send the final draft JLCD-R to the Board with the changes discussed. Voting: via roll call vote, four ayes, motion carried.*

**C. JAA - Allergy Management and Guidelines** Discussion was had regarding this is not a required policy, the management of allergies varies student to student and is based on physician orders and the allergy plan. The handling of allergies in the cafeteria also varies based on the school and the child's needs. The policy is not user friendly based on the size of the document and the extensive information presented in it. The committee agreed in our recommendation is to withdraw this policy.

*A MOTION was made by Tiffany Cloutier-Cabral and SECONDED by Darlene Anzalone to send the recommendation to withdraw JAA to the Board. Voting: via roll call vote, four ayes, motion carried.*

**D. JLCA - Physical Examination of Students** Discussion was had regarding the draft with changes proposed, no new changes recommended

*A MOTION was made by Tiffany Cloutier-Cabral and SECONDED by Darlene Anzalone to send the final draft JLCA to the Board with the changes discussed. Voting: via roll call vote, four ayes, motion carried.*

**E. JLCA-R Family Physician Report** Discussion was had that the form is not currently being used and has not been used for a number of years, the recommendation would be to withdraw it.

*A MOTION was made by Tiffany Cloutier-Cabral and SECONDED by Darlene Anzalone to send the withdrawal recommendation of JLCA-R to the Board. Voting: via roll call vote, four ayes, motion carried.*

**F. JLDBB-Suicide Prevention and Response** Discussion was had regarding the need for this policy, it is a required policy, we currently are doing what is required under the law, the policy just needs to reflect it. Peter Weaver will need to review the information and bring a proposed policy to the committee at our next meeting.

**V. PUBLIC COMMENT**

**VI. SETTING NEXT MEETING DATE AND AGENDA**

- 1. Health Policies Meeting Update was provided, the goal to complete the required policies and bring them forward in a future meeting.*
- 2. Discussion was had regarding the mention of JICI and JICI-R KFA and KFA-R in regards to HB 1178, Brianne will cross reference with the attorney general's info if available and look at possible policy updates*
- 3. IHBA-Programs for People with Disabilities/ IHBA-R- Procedural Safeguards and IKFC-Alternative Diploma for Students with Significant Cognitive Disabilities: HB 1513 Tiffany will review*
- 4. Military Connected Students: HB 1653; No action yet, awaiting NHSBA policy Darlene will review*
- 5. JLCF-Wellness Policy: SB 233 Brianne will review; we have no update since 2014*
- 6. JLDBB- Suicide Prevention and Response: SB 234; We do not have this policy, it is a REQUIRED policy since 2019*
- 7. GBCD- Criminal Record Checks: SB 352 Brianne will review*
- 8. IHBA and IKFC: SB 394 Jon*
- 9. BEDH: SB 410 Brianne*
- 10. Brianne will bring list of required policies we do not have and ones we can withdraw*
- 11. Agenda for the next meeting Facilities is looking at a policy regarding the CIP process this was approved by the board during the facilities report.*
- 12. Jon is asking about GEBDA regarding staff dress code; discussion was had regarding the wording of the motion that suspended it and administration is working on it; discussion was had regarding reviewing the policy and updating it to help with staff retention and the language in the CBA Jon will review*
- 13. Jon Lavoie brings up the cell phone issues we have and the vandalism related to tik tok challenges; can the administration look at cell phone use and create a procedure to address this in the handbook. Mr. Weaver discussed the practice, vs. the enforcement and teachers monitoring, rule can be inconsistently enforced*
- B. Next Meeting August 15th 5:30pm update from Peter will come the week before in his absence.*

**VII. ADJOURNMENT**

*A MOTION was made by Tiffany Cloutier-Cabral and SECONDED by Darlene Anzalone to adjourn. Voting: via roll call vote, four ayes, motion carried, meeting adjourned at 8:46pm.*

NEW HAMPSHIRE SCHOOL BOARDS ASSOCIATION  
POLICY SERVICES

POLICIES REQUIRED BY LAW:

School Board Policies Mandated by  
State/Federal Law or Department of Education Rules

Updated: August 2022

**ACAC**

**Title IX Sexual Harassment Policy & Grievance Process**

*Title IX of the Education Amendments of 1972, 20 U.S.C 1681, et seq 20 U.S.C. §1232g, Family Educational Rights and Privacy Act*

*34 CFR. Part 99, Family Educational Rights and Privacy Act Regulations*

*34 CFR 106.8, Designation of responsible employee and adoption of grievance procedures.*

*34 CFR 106.30, Definitions*

*34 CFR 106.44, Recipient's response to sexual harassment*

*34 CFR 106.4, Grievance process for formal complaints of sexual harassment*

*34 CFR 106.71, Retaliation*

*RSA 193:38, Discrimination in Public Schools*

*NH Dept of Ed. Rules Ed 303.01 (i), School Board Substantive Duties*

*Ed 303.01(j), Substantive Duties of School Boards; Sexual Harassment Policy*

**ACE**

**Procedural Safeguards: Nondiscrimination on the Basis of Handicap/Disability**

*Ed 1120, Procedural Safeguards*

*34 C.F.R. Part 104, Nondiscrimination on the Basis of Handicap*

*Section 504 of The Rehabilitation Act of 1973*

**ADB/GBEC**

**Drug-Free Workplace and Drug-Free Schools**

*41 U.S.C. §101, et. Seq.- Drug-free workplace requirements for Federal contractors, and Federal grant recipients*

*RSA Chapter 193-B Drug Free School Zones*

*N.H. Admin. Code, Ed. Part 316*

**ADC/GBED/JICG**

**Tobacco Products Ban Use and Possession in and on School Facilities and Grounds**

*RSA 155:64 – 77, Indoor Smoking Act*

*RSA 126-K:2, Definitions*

*RSA 126–K:6, Possession and Use of Tobacco Products by Minors*

*RSA 126-K:7, Use of Tobacco Products on Public Educational Grounds Prohibited*

NHSBA – Policies Required by Law – May 2022

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<b>DAF</b>	<b>Administration of Federal Grant Funds</b> <i>42 USC 1751 – 66 National School Lunch Act</i> <i>2 C.F.R. Part 180</i> <i>2 C.F.R. Part 200</i> <i>200.0 - 200.99; 200.305; 200.313(d); 200.317-.326; 200.403-.406; 200.413(a)-(c);</i> <i>200.430; 200.431; 200.458; 200.474(b)</i> <i>200 Appendix II</i> <i>7 CFR Part 210</i> <i>210.16; 210.19; 210.21; 215.14a; 220.16</i>
<b>DFA</b>	<b>Investment</b> <i>RSA 197:23-a, Treasurer's Duties</i> <i>RSA 383:22, Public Deposit Investment Pool</i>
<b>DGA</b>	<b>Authorized Signatures</b> <i>RSA 197:23-a, Treasurer's Duties</i> <i>RSA 294-E, Uniform Electronic Transfers Act</i>
<b>DK</b>	<b>Payments, Checks &amp; Manifests</b> <i>RSA 197:23-a, Treasurer's Duties</i> <i>RSA 294-E, Uniform Electronic Transfers Act</i>
<b>EBB</b>	<b>School Safety</b> <i>RSA 193-D, Safe School Zones</i> <i>RSA 193-F, Pupil Safety and Violence Prevention</i> <i>RSA 281-A:64, Safety Provisions</i> <i>N.H. Dept. of Education Administrative Rule – Ed. 306.04(a)(2), and 306.04(d),</i> <i>Promoting School Safety</i>
<b>EBBC/JLCE</b>	<b>Emergency Care and First Aid</b> <i>RSA 200:40, Emergency Care</i> <i>RSA 200:40-a, Administration of Oxygen by School Nurse</i> <i>RSA 200:44-a, Anaphylaxis Training Required</i> <i>RSA 200:54, Supply of Bronchodilators, Spacers or Nebulizers</i> <i>RSA 200:55, Administration of Bronchodilator, Space or Nebulizer</i> <i>Ed 306.04(a)(21), Emergency Care For Students And School Personnel</i> <i>Ed 306.12, School Health Services</i>
<b>EBBD</b>	<b>Indoor Air Quality</b> <i>RSA 200:11-a, Investigation of Air Quality</i> <i>RSA 200:48, Air Quality in Schools</i> <i>Ed 306.04(a)(24), Air Quality in School Buildings</i> <i>Ed 306.07(a) (4), School Facilities</i>

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**EEAEA****Mandatory Drug and Alcohol Testing–School Bus Drivers and Contracted Carriers**

*Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. §5331*  
*RSA 200:37, Medical Examination of School Bus Operators*  
*RSA 263:29, School Bus Driver’s Certificate*  
*RSA 189:13-a, School Employee & Volunteer Background Investigations*  
*RSA 376:2, VII, Motor Carriage of Passengers*  
*49 C.F.R. § 40.1-40.13 (2001), Transportation Workplace Drug Testing Program*  
*49 C.F.R. Part 382, Controlled Substances and Alcohol Use and Testing*  
*49 C.F.R. Part 391, Qualifications of Drivers*

**EFA****Availability and Distribution of Healthy Foods**

*7 CFR 210.10, Nutrition Standards and Menu Planning Approaches For Lunches And Requirements For After-school Snacks*  
*Ed 306.04(a)(23), Availability and Distribution of Healthy Foods*  
*Ed 306.11(g), (h), Distribution of Healthy Foods*

**EFAA****Meal Charging**

*15 U.S.C. § 1692-1695 federal Fair Debt Collection Practices Act (FDCPA)*  
*42 U.S.C. 1758(b)(6), Use or disclosure of information*  
*Civil Rights Act of 1964 & 7 C.F.R. Part 15, Subpart A & B*  
*2 C.F.R. §200.426*  
*7 C.F.R §210.09*  
*7 C.F.R §210.10*  
*7 C.F.R §210.15*  
*7 C.F.R. §245.5*  
*USDA SP 46-2016*  
*USDA Guidance SP37-2016*  
*RSA 189:11-a*  
*RSA 358-C, New Hampshire's Unfair, Deceptive or Unreasonable Collection Practices Act;*  
*NH Dept. of Education Technical Advisory - Food and Nutrition Programs*

**EHAA****Computer Security, E-Mail and Internet Communications**

*RSA 189:68-a, Student Online Personal Information*  
*RSA 194:3-d, School District Computer Networks*

**EHAB****Data Governance and Security**

*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*

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*RSA 189:68-a \* Student Online Personal Information*  
*RSA 359-C:19-21 \* Right to Privacy/Notice of Security Breach*

**EHB**

**Data/Records Retention**

*RSA 91-A, Right to Know Law*  
*RSA 189:29-a, Records Retention and Disposition*  
*NH Code of Administrative Rules, Section Ed 306.04(a)(4), Records Retention*  
*NH Code of Administrative Rules, Section Ed 306.04(h), Records Retention*  
*NH Code of Administrative Rules, Section Ed. 1119.01, Confidentiality Requirements*  
*20 U.S.C. 1232g, Family Educational Rights and Privacy Act (FERPA)*

**GADA**

**Employment References and Verification (Prohibiting Aiding and Abetting of Sexual Abuse)**

*20 U.S.C. 7926(a) (§8546(a) of the Elementary and Secondary Education Act/Every Student Succeeds Act*

**GBCD**

**Background Investigation and Criminal History Records Check**

*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*

**GBEC**

**Drug-Free Workplace and Drug-Free Schools**

*41 U.S.C. §101, et. Seq.- Drug-free workplace requirements for Federal contractors, and Federal grant recipients*  
*RSA Chapter 193-B Drug Free School Zones*  
*N.H. Admin. Code, Ed. Part 316*

**GBED/ADC/JICG**

**Tobacco Products Ban Use and Possession in and on School Facilities and Grounds**

*RSA 155:64 – 77, Indoor Smoking Act*  
*RSA 126-K:2, Definitions*  
*RSA 126-K:6, Possession and Use of Tobacco Products by Minors*  
*RSA 126-K:7, Use of Tobacco Products on Public Educational Grounds Prohibited*

**GBEF**

**School District Internet Access for Staff**

*RSA 194:3-d, School District Computer Networks*  
*47 U.S.C. §254, Requirements for Certain Schools – Internet Safety*  
*20 U.S.C. §6777, Enhancing Education Through Technology – Internet Safety*

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<b>GCO</b>	<b>Teacher Performance and Evaluation Systems</b> <i>RSA 189:1-a, Duty to Provide Education</i> <i>RSA 189:14-a, Failure to be Re-nominated or Re-elected</i> <i>Ed 303.02(n), Substantive Duties of Superintendents</i> <i>Ed 304.01(b), Substantive Duties of School Principals</i>
<b>IFA</b>	<b>Instructional Needs of Each Individual Student</b> <i>Ed 306.04(a)(6), Instructional Needs of Each Individual Students</i> <i>Ed 306.04(j), Instructional Needs of Each Individual Student</i>
<b>IGE</b>	<b>Parental Objections to Specific Course Material</b> <i>RSA 186:11, IX-b &amp; IX-c State Board of Education; Duties.</i> <i>20 U.S.C §1232h, (c)(1)(C), Protection of pupil rights</i> <i>RSA 193:40, Prohibition on Teaching Discrimination</i>
<b>IHAK</b>	<b>Character and Citizenship Education</b> <i>Ed 306.04(a)(5), Character and Citizenship</i> <i>Ed 306.04(i), Character and Citizenship</i>
<b>IHAM</b>	<b>Health Education and Exemption from Instruction</b> <i>20 U.S.C §1232h, (c)(1)(C), Protection of Pupil Rights</i> <i>RSA 186:11, IX, Instruction as to Intoxicants and Sexually Transmitted Diseases</i> <i>RSA 186:11, IX-b, Health and Sex Education</i> <i>RSA 186:11, IX-c, Objectionable Course Material</i> <i>RSA 186:11, IX-e Notice to Parents/Guardian Required</i> <i>NH Code of Administrative Rules, Section Ed 306.40, Health Education Program</i> <i>NH Code of Administrative Rules, Section Ed 306.41, Physical Education Program</i>
<b>IHAMA</b>	<b>Teaching about Alcohol, Drugs, and Tobacco</b> <i>RSA 189:10, Studies</i> <i>RSA 189:11-d, Drug and Alcohol Education</i> <i>Ed 306.40, (b)(2) a - Health Education Program</i>
<b>IHBAA</b>	<b>Evaluation Requirements for Children with Specific Learning Disabilities</b> <i>Section Ed 1107.02(b), Evaluation Requirements</i>
<b>IHBI</b>	<b>Alternative Learning Plans</b> <i>RSA 193:1, Duty of Parent; Compulsory Attendance by Student</i> <i>Ed 306.04(a)(13), Alternative Means Of Earning Credit Toward A High School Diploma</i> <i>Ed 306.04(a)(14), Alternative Means Of Demonstrating Achievement Of Competencies</i> <i>Ed 306.21, Alternative Programs</i>

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<b>IHCA</b>	<b>Summer Activities</b> <i>Ed 306.141(a)(7), Summer Activities</i>
<b>IHCD/LEB</b>	<b>Advanced Course Work/Advanced Placement Courses and STEM Dual and Concurrent Enrollment Program</b> <i>RSA 188-E:25 through RSA 188-E:26-28</i> <i>Ed 306.141(a)(6), Advanced Course Work</i>
<b>IMBD</b>	<b>High School Credit for 7<sup>th</sup>/8<sup>th</sup> Grade Coursework</b> <i>Ed 306.26(f), Granting High School Credit for 7th/8th Grade Coursework (until July 1, 2017)</i> <i>Ed 306.261(e), Granting High School Credit for 7th/8th Grade Coursework (after July 1, 2017)</i>
<b>IJO/KA</b>	<b>School, Family and Community Partnerships</b> <i>Ed 306.04(a)(11), Community Partnerships</i> <i>Ed 306.04(k), Community Partnerships</i>
<b>IJOC</b>	<b>Volunteers</b> <i>RSA 189:13-a, School Employee and Volunteer Criminal History Records Check</i>
<b>IK</b>	<b>Earning of High School Credit</b> <i>RSA 193-E:3-f, Approval of Courses and Programs</i> <i>N.H. Dept. of Education Administrative Rule – Ed 306.02(e), Credit</i> <i>N.H. Dept. of Education Administrative Rule – Ed 306.04(a)(15), How Credit Can Be Earned</i> <i>N.H. Dept. of Education Administrative Rule – Ed 306.04(a)(16), How A Credit Used To Track Achievement Of Graduation Competencies</i> <i>N.H. Dept. of Education Administrative Rule – Ed 306.27, High School Curriculum, Credits, Graduation Requirements, and Cocurricular Program</i>
<b>IKB</b>	<b>Homework</b> <i>Ed 306.141(a)(1), Policy on Homework</i>
<b>IKE</b>	<b>Promotion and Retention of Students</b> <i>Ed 306.141(a)(3), Promoting Students</i>
<b>IKF</b>	<b>High School Graduation Requirements</b> <i>RSA 189:11</i> <i>RSA 193:26-a, Graduation Requirements: Free Application for Federal Student Aid</i> <i>N.H. Dept. of Education Administrative Rule – Ed 306.27</i>

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**IKFA****Early Graduation**

*Ed 306.27(ad), Early Graduation*

*RSA 189:11, Instruction in national and State History and Government*

**ILBAA****High School Graduation Competencies**

*Ed 306.04(a)(16), Tracking Achievement of Graduation Competencies*

*Ed 306.04(a)(25), (26), Graduation competencies*

*Ed 306.141(a)(6), Achievement of District and Graduation Competencies*

*Ed 306.02(d), Competencies*

*Ed 306.02(g), District competencies*

*Ed 306.02(j), Graduation competencies*

*Ed 306.02(l), Mastery*

**ILD****Non-Educational/Non-academic Questionnaires, Surveys and Research**

*20 U.S.C. §1232h; 34 CFR Part 98, Protection of Pupil Rights Amendment*

*RSA 186:11, IX-d*

*2017 CDC YRBS Guidance Manual*

**IMAH****Daily Physical Activity**

*Ed 306.04(a)(17), Daily Physical Activity*

*Ed 306.04(l), Daily Physical Activity*

*Ed 310, Daily Physical Activity*

**IMBA****Distance Education (Required by Law only if your district offers distance education)**

*Ed 306.04(a)(12), Distance Education*

*Ed 306.22, Distance Education*

**IMBC****Alternative Credit Options**

*RSA 193-A, Home Education*

*RSA 193-E:3-f, Approval of Courses and Programs*

*N.H. Dept. of Education Administrative Rules:*

*Ed 306.04(a)(13), Alternative Means of Earning Credit*

*Ed 306.14(a)(14), Alternative Means Of Demonstrating Achievement Of Graduation Competencies*

*Ed 306.21, Alternative Programs*

*Ed 306.26(f), Credit for 7th & 8th Grade Course Work*

*Ed 306.27(ad), Early Graduation*

*Ed 315, Home Education Programs*

<b>IMBD</b>	<b>High School Credit for 7<sup>th</sup> and 8<sup>th</sup> Grade Coursework</b> <i>Ed 306.261(f), Granting High School Credit for 7th/8th Grade Coursework (until July 1, 2017)</i> <i>Ed 306.261(e), Granting High School Credit for 7th/8th Grade Coursework (after July 1, 2017)</i>
<b>IMGA</b>	<b>Service Animals in Schools</b> <i>Section 504 of the Rehabilitation Act – 29 U.S.C. 794</i> <i>Americans with Disabilities Act – 42 U.S.C. 12101 et seq.</i> <i>Nondiscrimination on the Basis of Disability, Title 28 CFR Part 35-36</i> <i>NH RSA 167-D and 466:</i>
<b>JCA</b>	<b>Change of Class or School Assignment Best Interests and Manifest Hardship</b> <i>Ed RSA 193:3, III, Change of School Assignment</i> <i>RSA 193:14-a, Change of School Assignment; Duties of State Board of Education</i> <i>N.H. Dept. of Education Administrative Rule Ed. 320 [Pending revision]</i>
<b>JFAB</b>	<b>Admission of Tuition and Non-Resident Students</b> <i>RSA 186-C:13, Special Education; Liability for Expenses</i> <i>RSA 193:3, Change of School or Assignment</i> <i>RSA 193:12, Legal Residence Required</i>
<b>JFABD</b>	<b>Education of Homeless Children and Unaccompanied Youth</b> <i>20 U.S.C. 1232g (Family Educational Rights and Privacy Act – “FERPA”)</i> <i>20 U.S.C. 1701-1758 (Equal Educational Opportunities Act of 1974 – “EEOA”)</i> <i>20 U.S.C. 6313(c)(3) (reservation of Title I funding for homeless children and youths)</i> <i>42 U.S.C. §11431 and §11432 (McKinney-Vento Homeless Assistance Act – Education for Homeless Children and Youth)</i> <i>Plyler v. Doe, 457 U.S. 202 (1982)</i> <i>RSA 193:12, Legal Residence Required</i> <i>NH Code of Administrative Rules, Section Ed 306.04(a)(19), Homeless Students</i>
<b>JH</b>	<b>Student Absences and Excuses</b> <i>RSA 189:34, Appointment</i> <i>RSA 189:35-a, Truancy Defined</i> <i>RSA 193:1, Duty of Parent; Compulsory Attendance by Pupil</i> <i>RSA 193:7, Penalty</i> <i>RSA 193:8, Notice Requirements</i> <i>Ed 306.04(a)(1), Absenteeism and Attendance</i> <i>Ed 306.04(c), Absenteeism and Attendance</i>

#### NHSBA – Policies Required by Law – May 2022

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## **JJ**

### **Student Rights and Responsibilities**

*RSA 189:15, Regulations*

*NH Code of Administrative Rules, Section Ed 306.04(a)(3), Student Discipline*

*NH Code of Administrative Rules, Section Ed 306.04(f), Student Discipline*

*NH Code of Administrative Rules, Section Ed 317.04(b), Disciplinary Procedures*

## **JIC**

### **Student Conduct**

*RSA 135-F:5, System of Care for Children/Duties of Commissioner of Dept. of Education*

*RSA 193:13, Suspension and Expulsion of Pupils*

*RSA 193-D:4, Written Report Required*

*RSA 631:2-a, Simple Assault*

*NH Code of Administrative Rules, Section Ed. 306.04(f)(4), Student Discipline*

*NH Code of Administrative Rules, Section Ed. 306.04(g), Suspension & Expulsion*

*NH Code of Administrative Rules, Section Ed. 306.06, Culture and Climate*

*NH Code of Administrative Rules, Section Ed. 317.04(b), Disciplinary Procedures*

## **JICD**

### **Student Discipline and Due Process**

*18 U.S.C. § 921, Et seq., Firearms*

*20 U.S.C. § 7151, Gun-Free Schools Act*

*RSA 189:15, Regulations*

*RSA 193:13, Suspension & Expulsion of Pupils*

*RSA Chapter 193-D, Safe Schools Zones*

*RSA 631:4, Criminal Threatening*

*RSA 651:5, XIII “Act of Violence”*

*NH Code of Administrative Rules, Section Ed 306.04(a)(3), Discipline*

*NH Code of Administrative Rules, Section Ed 306.04(f), Student Discipline Policy*

*NH Code of Administrative Rules, Section Ed. 306.04(g), Suspension & Expulsion*

*NH Code of Administrative Rules, Section Ed 317.04, Suspension and Expulsion of Pupils*

*Assuring Due Process Disciplinary Procedures*

*In re Keelin B., 162 N.H. 38, 27 A.3d 689 (2011)*

*In re Keelin B., 162 N.H. 38, 27 A.3d 689 (2011)*

## **JICFA**

### **Hazing**

*RSA 631:7, Student Hazing*

*Ed 306.04(a)(7), Student Hazing*

**JICG/ADC/GBED Tobacco Products Ban Use and Possession In And On School Facilities And Grounds**

*RSA 155:64 – 77, Indoor Smoking Act*

*RSA 126-K:2, Definitions*

*RSA 126-K:6, Possession and Use of Tobacco Products by Minors*

*RSA 126-K:7, Use of Tobacco Products on Public Educational Grounds Prohibited*

**JICI Weapons on School Property**

*18 U.S.C. § 921, Et seq., Firearms*

*20 U.S.C. § 7151, Gun-Free Schools Act*

*RSA 193:11, Disturbance*

*RSA 193-D, Safe School Zones*

*RSA 193:13, Suspension and Expulsion of Pupils*

*Ed 317, Student Suspension*

**JICK Pupil Safety and Violence Prevention**

*RSA 189:70, Educational Institution Policies on Social Media*

*RSA 193-F, Pupil Safety and Violence Prevention Act*

*RSA 570-A:2, Capture of Audio Recordings on School Buses Allowed*

*Ed 306.04(a)(8), Student Harassment*

**JICL School District Internet Access for Students**

*RSA 194:3-d, School District Computer Networks*

*47 U.S.C. §254, Requirements for Certain Schools – Internet Safety*

*20 U.S.C. §6777, Enhancing Education Through Technology – Internet Safety*

**JJJ Access to Public School Programs by Nonpublic, Charter School and Home Educated Pupils**

*RSA 193:1-c, Access to Public School Programs by Nonpublic or Home Educated Pupils*

**JKAA Use of Restraints and Seclusion**

*RSA 126-U, Limiting the Use of Child Restraint Practices*

**JLC Student Health Services & School Nurses**

*RSA 200:27, School Health Services*

*RSA 200:29, School Nurse*

*RSA 200:31, School Health Personnel*

*RSA 326-B, Nurse Practice Act*

*NH Code of Administrative Rules, Section Ed 306.12(b), School Health Services*

*NH Code of Administrative Rules, Section Ed 311, School Health Services*

**JLCD Administering Medication to Students**

*RSA 200:40-b, Glucagon Injections*

*RSA 200:42, Possession and Use of Epinephrine Auto-Injectors Permitted*

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*RSA 200:43, Use of Epinephrine Auto-Injector*  
*RSA 200:44, Availability of Epinephrine Auto-Injector*  
*RSA 200:44-a, Anaphylaxis Training Required*  
*RSA 200:45, Student Use of Epinephrine Auto-Injectors - Immunity*  
*RSA 200:46, Possession and Self-Administration of Asthma Inhalers Permitted*  
*RSA 200:47, Use of Asthma Medications by Students - Immunity*  
*RSA 200:54, Supply of Bronchodilators, Spacers or Nebulizers*  
*RSA 200:55, Administration of Bronchodilator, Space or Nebulizer*  
*RSA 326-B, Nurse Practices Act*  
*N.H. Code of Administrative Rules, Ed. 306.12(b)(2), Special Physical Health Needs of Students*  
*N.H. Code of Administrative Rules, Ed. 311.02(d); Medication During School Day*  
*N.H. Code of Administrative Rules, Nur 404; Ongoing Requirements*

## **JLCD-R**

## **Procedures for Administering Medication to Students**

## **JLCE/EBBC**

## **Emergency Care & First Aid**

*RSA 200:40, Emergency Care*  
*RSA 200:40-a, Administration of Oxygen by School Nurse*  
*RSA 200:44-a, Anaphylaxis Training Required*  
*RSA 200:54, Supply of Bronchodilators, Spacers or Nebulizers*  
*RSA 200:55, Administration of Bronchodilator, Space or Nebulizer*  
*Ed 306.04(a)(21), Emergency Care For Students And School Personnel*  
*Ed 306.12, School Health Services*

## **JLCF**

## **Wellness**

*42 U.S.C. 1751, Richard B. Russell National School Lunch Act*  
*42 U.S.C. 1771, Child Nutrition Act of 1966*  
*Section 204 of Public Law 108-265, Child Nutrition and WIC Reauthorization Act of 2004*  
*The Healthy Hunger-Free Kids Act of 2010*  
*7 C.F.R 210, National School Lunch Program*  
*7 C.F.R 220, School Breakfast Program*  
*RSA 189:11-a, Food and Nutrition Programs*  
*N.H. Dept. of Education Administrative Rule – Ed 306.04 (a)(20), Wellness*  
*N.H. Dept. of Education Administrative Rule – Ed 306.11 (g), Food and Nutrition Services*  
*N.H. Dept. of Education Administrative Rule – Ed 306.38 (b)(1)b, Family and Consumer Science Education Program (middle schools)*  
*N.H. Dept of Education Administrative Rule – Ed 306.40, Health Education Program*

## **JLJF**

## **Reporting Child Abuse or Neglect**

*NH Code of Administrative Rules, Ed 306.04(a)(10), Reporting of Suspected Abuse or Neglect*  
*NH Code of Administrative Rules, Code of Conduct for NH Educators, Ed 510.05(e), Duty to Report*  
*RSA 169-C, Child Protection Act*  
*RSA 169-C:29-39, Reporting Law*

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*RSA 189:72, Child Abuse or Neglect Information*  
*RSA 193-D:4, Safe School Zones, Written Report Required*

**JLCJ**

**Concussions and Head Injuries**

*RSA 200:49, Head Injury Policies for Student Sports*  
*RSA 200:50, Removal of Student-Athlete*  
*RSA 205:51, School Districts; Limitation of Liability*  
*RSA 200:52, Definitions*  
*RSA 200:63, Head Injuries; Return to Learning and Plan*

**JLCJA**

**Emergency Plan for Sports Related Injuries and Additional Protocols for Athletics Participation**

*20 U.S.C. §1232g, Family Educational Rights and Privacy Act (FERPA)*  
*34 C.F.R. Part 99, Family Educational Rights and Privacy Act Regulations*  
*RSA 200:40-c, Emergency Plan for Sports Related Injuries*

**JLCK**

**Special Physical Health Needs of Students**

*RSA 189:11-a, V*  
*Ed 306.04(a)(2022), Meeting the Special Physical Health Needs of Students*

**JLDBA**

**Behavior Management and Intervention**

*Ed 306.04(a)(18), Behavior Management and Intervention for Students*

**JLF**

**Reporting Child Abuse or Neglect**

*Ed 306.04(a)(10), Reporting of Suspected Abuse or Neglect*  
*RSA 169-C:29, Persons Required to Report*  
*RSA 169-C:30, Nature and Content of Report*  
*RSA 169-C:31, Immunity from Liability*  
*RSA 169-C:34, III, Duties of the Department of Health and Human Services*  
*RSA 189:72, Child Abuse or Neglect Information*

**KA/IJO**

**School, Family and Community Partnerships**

*Ed 306.04(a)(11), Community Partnerships*  
*Ed 306.04(k), Community Partnerships*

**KB**

**Title I Parent Involvement in Education**

*20 U.S.C §6318, Title 1 – Parental Involvement*

**KED**

**Facilities or Services—Grievance Procedure (Section 504)**

*Section 504 of The Rehabilitation Act of 1973*  
*34 C.F.R. § 104.7(b), Adoption of Grievance Procedures*

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**LEB/IHCD**

**Advanced Course Work/Advanced Placement Courses**

*RSA 188-E:25 through RSA 188-E:28*

*Ed 306.141(a)(6), Advanced Course Work (as of July 1, 2015)*

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## **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.

**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



## BEDH – PUBLIC PARTICIPATION AT BOARD MEETINGS

See also BEDB, KE, KEB

The primary purpose of Wilton-Lyndeborough Cooperative School Board meetings is to conduct the business of the Board as it relates to school policies, programs and operations. The Board encourages residents to attend Board meetings so that they may become acquainted with the operation and programs of the schools. All official meetings of the Board shall be open to the press and public. However, the Board reserves the right to meet and to adjourn or recess a meeting at any time. The Board also reserves the right to enter non-public session at any time, in accordance with the provisions RSA 91-A:3.

In order to assure that persons who wish to appear before the Board may be heard and, at the same time, it may conduct its meetings properly and efficiently, the Board adopts as policy the following procedures and rules pertaining to public participation at Board meetings:

1. Members of the public shall not speak unless recognized by the Board Chair or other person presiding over the meeting.
2. The Board will provide a minimum of 30 ~~and a maximum of 45~~ minutes to hear public comments. ~~at the beginning of each regular board meeting and an additional fifteen (15) minutes prior to any scheduled non-public session.~~ This may be extended by a majority vote of the board. If insufficient speakers remain to fill the 30 minutes, the Board will close public comment.
3. Individual speakers will be allotted three (3) minutes per person. Speakers may not relinquish allotted time to another speaker. For specific meetings and/or specific agenda items, the Board may at the outset of the public comment period increase the individual time limit for all speakers (but may not decrease the aggregate time below 30 minutes).
3. The Chair will recognize speakers on a first come basis.
4. In order to comply with RSA 91-A:2 II, speakers shall identify themselves clearly for the record.
5. Members of the public shall limit comments only to those items appearing on the agenda. The Board will not entertain comments that do not appear on the agenda. The only exception shall be comments which address matters discussed by the Board at its last public meeting which were not on that meeting's agenda but were discussed by the Board under "New Business". Requests to address the board on specific matters (i.e. a request to have a matter placed on the agenda) should be presented to the Superintendent no less than seven (7) days prior to the next Board meeting and must set forth specifics on the subject to be addressed. The determination whether to place the matter on the agenda will be made consistent with policy BEDB. In the interest of preserving individual privacy and due process rights, the Board requests that comments (including complaints) regarding individual employees or students be directed to Superintendent in accord with the processes set forth in School Board Policies KE and KEB.

6. Any comments that do not adhere to the above, or which disrupt the official business of the Board may be ruled out of order by the Chair. Repeated disruption may result in the individual being asked to leave the meeting. Obscene speech, comments of threatening, or other unprotected speech will not be tolerated.

7. The Board Chair may terminate the speaker's privilege of address if the speaker does not follow the above rules of order. Repeated violations may result in the intervention of law enforcement, with potential for criminal charges.

Persons appearing before the Board are reminded that members of the Board are without authority to act independently as individuals in official matters. Thus, in most instances, any board response will be deferred pending future consideration by the full Board. With the aim of maintain focus on the issues in discussion, it is desired that all speakers strive to adhere to ordinary norms of decorum and civility.

**Legal Reference:**

*RSA 91-A:2, Meetings Open to Public*

*RSA 91-A:3, Non-Public Sessions*

***First Reading:*** September 14, 2010, April 18, 2023

***Second Reading:*** October 12, 2010, May 9, 2023

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

***Reviewed:*** April 30, 2019; May 14, 2019, May 23, 2023

***Revised:*** May 23, 2023



## PROGRAMS FOR PUPILS WITH DISABILITIES

*Category: Recommended**Related Policies: AC, IHBAA, IHBAB, IHBAM & JICD***ADOPTION/REVISION NOTES –**

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

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

The District shall provide a free appropriate public education and necessary related services to all children with disabilities residing within the district, required under the Individuals With Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act, and New Hampshire Law.

It is the intent of the district to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they do not require services pursuant to the IDEA.

For students eligible for services under IDEA, the district shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in federal and state statutes which govern special education. For those students who are not eligible for services under IDEA, but, because of a qualifying disability as defined by Section 504 of the Rehabilitation Act of 1973, need or are believed to need special instruction or related services, the district shall establish and implement a system of procedural safeguards. The safeguards shall cover students’ identification, evaluation, educational safeguards, and educational placement. This system shall include notice, and opportunity for the student’s parent(s)/guardian(s) to examine relevant records, and impartial hearing with opportunity for participation by the student’s parent(s)/guardian(s), and representation by counsel, the right to be represented by legal counsel and review procedure.

The district recognizes its obligation to provide an education for all students determined to be educationally disabled and in need of special education and related services. This obligation shall begin when a student reaches three years of age and shall continue until the student’s 22<sup>nd</sup> birthday or until such time as he/she receives a high school diploma, whichever occurs first,

**PROGRAMS FOR PUPILS WITH DISABILITIES**

or until the child's Individualized Education Program (IEP) Team determines that the child no longer requires special education in accordance with federal and state law. At the discretion of the Superintendent and/or his/her designee, students who reach the age of **22** during the academic year may be allowed to complete the remainder of the school year.

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**District Policy History:**

*First reading:* \_\_\_\_\_

*Second reading/adopted:* \_\_\_\_\_

***District revision history:***

**Legal References:**

20 U.S.C. § 1400 et seq., Individuals with Disabilities Education Act

34 C.F.R. § 300 et seq., Assistance to the States for the Education of Children with Disabilities

RSA 186-C, Special Education

N.H. Code of Administrative Rules, Section Ed. 1100, Standards for the Education of Students With Disabilities

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

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***When adopting this sample or variation of the same, a district should not include the NHSBA history or NHSBA policy notes appearing below. The district should, to the extent possible, include its own adoption/revision history, as well as the legal references and disclaimer as indicated above.***

**NHSBA history:** Revised - Aug. 2022, Aug. 2007, May 2006, July 2004  
New policy – Nov. 1999

**NHSBA revision notes, August 2022,** revised to reflect 2022's SB 394 and HB 1513 which both amend the definition in RSA 186-C:2 of "child with a disability" to include such children until they reach the age of 22.

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## EVALUATION REQUIREMENTS FOR CHILDREN WITH SPECIFIC LEARNING DISABILITIES

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

**Related Policies:** *IHBA*

### ADOPTION/REVISION NOTES –

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

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

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

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

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

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

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

## EVALUATION REQUIREMENTS FOR CHILDREN WITH SPECIFIC LEARNING DISABILITIES

### District Policy History:

First reading: \_\_\_\_\_

Second reading/adopted: \_\_\_\_\_

### *District revision history:*

### Legal References:

34 C.F.R. §§ 300.307-.309

N.H. Dept. of Ed. Admin. Rule Ed 1107.02(b), Evaluation Requirements for Children With Specific Learning Disabilities

**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.

***When adopting this sample or variation of the same, a district should not include the NHSBA history or NHSBA policy notes appearing below. The district should, to the extent possible, include its own adoption/revision history, as well as the legal references and disclaimer as indicated above.***

**NHSBA history:** Revised Aug. 2022, Sept. 2016

New policy – April, 2009

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

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**EVALUATION REQUIREMENTS FOR CHILDREN  
WITH SPECIFIC LEARNING DISABILITIES**

**SPECIAL EDUCATION EVALUATIONS***Category: Recommended**Related Policies: IHBA, IHBAA & IHBAC***ADOPTION/REVISION NOTES –**

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

- (a) **SPECIAL NOTE** - *The Board/policy committee should review this policy with the District’s Special Education/Student Services Director to determine whether the criteria included in section B are suitable for the District’s own evaluations. The criteria imposed upon independent evaluations must be the same as that used by the District for evaluations it initiates.*
- (b) *General – As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption/revision to assure suitability with the district’s own specific circumstances, internal coding system, current policies, and organizational structures.*
- (c) **Highlighted language** or blank, underscored spaces indicate areas which Boards should review, change or complete to reflect local personnel titles, internal/ external policy references, duty assignments etc.
- (d) **{\*\*}** indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.
- (e) *Withdrawn & earlier versions of revised policies should be maintained separately as part of the permanent records of the District.*

**A. Statement of Policy.**

State and Federal special education laws require that the District, as the local educational agency (“LEA”), shall find, identify, and evaluate all children suspected to be children with disabilities. The District is committed to ensuring that each child’s IEP team bases its decisions on high quality, reliable, and educationally sound special education evaluations.

The availability, steps, timelines, and other procedures for requesting, initiating a referral, or conducting an educational evaluation relative to a determination of whether a child is a child with a disability, are as set forth in the *New Hampshire Department of Education Special Education Procedural Safeguards Handbook*, a current copy of which may be obtained from **[the child’s building Special Education Coordinator, the District [Student Services/Special Education office \_\_\_\_\_],** or from the New Hampshire Department of Education. This policy establishes the criteria for those evaluations.

**B. Evaluation Criteria.**

To assure high quality, reliable, and educationally sound evaluations, and consistency among those evaluations, the District has established the following list of criteria for all special education evaluations the district conducts, all evaluations the District asks outside

**SPECIAL EDUCATION EVALUATIONS**

contractors to conduct, and all individual educational evaluations (“IEE”) parents expect the District to review, consider and/or fund.

1. Evaluation Criteria Waiver: Unique circumstances may justify deviation or waiver, in whole or in part, from these criteria. If a parent or district staff member is aware of such unique circumstances, they should inform the student’s special education teacher, building LEA or district special education administrator immediately. The District’s [Director of Special Education/Student Services Director/ \_\_\_\_\_] is authorized to grant a waiver.
2. Evaluator Credentials:
  - a. The evaluation must be conducted in New Hampshire, by an evaluator whose principal office is located in New Hampshire[, or in a state that is contiguous to New Hampshire], unless there is no qualified evaluator in New Hampshire[ or its contiguous states]. [<sup>1</sup> Delete fn.]
  - b. The evaluator must hold a valid license or certification from the State of New Hampshire[ See fn. 1 (delete)] in the field related to the known or suspected disability. The evaluator must have extensive training and experience in evaluation in the area(s) of concern and be able to interpret the instructional implications of evaluation results. In instances where no “applicable license or certification” exists, the District must be satisfied that the evaluator has extensive training and experience related to the known or suspected disability.
3. Test Protocol Requirement: All tests administered shall be the current version of the test. The test must be norm-referenced for the individual evaluation appropriate for the age and educational level of the child and measure the same skills, and meet the same standards of technical adequacy for reliability and validity.
4. Student Educational Record Review: The evaluator must review educational records located in the student’s local public school and other relevant educational records.
5. Communications and Shared Information Between Evaluator and District: The evaluator must be permitted to directly communicate with and is required to provide information to members of the IEP team, and to [the Director of Special Education/Student Services Director/ \_\_\_\_\_] or designees. The evaluator should have access to current evaluation and current IEP if applicable.

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<sup>1</sup> [Delete fn.] Boards should review with their student services/special education office whether that district is more suitable to a provision allowing evaluations to be conducted either in New Hampshire or a contiguous state and allowing evaluators to hold a license/certificate from a contiguous state. Allowing evaluations and licensure criteria in/from neighboring states enlarges the pool of qualified evaluators. This is especially relevant to districts near state borders, or in less populated areas of the state. Also under Ed 1107.04, examiner criteria and geographic limitations may not be so restrictive that the parent/guardian does not have a choice of independent evaluators.

**SPECIAL EDUCATION EVALUATIONS**

The evaluator is required to release the assessments and results, including any parent and teacher questionnaires, to members of the IEP team, and to the [Student Services Director/Director of Special Education/Building Special Education Coordinator] or their designees.

Additionally, the District shall be entitled to inspect and obtain copies of the evaluator's records, including any records created by third parties. However, for purposes of the federal Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g(a)(4)(B)(i), records will not be deemed accessible to any school district personnel other than the evaluator, unless and until the district exercises its right to inspect or obtain copies of those records from the evaluator.

Accordingly, parents/guardians must authorize a release of information to allow for the sharing of such information as well as the records indicated in paragraph B.4.

6. Student Observation: In the absence of a contrary determination by the child's IEP team, the evaluator must either: a) observe the child in one or more educational settings; or b) make at least one contact with the child's general education teacher for the purpose of determining how the student is progressing in the general curriculum. In addition, evaluators are encouraged to make additional contacts with other involved general and special education teachers and related service providers.
  7. Evaluation Compliance: The evaluation must comply with the relevant provisions of the State and Federal Special Education Laws, including, without limitation, 34 C.F.R. 300.530-300.536 and New Hampshire Dept. of Education Rules Ed 1107.
  8. Evaluation Reports: All evaluation reports will include the appropriate standardization and reporting methods as designed by the test publishers.
  9. Cost & Payment: The cost of the evaluation shall not exceed the usual and customary rate for such evaluations. [<sup>2</sup> Delete fn.] The school District will not pay for the evaluation until it receives the evaluator's report.
- c. Information To Provide to Parents. The [the Director of Special Education/Student Services Director/ ] or designee shall provide a copy of this policy to parents who indicate they are considering obtaining an IEE, and shall make available upon parent/guardian request information about where an IEE may be obtained.

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**District Policy History:**

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<sup>2</sup> [Delete fn.] A district may use a rate schedule. If choosing to do so, the policy language should indicate rates as set forth in a schedule to be maintained and updated at least annually by the Special Education/Student Services Director.



**SPECIAL EDUCATION EVALUATIONS**

*First reading:* \_\_\_\_\_

*Second reading/adopted:* \_\_\_\_\_

***District revision history:***

**Legal References:**

34 C.F.R. 300.300 - 300.502

20 U.S.C. §1232g(a)(4)(B)(i) Family Educational Rights and Privacy Act

RSA 186-C, Special Education

N.H. Dept. of Ed. Admin. Rule – Ed. 1107.03 Independent Educational Evaluations.

N.H. Dept. of Ed. Admin. Rule – Ed. 1120.07 Independent Educational Evaluations.

**Additional Resources:**

N.H. Department of Education's Procedural Safeguards Handbook

<https://www.education.nh.gov/who-we-are/division-of-learner-support/bureau-of-student-support/special-education/procedural-safeguards> (As of August, 2022)

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**NHSBA history:** New policy – August 2022

**NHSBA revision notes, August 2022,** created sample policy to provide guidance to staff, administrators, parents, and evaluators relative to requirements, procedures, and criteria for district funded special education evaluations, including independent educational evaluations. While the policy is not required, a District may not impose criteria upon IEE's that it does not apply to its own educational evaluations.

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**SPECIAL EDUCATION EVALUATIONS***Category: Recommended**Related Policies: IHBA, IHBAA & IHBAC***ADOPTION/REVISION NOTES –**

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

- (a) **SPECIAL NOTE** - *The Board/policy committee should review this policy with the District’s Special Education/Student Services Director to determine whether the criteria included in section B are suitable for the District’s own evaluations. The criteria imposed upon independent evaluations must be the same as that used by the District for evaluations it initiates.*
- (b) *General – As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption/revision to assure suitability with the district’s own specific circumstances, internal coding system, current policies, and organizational structures.*
- (c) **Highlighted language** or blank, underscored spaces indicate areas which Boards should review, change or complete to reflect local personnel titles, internal/ external policy references, duty assignments etc.
- (d) **{\*\*}** indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.
- (e) *Withdrawn & earlier versions of revised policies should be maintained separately as part of the permanent records of the District.*

**A. Statement of Policy.**

State and Federal special education laws require that the District, as the local educational agency (“LEA”), shall find, identify, and evaluate all children suspected to be children with disabilities. The District is committed to ensuring that each child’s IEP team bases its decisions on high quality, reliable, and educationally sound special education evaluations.

The availability, steps, timelines, and other procedures for requesting, initiating a referral, or conducting an educational evaluation relative to a determination of whether a child is a child with a disability, are as set forth in the *New Hampshire Department of Education Special Education Procedural Safeguards Handbook*, a current copy of which may be obtained from [the child’s building Special Education Coordinator, the District [Student Services/Special Education office \_\_\_\_\_],] or from the New Hampshire Department of Education. This policy establishes the criteria for those evaluations.

**B. Evaluation Criteria.**

To assure high quality, reliable, and educationally sound evaluations, and consistency among those evaluations, the District has established the following list of criteria for all special education evaluations the district conducts, all evaluations the District asks outside

**SPECIAL EDUCATION EVALUATIONS**

contractors to conduct, and all individual educational evaluations (“IEE”) parents expect the District to review, consider and/or fund.

1. Evaluation Criteria Waiver: Unique circumstances may justify deviation or waiver, in whole or in part, from these criteria. If a parent or district staff member is aware of such unique circumstances, they should inform the student’s special education teacher, building LEA or district special education administrator immediately. The District’s [Director of Special Education/Student Services Director/ \_\_\_\_\_] is authorized to grant a waiver.
2. Evaluator Credentials:
  - a. The evaluation must be conducted in New Hampshire, by an evaluator whose principal office is located in New Hampshire[, or in a state that is contiguous to New Hampshire], unless there is no qualified evaluator in New Hampshire[ or its contiguous states]. [<sup>1</sup> Delete fn.]
  - b. The evaluator must hold a valid license or certification from the State of New Hampshire[ See fn. 1 (delete)] in the field related to the known or suspected disability. The evaluator must have extensive training and experience in evaluation in the area(s) of concern and be able to interpret the instructional implications of evaluation results. In instances where no “applicable license or certification” exists, the District must be satisfied that the evaluator has extensive training and experience related to the known or suspected disability.
3. Test Protocol Requirement: All tests administered shall be the current version of the test. The test must be norm-referenced for the individual evaluation appropriate for the age and educational level of the child and measure the same skills, and meet the same standards of technical adequacy for reliability and validity.
4. Student Educational Record Review: The evaluator must review educational records located in the student’s local public school and other relevant educational records.
5. Communications and Shared Information Between Evaluator and District: The evaluator must be permitted to directly communicate with and is required to provide information to members of the IEP team, and to [the Director of Special Education/Student Services Director/ \_\_\_\_\_] or designees. The evaluator should have access to current evaluation and current IEP if applicable.

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<sup>1</sup> [Delete fn.] Boards should review with their student services/special education office whether that district is more suitable to a provision allowing evaluations to be conducted either in New Hampshire or a contiguous state and allowing evaluators to hold a license/certificate from a contiguous state. Allowing evaluations and licensure criteria in/from neighboring states enlarges the pool of qualified evaluators. This is especially relevant to districts near state borders, or in less populated areas of the state. Also under Ed 1107.04, examiner criteria and geographic limitations may not be so restrictive that the parent/guardian does not have a choice of independent evaluators.

**SPECIAL EDUCATION EVALUATIONS**

The evaluator is required to release the assessments and results, including any parent and teacher questionnaires, to members of the IEP team, and to the [Student Services Director/Director of Special Education/Building Special Education Coordinator] or their designees.

Additionally, the District shall be entitled to inspect and obtain copies of the evaluator's records, including any records created by third parties. However, for purposes of the federal Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g(a)(4)(B)(i), records will not be deemed accessible to any school district personnel other than the evaluator, unless and until the district exercises its right to inspect or obtain copies of those records from the evaluator.

Accordingly, parents/guardians must authorize a release of information to allow for the sharing of such information as well as the records indicated in paragraph B.4.

6. Student Observation: In the absence of a contrary determination by the child's IEP team, the evaluator must either: a) observe the child in one or more educational settings; or b) make at least one contact with the child's general education teacher for the purpose of determining how the student is progressing in the general curriculum. In addition, evaluators are encouraged to make additional contacts with other involved general and special education teachers and related service providers.
  7. Evaluation Compliance: The evaluation must comply with the relevant provisions of the State and Federal Special Education Laws, including, without limitation, 34 C.F.R. 300.530-300.536 and New Hampshire Dept. of Education Rules Ed 1107.
  8. Evaluation Reports: All evaluation reports will include the appropriate standardization and reporting methods as designed by the test publishers.
  9. Cost & Payment: The cost of the evaluation shall not exceed the usual and customary rate for such evaluations. [<sup>2</sup> Delete fn.] The school District will not pay for the evaluation until it receives the evaluator's report.
- c. Information To Provide to Parents. The [the Director of Special Education/Student Services Director/ ] or designee shall provide a copy of this policy to parents who indicate they are considering obtaining an IEE, and shall make available upon parent/guardian request information about where an IEE may be obtained.

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**District Policy History:**

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<sup>2</sup> [Delete fn.] A district may use a rate schedule. If choosing to do so, the policy language should indicate rates as set forth in a schedule to be maintained and updated at least annually by the Special Education/Student Services Director.

**SPECIAL EDUCATION EVALUATIONS**

*First reading:* \_\_\_\_\_

*Second reading/adopted:* \_\_\_\_\_

***District revision history:***

**Legal References:**

34 C.F.R. 300.300 - 300.502

20 U.S.C. §1232g(a)(4)(B)(i) Family Educational Rights and Privacy Act

RSA 186-C, Special Education

N.H. Dept. of Ed. Admin. Rule – Ed. 1107.03 Independent Educational Evaluations.

N.H. Dept. of Ed. Admin. Rule – Ed. 1120.07 Independent Educational Evaluations.

**Additional Resources:**

N.H. Department of Education's Procedural Safeguards Handbook

<https://www.education.nh.gov/who-we-are/division-of-learner-support/bureau-of-student-support/special-education/procedural-safeguards> (As of August, 2022)

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

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***When adopting this sample or variation of the same, a district should not include the NHSBA history or NHSBA policy notes appearing below. The district should, to the extent possible, include its own adoption/revision history, as well as the legal references and disclaimer as indicated above.***

**NHSBA history:** New policy – August 2022

**NHSBA revision notes, August 2022,** created sample policy to provide guidance to staff, administrators, parents, and evaluators relative to requirements, procedures, and criteria for district funded special education evaluations, including independent educational evaluations. While the policy is not required, a District may not impose criteria upon IEE's that it does not apply to its own educational evaluations.

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**DISTRICT SPECIAL EDUCATION POLICY AND PROCEDURES MANUAL***Category: Optional**Related Policies: AC, IHBAA, IHBAB & JICD***ADOPTION/REVISION NOTES –**

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

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

The School Board adopts the following procedure to ensure appropriate development and annual review and periodic amendments to the Special Education Policy and Procedures Manual (hereinafter “the Manual”). **[<sup>1</sup> delete fn.]**

- **[Development,]** Maintenance and Content of Manual. The Manual is to **[be developed {<sup>2</sup> delete fn.},]** and maintained by the Superintendent in consultation with the **[Special Education Director/Student Services Director \_\_\_\_\_]**. The Manual shall be updated annually. The Superintendent shall assure that the manual includes written procedures and other information as required under state law or N.H. Department of Education rules as the same may be amended from time to time.
1. **Superintendent Modifications.** The Superintendent or his/her designee is hereby authorized to annually review and update the District Manual without Board approval, provided that each change in the procedures will be dated and identified as a Superintendent's Addition.
  2. **Limitation on Superintendent Modifications.** Changes or additions to the Manual by the Superintendent shall be consistent with NH Department of Education changes in administrative rules. Changes or additions to the Manual which will result in additional

<sup>1</sup> **[delete fn.]** Districts may call “the manual” different names, such as the Special Education Policy and Procedures Manual. This manual, whatever the name, is required by the Individuals with Disabilities Education Improvement Act of 2004 (20 U.S.C. § 1415). Districts may choose to include how they refer to the manual in the spaces indicated within the policy.

<sup>2</sup> **[delete fn.]** If your District already has developed a manual, then this bracketed language regarding development may be removed.

**DISTRICT SPECIAL EDUCATION POLICY AND PROCEDURES MANUAL**

staffing or personnel changes, or otherwise cause an increase in required funds for special education services, should be brought forward to the Board as soon as possible.

**District Policy History:**

*First reading:* \_\_\_\_\_

*Second reading/adopted:* \_\_\_\_\_

***District revision history:*****Legal References:**

20 U.S.C. § 1400 et seq., Individuals with Disabilities Education Act

34 C.F.R. § 300 et seq., Assistance to the States for the Education of Children with Disabilities

RSA 186-C, Special Education

N.H. Code of Administrative Rules, Section Ed. 1100, Standards for the Education of Students With Disabilities (e.g., Ed 1105.01(b), Ed 1105.02 (a), Ed 1105.04, Ed 1106.01 (e), Ed 1109.06 (a), etc.

**Additional Resources:**

N.H. Department of Education's Procedural Safeguards Handbook

<https://www.education.nh.gov/who-we-are/division-of-learner-support/bureau-of-student-support/special-education/procedural-safeguards> (As of August, 2022)

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

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***When adopting this sample or variation of the same, a district should not include the NHSBA history or NHSBA policy notes appearing below. The district should, to the extent possible, include its own adoption/revision history, as well as the legal references and disclaimer as indicated above.***

**NHSBA history:** New Policy – August, 2022

**NHSBA revision notes, August 2022,** created new policy based upon member requests for a policy regarding responsibility to maintain and authority to modify the Special Education Policy and Procedures manual.

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Found at:

[https://www.hilliardschools.org/board/policy/IKFC\\_Graduation\\_Plans\\_and\\_Students\\_at\\_Risk\\_of\\_Not\\_Qualifying\\_for\\_a\\_High\\_School\\_Diploma.pdf](https://www.hilliardschools.org/board/policy/IKFC_Graduation_Plans_and_Students_at_Risk_of_Not_Qualifying_for_a_High_School_Diploma.pdf)

## GRADUATION PLANS AND STUDENTS AT RISK OF NOT QUALIFYING FOR A HIGH SCHOOL DIPLOMA

The Board desires that all students are able to earn a high school diploma. Recognizing students

may be at risk of not earning a high school diploma, the Board adopts the following policy **for at risk students**.

### Graduation Plans

Beginning with the 2023/2024 school year, the District develops a graduation plan for each **At risk** student enrolled in grades nine through 12 to address the student's academic pathway to meet the curriculum requirements specified by the District and to satisfy the applicable graduation requirements.

The plan is developed jointly by the student and a representative of the District and updated each school year in which the **at risk** student is enrolled in the District until the student qualifies for a high school diploma. The District invites the student's parent, guardian or custodian to assist in developing and updating the graduation plan. ~~Graduation plans supplement the Board-adopted career advising policy.~~

A student's individualized education plan (IEP) may be used in lieu of a graduation plan when the IEP contains academic goals substantively similar to a graduation plan.

### At-Risk Students

The Board directs the ~~Superintendent/designee~~ **Administration** to develop criteria for identifying students at risk of not qualifying for a high school diploma. This criteria at minimum includes a student's lack of academic progress. ~~on the graduation plan developed by the District in accordance with law.~~ The criteria also may include other factors such as student absences or misconduct and other factors deemed appropriate by the administration.

The Board directs the Superintendent to develop procedures for identifying at risk students. These procedures must include a method for determining if a student is not making adequate progress in ~~meeting the terms of the student's graduation plan~~ towards graduating. Procedures must allow for identification of students as at risk in any of grades nine through 12 and may include identification of students in other grades.



The District provides written notice to the parent, guardian or custodian of an at-risk student ~~in~~ **within** each year a student has been identified as at risk. This written notice includes all of the following:

1. A statement that the student is at risk of not qualifying for a high school diploma;
2. A description of the District's or school's curriculum requirements, or the student's IEP, and, as appropriate, the applicable graduation conditions of State law;
3. A description of any additional instructional or support services available to the at-risk student through the District or school. The District assists students at risk of not graduating with additional instructional or support services to help the student qualify for a high school diploma. These services may include any of the following:
  1. Mentoring programs;
  2. Tutoring programs;
  3. High school credit through demonstrations of subject area competency;
  4. Adjusted curriculum options;
  5. Career-technical programs;
  6. Mental health services;
  7. Physical health care services;
  8. Family engagement and support services.

**School Administrative Unit # 63**

192 Forest Rd Lyndeborough, NH 03082  
603-732-9227

Peter Weaver  
Superintendent of Schools

Ned Pratt  
Director of Student Support Services

Kristie LaPlante  
Business Administrator

**STUDENT HEALTH ASSESSMENT RECORD**

**Check which school student will attend**

**GRADES: PRE-K - KINDERGARTEN**

☐ **LYNDEBOROUGH CENTRAL SCHOOL**  
192 Forest Road  
Lyndeborough, NH 03082  
Phone: 603-732-9228  
FAX: 603-654-6884

**GRADES: 1 - 5**

☐ **FLORENCE RIDEOUT ELEMENTARY SCHOOL**  
18 Tremont St  
Wilton, NH 03086  
Phone: 603-732-9229  
FAX: 603-654-3490

**GRADES 6-12**

☐ **WILTON-LYNDEBOROUGH COOPERATIVE  
MIDDLE SCHOOL/HIGH SCHOOL**  
57 School Rd  
Wilton, NH 03086  
Phone: 603-732-9230  
FAX: 603-654-2104

Student Name:

\_\_\_\_\_  
Last Name      First Name      Middle  
\_\_\_\_\_  
DOB      Current Grade      ☐ Male ☐ Female      School Year: \_\_\_\_\_

Primary Care Provider: \_\_\_\_\_ Phone: \_\_\_\_\_

Specialist?: \_\_\_\_\_ Phone: \_\_\_\_\_

Family Dentist: \_\_\_\_\_ Phone: \_\_\_\_\_

Does your child have dental and health insurance? ☐ YES ☐ NO

If no, would you like information about finding coverage? ☐ YES ☐ NO

**Please check all that apply to your student**

- |  |  |  |   |
|--|--|--|---|
| <input type="checkbox"/> Asthma            | <input type="checkbox"/> EpiPen Prescribed   | <input type="checkbox"/> Fainting/Blacking Out | <input type="checkbox"/> Wears Glasses/Contacts |
| <input type="checkbox"/> Cardiac Condition | <input type="checkbox"/> Seizures            | <input type="checkbox"/> Frequent Strep Throat | <input type="checkbox"/> Wears Hearing Aids     |
| <input type="checkbox"/> Diabetes          | <input type="checkbox"/> Chronic Nose Bleeds | <input type="checkbox"/> Past Concussion(s)    |   |

☐ Allergy to: \_\_\_\_\_

☐ Daily medication taken at home? ☐ YES ☐ NO

If YES, please list name, dosage, and frequency

☐ (!)Prescription medication needed during the school day? ☐ YES ☐ NO

If YES, please list name, dosage, frequency AND contact your school's nurse asap. \_\_\_\_\_

If your child has a different health issue not listed above, please provide any needed information here:

**MEDICATION CANNOT BE ADMINISTERED, USED, OR CARRIED BY THE STUDENT WITHOUT WRITTEN CONSENT  
FROM BOTH THE PARENT/GUARDIAN AND A HEALTH CARE PROVIDER.**

Student Name:

Last Name

First Name

D/O/B

**OVER-THE-COUNTER (OTC) MEDICATIONS:** All medications given by the school nurse require written consent from a parent/guardian. Below are the OTC medications available in the Health Office. ***Please do not add medications to the list, if a medication is not listed, it is not stocked.***

Please check each medication that your child may receive.

**I give permission for my child to receive the following over-the-counter medications at school:**

☐ Advil (*Ibuprofen*)

☐ Cough Drops/Throat Lozenge

☐ Bacitracin (*Antibiotic ointment*)

☐ Insect Sting Swab

☐ Benadryl (*Diphenhydramine*)

☐ Lip Balm/Vaseline

☐ Burn Gel

☐ Tums

☐ Caladryl Lotion

☐ Tylenol (*Acetaminophen*)

***(Note: The OTC Medications listed above may not be available at each school).***

**CONSENTS: Please read and initial each statement and then sign the form**

I give consent for the above indicated medications to be given as instructed on the label. To the best of my knowledge, my child has no allergy to the selected medications. I agree to hold harmless SAU63 School District for any side effects which may occur as a result of taking the above indicated medications.

**INITIALS:** \_\_\_\_\_

I give my child's primary care provider and/or specialist permission to share information with the school nurse including but not limited to diagnosis, treatment plan, and medication administration.

**INITIALS:** \_\_\_\_\_

I give the nurse permission to inform SAU63 employees in direct contact with my child of their health issues on a need to know basis if it impacts their safety.

**INITIALS:** \_\_\_\_\_

**For each service choose Yes or No:**

Basic school based health care services including care and treatment for illness and injury **YES** **NO**

**YES - response** Will authorize such treatments including, but not limited to, major or minor injury or illness, reported or observed while the student is at school. Failure to respond will result in an indication of "NO" for healthcare treatment.

**NO - response** Will result in calls to the parent/guardian for the student to be picked up for all medical concerns. This will be for all instances where students are feeling ill, present with bodily fluids, injuries such as cuts, scrapes, bumps, or bruises. EMS will be called for any situation deemed serious.

**Hearing Screening:** **YES** **NO**

**Vision Screening:** **YES** **NO**

When necessary, emergency health services such as first aid, CPR, or use of an AED will be performed until emergency medical services arrive. I understand that a fee may be involved with any ambulance transport.

I understand that this consent will remain in effect for the current school year, or until I indicate in writing that I wish to rescind this consent for health services.

X \_\_\_\_\_  
Parent Signature Date

Professional dress in the classroom and workplace will promote a more positive learning environment, allow teachers to serve as role models for students, and promote respect for our professional staff.

The Board recognizes that "professional" work attire will vary depending on the position held by the individual. Employees should wear attire suitable for the type of work they perform. Administration retains the authority to evaluate attire. Clothing is considered professionally appropriate if it does not disrupt the educational or workplace environment. While individual style will be recognized, there are minimum standards of grooming and attire to which employees must abide. The following minimum standards, within law, apply to staff when present within the schools.

### **Minimum Standards**

- All employees shall be neat and clean when reporting to work.
- Clothing will be "business casual," while being free from frays, holes, or tears, and should not expose undergarments, buttocks, chests, or midriffs.
- Clothing and exposed body art shall be free from
  - profanity
  - obscene gestures
  - sexually graphic pictures
  - supportive references to alcohol, cigarettes, drugs or sexual activity
  - messages degrading others on the basis of race, color, religion, ancestry, national origin, gender, sexual orientation or disability
- Staff may wear themed clothing on days that are designated for school spirit or fund raising as approved by the Superintendent of Schools.
- No gang related apparel or items are permitted
- Dresses, skirts and shorts should be mid-thigh or longer
- Caps, hats, and sunglasses may be worn outside only
- Shoes or sandals must be worn
- All employees will abide by all health and safety rules relating to their specific assignment. Example: hairnets for food services workers or close-toed shoes for custodial staff

The Board recognizes that all employees enjoy full rights of citizenship and liberty as guaranteed by the Constitutions of the United States and New Hampshire. However, individual freedom of expression of employees must be balanced with the impressionability of students. Accordingly,

- Religious symbols or emblems are permissible as long as they do not proselytize or disparage religion, and

· Clothing should be free of non-neutral political messages.  
For Example "VOTE" is permissible; "VOTE FOR SMITH!" is not