

Hollis School Board
Wednesday, October 5, 2022

Hollis Primary School

6:00 PM

All Times are estimates and subject to change without notice

- 6:00 Call to Order
- 6:05 Agenda adjustments
Correspondence/Resignations/Nominations
Approval of Minutes – September, 2022
- 6:10 Public Input
- 6:40 Teacher Presentation – Flat Panel Boards
- 7:00 Principal’s Report
- Beginning of Year Presentation
- 7:50 Discussion
- SAU 41 Anti-Discrimination Plan v2022
 - Facilities Update
 - Staffing Update
- 8:20 **Deliberations**
- To see what action the Board will take regarding an update to the 2022-23 school year calendar
 - To see what action the Board will take regarding policy JLDBB: Suicide Prevention and Response, 1st reading and adopt
 - To see what action the Board will take regarding policy GBCD: Background Investigation and Criminal Records Check, 3rd reading and adopt
 - To see what action the Board will take regarding policy BEDH: Public Participation at Board Meetings, 1st reading and adopt
 - To see what action the Board will take regarding policy EBBD: Indoor Air Quality and Water Quality, 1st reading
 - To see what action the Board will take regarding policy JCA: Change of School or Assignment – Best Interests and Manifest Hardship, 1st reading
- 8:50 Non-public under RSA 91-A: 3II (a) Compensation and/or (c) reputation
- 9:20 Motion to adjourn

Hollis School District
Administrative Report
October 2022

Calendar, Events, Programs:

- HPS/HUES - October - Fire Prevention Month - Hollis Fire Department Staff give lessons to Hollis Students around a variety of fire prevention strategies.
- HPS/HUES - October 11th - Holiday - No School
- HUES - October 14th - ½ way through trimester 1 - Academic Warnings sent home for all students with a C- or below average.
- HPS/HUES - October 22nd - Halloween Fun Fair / Haunted House at HUES 4-9pm
- HPS - Parent/Teachers conferences will begin this month and will be in person.

Building & Grounds:

- HUES:
 - Sensory Hallways will be going up in the building as well as outside during the month of October
- HPS
 - As you can see our outside cladding and painting project is coming along nicely. They are currently working on the painting of the foundation.

Food Waste Update:

We have received a \$10,000 grant for the District for food waste. We have been working with Paul Karpawich to create an implementation plan. Thank you to Mrs. Happy for helping to make this a reality in our school. We have had visitors come watch lunches and help to create an ideal set up. Here is the plan going forward:

Sept 26th- 30th

1. Test run at HPS - Mrs. Happy is teaching the 3rd graders at lunch how and where to throw their waste. This is the “learning” week and will hopefully create 3rd grade mentors who can then teach the younger students how to properly dispose of their lunch waste.

Oct 3rd -7th

1. Go Live on Monday (Oct 3rd) with just starting the 3rd graders from Hollis Primary
2. Go Live in October with HUES 6th Graders
3. Make sure that the hand-off goes smoothly with Agri-Cycle to pick up the food waste
4. Weigh the food waste to get a baseline of where we are at and where we need to go.

Staffing & Students:

- HPS - We continue to keep an eye on first grade enrollment and see what can be done to support these large classes.
- HPS - Former student Jacob Medina, Eagle Scout, will be working to make the trails behind HPS ADA compliant. He will also adjust the bridge out there to be ADA compliant by making it 36' wide instead of 30". This will help to increase the usage and safety of our trails. We are excited about this collaboration so that everyone can access our beautiful trails!
- HPS - During the Month of October our focus SEL skill will be Respect. Staff will engage in an article reading and discussion around the topic and students will learn more during our All School Town meeting. Teachers will model writing “royal respects.”
- HPS - We are excited that our Kindergarten students will be heading to Kimball Farm for their Science/Social Studies Apple Unit
- HPS - We will be holding our first round of RTI meetings Mid October to review beginning of the year data and to get supports in place.
- HPS/HUES - one of our former students, along with his parent, are working on organizing the Science Fair for all Hollis and Brookline elementary students. This year’s theme is Magnetism!
- HUES - Open house was a great success - it was wonderful to have so many families participate and come into the building.

- HUES - We will once again be flex grouping our students for mathematical instruction as we head into October. Helping students understand ever increasingly difficult concepts at a pace that matches their processing and allows for solid learning is something we are striving for for each of our students.

Enrollment Snapshot for October 2022:

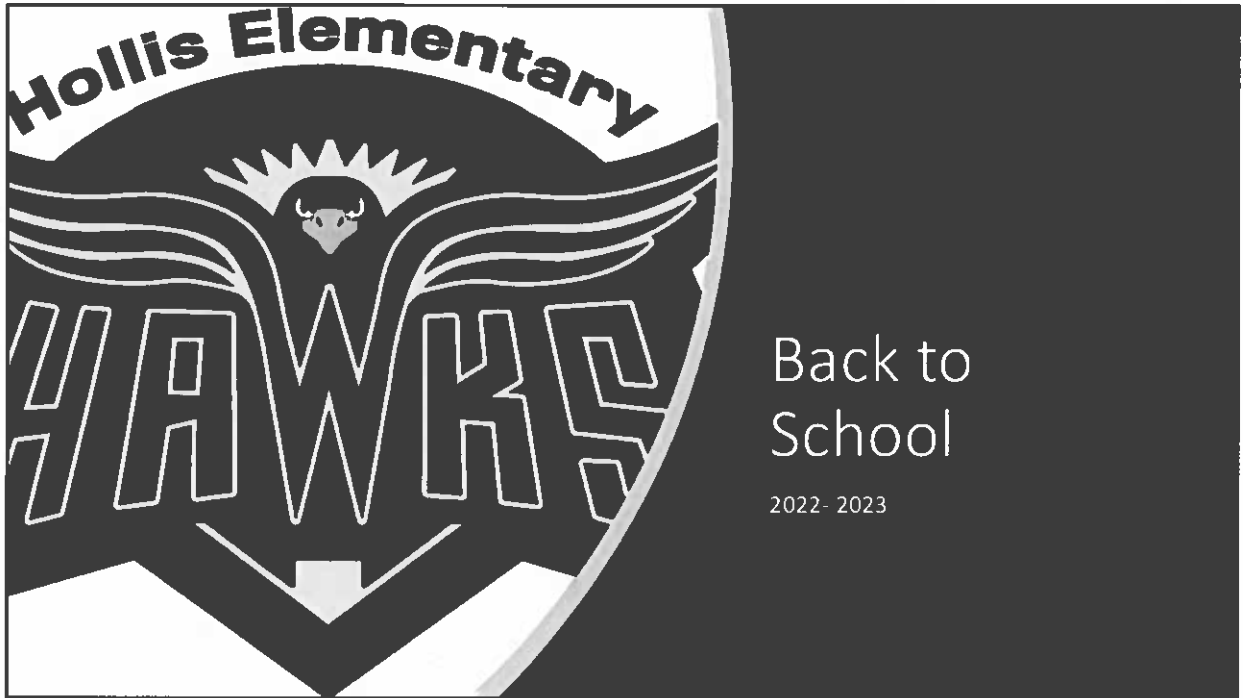
HPS		HUES	
Grade	Enrollment	Grade	Enrollment
PreK Intensive Needs	4	4	94 (+1)
PreK 3	5 (+2)	5	103
PreK 4	9 (+1)	6	92
K	89		
1	97		
2	83		
3	89		
Total Hollis School District Enrollment: 665 (+4)			

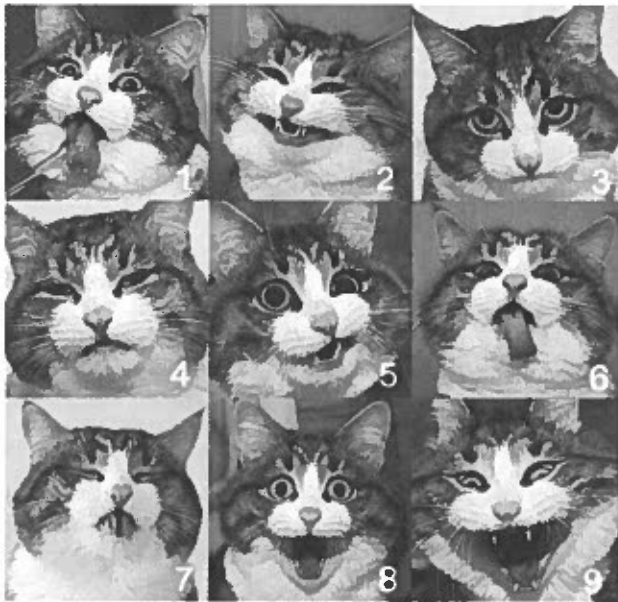
Hollis School District
 Monthly Enrollment Breakout
 October 2022

Grade	Class size Per District Policy	Number of classes	NESDEC Projections 20/21 SY	Number of students (10/1/22)	Change from last report	Actual class Enrollments
Pre – K 3 year olds		1	18	5	+2	5
Pre – K 4 year olds		1		9	+1	9
Prek Intensive Needs		1		4	0	4
<i>Drop in Speech Services Only</i>				<i>NA</i>	<i>0</i>	<i>0</i>
Kindergarten	18	5	100	89	0	17, 18, 18, 18, 18
Grade 1	18	5	75	97	0	19, 19, 19, 20, 20
Grade 2	20	5	99	83	0	16, 16, 16, 17, 18
Grade 3	20	5	88	89	0	17, 18, 18, 18, 18
HPS Totals		23 classes	380	376	+3	
Grade 4	23	5	91	94	+1	18, 18, 19, 19, 20
Grade 5	23	5	102	103	0	20, 20, 21, 21, 21
Grade 6	23	5	101	92	0	17, 18, 19, 19, 19
HUES Totals		15 classes	294	289	+1	
HSD Totals		37 classes	674	665	+4	

Enrollment History:

School Year	HPS September Starting Enrollment Numbers	HUES September Starting Enrollment Numbers
2022	373	288
2021	351	291
2020	336	283
2019	344	299
2018	344	327
2017	344	323
2016	337	319
2015	345	295
2014	352	291
2013	358	292
2012	340	294
2011	340	297





Wellness Check ~ in

On a scale of cat
Where are you?

On a scale of cat, which one are you today and why?

Introductions





New Hires - Welcome to HPS!

Kristen-Marie Madison - Richard - Intensive Needs Classroom Teacher

Catherine Beaudette - Paraprofessional

Alexandra Faulkner - Paraprofessional

Courtney Cudworth - Paraprofessional

Jennifer Rocheleau - HPS Nurse

Katie Turner - HPS Counselor

Megan Finley - Technology

Rae Lord - 3rd Grade Teacher

Casey Matthews - Kindergarten Teacher

Melanie Hume - Kindergarten Teacher

Morgan Elliot - Paraprofessional

Terri Willard - Paraprofessional



New Hires - Welcome to HUES!

Jacob Barry ~ School Psychologist

Abbey Donnelly ~ Media Specialist

Michelle Rogers ~ Spanish Teacher

Roisin McElroy ~ Gr 4 Teacher

Philippa Grey ~ Case Manager

Jessica Marois ~ Guidance Counselor

Darcie Hoey ~ Support Staff Paraprofessional



Staffing Needs

We still need 9 support staff paraprofessionals between HPS/HUES

We still need 1 custodial staff member at HUES

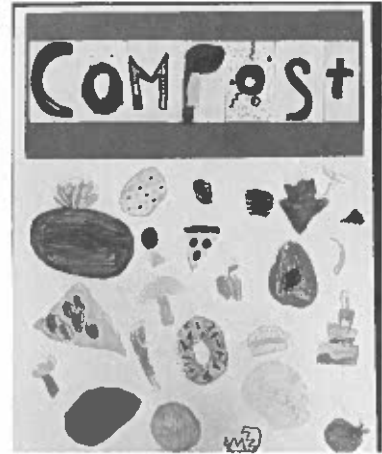


Enrollment

- New students enrolled at HPS/HUES over the summer - **135**
- 1st Grade Class Enrollment
- Preschool Enrollment
- Impact for 23/24 SY
 - Building Capacity
 - Staffing



**Food Waste
Project**



Eagle Scout Project



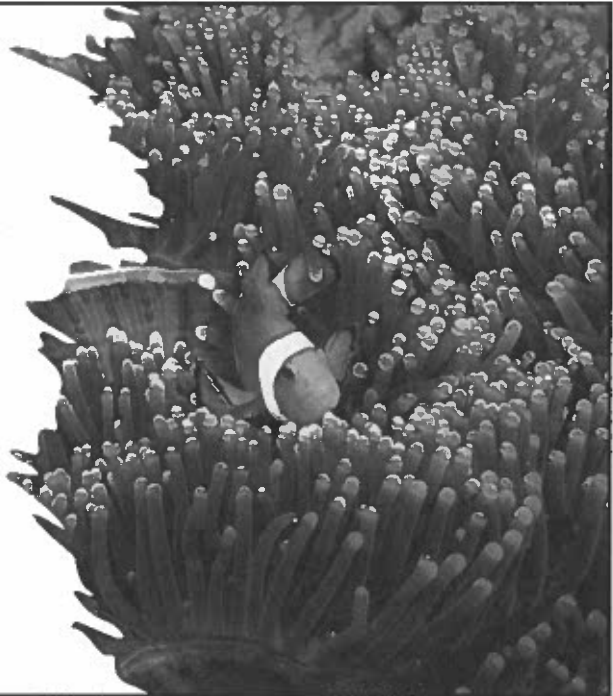
The FISH Philosophy

Choose your Attitude

PLAY

Be There

Make Their Day



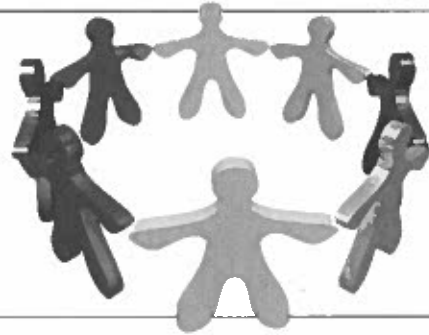
Wellness at HUES

**We,
as a collaborative community,
ensure academic growth
while
guiding social, emotional, and behavioral
learning
for all students.**



Wellness at HPS

- **Changing Perspective**
 - Relationships
 - Channeling Feelings
 - Routine vs Novelty
 - Appropriate Developmental Level
 - Role Models
 - Break Habits



Academics

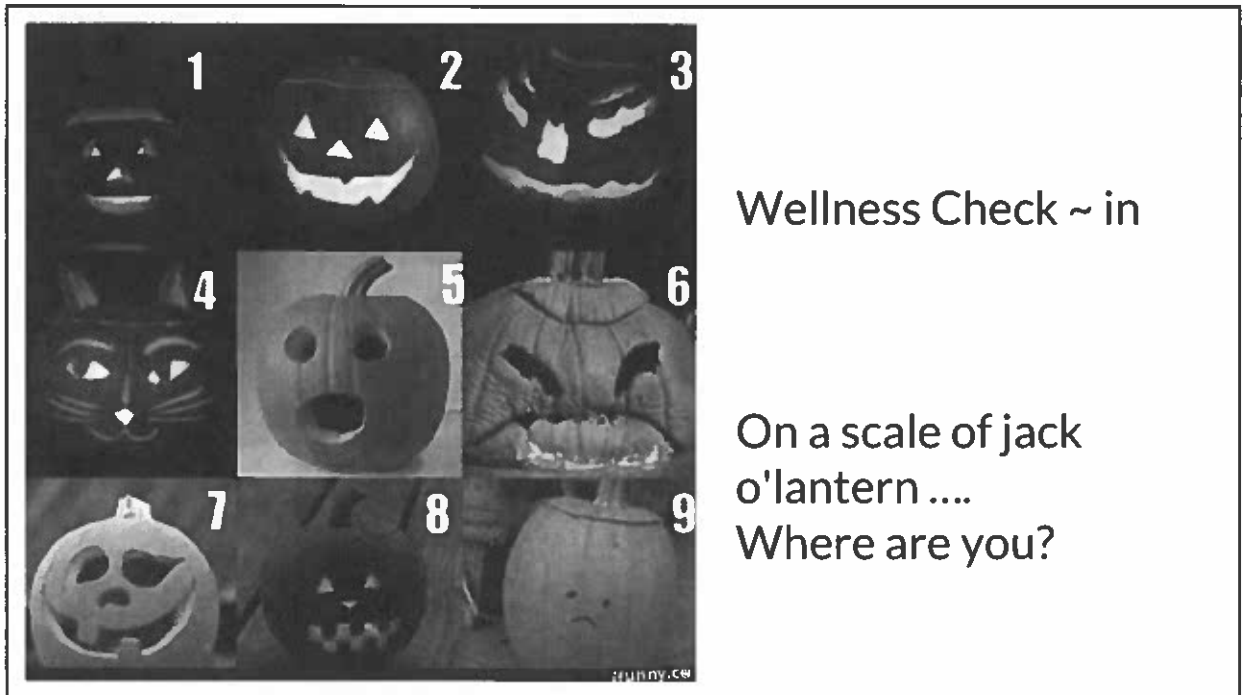
Flex Grouping

RTI Groups

Power Math

Accelerated Math

Reading Complexity



SAU41
ANTI-DISCRIMINATION PLAN
2022



Brookline, Hollis, &
Hollis Brookline Cooperative School Districts
4 Lund Lane
Hollis, NH
03049

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NOTIFICATIONS:

NOTIFICATION OF TITLE VI, TITLE XI, SECTION 504 POLICIES

Under New Hampshire law and Board policy, no person shall be excluded from, denied the benefits of, or subjected to discrimination in the District's public schools because of their age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion or national origin. Discrimination, including harassment, against any student in the District's education programs, on the basis of any of the above classes, or a student's creed, is prohibited. Finally, there shall be no denial to any person of the benefits of educational programs or activities, on the basis of any of the above classes, or economic status.

Harassment of students other than on the basis of any of the classes or categories listed above is prohibited under Board policy JICK - Pupil Safety and Violence Prevention.

EQUAL EMPLOYMENT & PROHIBITION AGAINST DISCRIMINATION IN EMPLOYMENT

The School District is an Equal Opportunity Employer. The District ensures equal employment opportunities without regard to age, color, creed, disability, gender identity, marital status, national origin, pregnancy, race, religion, sex, or sexual orientation. The District will employ individuals who meet the physical and mental requirements, and who have the education, training, and experience established as necessary for the performance of the job as specified in the pertinent job description(s).

Discrimination against and harassment of school employees because of age, sex, race, creed, religion, color, marital status, familial status, physical or mental disability, genetic information, national origin, ancestry, sexual orientation, or gender identity are prohibited. Additionally, the District will not discriminate against any employee who is a victim of domestic violence, harassment, sexual assault, or stalking

SUMMARY OF PARENT/GUARDIAN RIGHTS:

These safeguards are guaranteed to children and their families by Public Law 94-142, The Education for All Handicapped Children Act of 1975, and Section 504 of Public Law 93-122, The Vocational Rehabilitation Act of 1973.

1. Parents and Guardians must receive written notification before the school may conduct individual testing of students. The school has the right to proceed with the individual testing if no answer is received to any of the school's attempts to get permission for evaluation.
2. Parents and Guardians must receive written notification of any initiation or refusal to initiate a change in their student's educational placement.
3. Parents and Guardians have the right to present their views regarding the identification, evaluation, placement or provision of a free appropriate education to their child. This includes the right to request an educational evaluation.
4. Parents and Guardians have the opportunity to present information from an independent educational evaluation of their student.
5. Parents and Guardians have access to all relevant school records of their student.
6. Either Parents and Guardians or the school may initiate an impartial due process hearing to resolve differences that could not be resolved informally. The request is filed with the NH Department of Education. In conducting such a hearing, parents must:
 - a. receive timely and specific notice of the hearing

- b. have the right to be accompanied and advised by counsel and/or individuals with specific knowledge or training with respect to the problems of handicapped students
- c. confront, cross-examine and compel the attendance of witnesses
- d. present evidence relevant to the decision
- e. obtain a written or electronic verbatim record of the hearing, and obtain written findings of facts and decisions.
- f. The hearing will be conducted by an impartial hearing officer selected from a list provided by the Department of Education.
- g. The decision of the hearing is binding on all parties pending appeal.
- h. Either party has the right to appeal the findings and decision of the hearing through the Board of Education.
- i. During the above process the students shall remain in the original program or any other program to which both parties can agree.
- j. Students receiving special education and related services must receive a periodic re-evaluation every three years.
- k. These rights transfer to a student when he/she reaches the age of 18 unless a guardian has been appointed by the court. These rights would then be retained by a court appointed guardian.

ANNUAL NOTIFICATION REGARDING PARENTS RIGHTS OF ACCESS TO STUDENT RECORDS:

Each year, parents and students are required to be reminded of the student records and access policy JRA of the Brookline School District, Hollis School District, and Hollis Brookline Cooperative School District. Parents of students or 18-year old students who wish to review any or all of the school records pertaining to the student should contact the building school personnel, and parents may have copies of the records for the cost of copying.

PROCEDURE TO INSPECT AND REVIEW RECORDS

- Parents/guardians and eligible students wishing to inspect student records must file a written request to do so with the Principal. Such inspection shall take place during regular school hours or at reasonable times during vacation periods, but not during weekends or holidays.
- Single copies of appropriate records shall be made available in a reasonable length of time, but in no case more than 45 days after request has been made in writing to the building principals. The records may be inspected by the parents, guardians, and all students once they reach eighteen in the presence of the records manager or his/her designee.
- The school shall make a written record of the disclosure of all student information, except directory information, and such record will be kept in the student's file. This record of disclosure is also available for inspection by the parent or eligible student. A record of inspections will also be kept.
- In cases involving a third party request for records requiring consent for disclosure under law, the student over 18, parent or guardian shall sign a consent form furnished by the principal. Forms used will identify the records to which access is sought and will be placed in the student's file as a record of the request.
- Access will be refused or granted depending upon the propriety of the request and validity of the request and consent forms.
- If a request for access is refused, and the party who requested access objects to said refusal, said request will be referred to the Superintendent for a final ruling.
- The building principal shall be the custodian of all student records in their school.

PROCEDURE TO AMEND RECORDS

- The parent(s), guardian(s) of a student under 18, or a student over 18, shall have an opportunity to identify in writing, addressed to the building principal, the record or records which they believe to be inaccurate, misleading, or otherwise in violation of the privacy rights, together with a statement of the reasons for the requested amendment of the record.
- A response by the building principal shall be made within fourteen (14) days indicating whether he/she finds the record to be inaccurate, misleading or otherwise in violation of the student's privacy rights and if so how the record will be corrected or deleted. The parent or eligible student will then be given five (5) days from receipt of the principal's decision to refer the request on to the Superintendent for a hearing.
- If requested, a hearing before the Superintendent or his/her designee who does not have a direct interest in the outcome of the hearing, shall be held within a reasonable period of time, but in no case more than forty-five (45) days after receipt of such a request by the superintendent of schools. The parent(s), guardian(s) or student 18 years or older, will have the right to be represented by counsel and to present evidence in support of his/her belief that the record should be amended. A written decision will be rendered within thirty (30) days stating the disposition of the challenge to the record and the reasons for the determination. Although the hearing may be informal in nature, the processes used shall ensure fairness and impartiality. The decision made shall be final and not subject to appeal.
- If as a result of the hearing the Superintendent or his/her designee decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy rights of the student, he/she shall inform the parent or the eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the School District.

MAINTENANCE OF STUDENT RECORDS

Each principal shall be responsible for record maintenance and access within his or her building. All student records when not in use shall be kept under lock and key.

Any request to examine a student's record by a parent or legal guardian of a minor student or by a student (of legal age) shall be honored. Requests by agents, when accompanied by written authorization from the parent, legal guardian or student of legal age, shall also be honored.

The file shall contain a composite of all requests for information and all completed forms involving requests, authorizations, or permission to view and receive educational records. (Each person viewing the file shall sign and date the form provided for that purpose.)

Three (3) years after graduation or three years after the termination of the provision of educational services to the student, all but the Permanent Record Card may be destroyed. The Permanent Record Card shall contain only name, address and phone number, the pupil's record of grades, years enrolled, courses attended and grades completed. The Permanent Record Card shall be retained in perpetuity.

The contents of a pupil's Special Educational Services Record shall be destroyed within five (5) years after the information is no longer needed to provide educational services to the child. Prior to destruction of such a record or data from the cumulative record which pertains to the pupils' handicapping condition, reasonable effort shall be made to notify the parents of their right to copy of such data.

PROHIBITION OF DISCRIMINATION, HARASSMENT AND VIOLENCE:

GENERAL STATEMENT OF POLICY

Under New Hampshire law and Board policy, no person shall be excluded from, denied the benefits of, or subjected to discrimination in the District's public schools because of their age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion or national origin. Discrimination, including harassment, against any student in the District's education programs, on the basis of any of the above classes, or a student's creed, is prohibited. Finally, there shall be no denial to any person of the benefits of educational programs or activities, on the basis of any of the above classes, or economic status. The School District will act to investigate all complaints, either formal or informal, verbal or written, of harassment or discrimination and to discipline or take appropriate action against any pupil, teacher, administrator, or other school personnel who is found to have violated this policy.

Procedure for filing a written complaint are outlined within this document.

DISCRIMINATION / HARASSMENT DEFINED

Harassment generally includes, but is not limited to, physical contact or violence or verbal statements relating to an individual's race, color, religion, gender identity, sexual orientation, national origin, age, disability, or status in any group protected by federal, state or local law when the conduct:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment
2. Has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. Otherwise adversely affects an individual's employment or academic opportunities.

SEXUAL DISCRIMINATION / HARASSMENT DEFINED (See Policy GBAA / JBAA)

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

1. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment; or
2. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment; or
3. Conduct or communication that has the purpose or effect of substantially or unreasonably interfering with an individual's employment, or creating an intimidating, hostile or offensive employment environment.

Sexual discrimination / harassment may include but is not limited to:

1. Verbal harassment and/or abuse of a sexual nature;
2. Leering at an individual's body;
3. Making jokes of a sexual nature;
4. The display anywhere on school facilities of sexually suggestive, sexually demeaning or pornographic objects, pictures, writings, posters or cartoons;
5. Making graphic verbal comments about an individual's body, clothing or sexual activity;
6. Subtle pressure for sexual activity;
7. Inappropriate patting or pinching or any sexually motivated unwelcome touching;
8. Intentional brushing against an employee's body;

9. Demanding sexual favors accompanied by implied or overt threats concerning an individual's employment

Sexual violence is a physical act of aggression that includes a sexual act or sexual purpose.

RACIAL DISCRIMINATION / HARASSMENT DEFINED

Racial harassment in public schools violates Title VI of the Civil Rights Act of 1964; sexual harassment violates Title IX of the Education Amendments of 1972. Racial discrimination/harassment is present if a person is treated differently on the basis of race, color, or national origin in the context of an educational program or activity without legitimate nondiscriminatory reason so as to interfere with or limit the ability of the person to participate in or benefit from the services, activities, or privileges provided by the recipient.

Racial discrimination/harassment may include but is not limited to:

1. Harassing conduct that is physical, verbal, graphic or written;
2. Injury to persons or property or;
3. Conduct threatening injury to person or property.

REPORTING:

REPORTING PROCEDURES

Any person who believes that he or she has been discriminated against, harassed, or bullied in violation of this policy by any student, employee, or other person under the supervision and control of the school system, or any third person who knows or suspects conduct that may constitute discrimination, harassment, or bullying, should contact the District Human Rights Officer, or otherwise as provided in the policies referenced below under this same heading.

Any employee who has witnessed, or who has reliable information that another person may have been subjected to discrimination, harassment, or bullying in violation of this policy has a duty to report such conduct to his/her immediate supervisor, the District Human Rights Officer, or as provided in one of the policies or administrative procedures referenced below under this same heading. Additionally, employees who observe an incident of harassment or bullying are expected to intervene to stop the conduct in situations in which they have supervisory control over the perpetrator and it is safe to do so. If an employee knows of an incident involving discrimination, harassment, or bullying and the employee fails to report the conduct or take proper action or knowingly provides false information in regard to the incident, the employee will be subject to disciplinary action up to, and including, dismissal.

Investigations and resolution of any complaints shall be according to the policies listed below and related administrative procedures or regulations. Complaints or reports regarding matters not covered in one or the other of those policies should be made to the District Human Rights Officer.

1. Reports or complaints of Title VI or VII violations, inclusive of discriminatory practices and employment practices restricting equal opportunity for employment or relating to race, color, or national origin by employees or third party contractors, should be made to the Human Rights Officer.
2. Reports or complaints of Title IX violations, inclusive of sexual harassment or sexual violence by employees or third party contractors, should be made under Board policy GBAA;
3. Reports or complaints of Title IX violations, inclusive of sexual harassment or sexual violence by students, should be made under Board policy JBAA;
4. Reports or complaints of discrimination on the basis of disability should be made under Board policy ACE, except for complaints regarding facilities accessibility by disabled non-students or employees, which should be made under Board policy KED; and
5. Reports or complaints of bullying or other harassment of pupils should be made under Board policy JICK.

ALTERNATIVE COMPLAINT PROCEDURES AND LEGAL REMEDIES

At any time, whether or not an individual files a complaint or report under this Policy, an individual may file a complaint with the Office for Civil Rights (“OCR”), of the United States Department of Education, or with the New Hampshire Commissioner for Human Rights.

1. **Office for Civil Rights, U.S. Department of Education**, 5 Post Office Square, 8th Floor, Boston, MA 02109-3921; Telephone number: (617) 289-0111; Fax number: (617) 289-0150; Email: OCR.Boston@ed.gov

Note: Complaints to OCR must be filed in writing no later than 180 days after the alleged act(s) of discrimination. OCR may waive its 180 day time limit based on OCR policies and procedures.

2. **New Hampshire Commission for Human Rights**, 2 Industrial Park Drive, Concord, NH 03301; Telephone number: (603) 271-2767; Email: humanrights@nh.gov

Notwithstanding any other remedy, any person may contact the police or pursue a criminal prosecution under state or federal criminal law.

INVESTIGATION PROCEDURES:

The building principal or superintendent upon receipt of a report or complaint alleging discrimination and/or harassment, either verbal or written, shall immediately undertake or authorize an investigation. The investigation may be conducted by the Building Principal, District’s Human Right’s Officer, Title IX Coordinator, 504 Coordinator or by a third party designated by the Superintendent or designee.

FILING THE COMPLAINT FORM

1. The complaint shall be signed by the complainant;
2. Shall describe in detail the specific incident(s), occurrence(s), decision(s), and other factual matters believed to constitute unlawful discrimination, harassment, or retaliation;
3. Name as the respondent(s) the individual, department, committee, or other body whom the complainant believes to have engaged in prohibited behavior; and
4. Include a brief statement describing the resolution, relief, or action requested by the complainant;

Someone other than the complaining party can write the complaint if necessary.

See Appendix A for Complaint Form.

Jurisdiction under these procedures is met when:

1. The allegations of the complaint meet the definition of discrimination or harassment;
2. The complaint was timely filed; and
3. The complaint has complied with “Filing the Complaint Form” requirements as described above.
4. The complaint shall be dismissed if the Superintendent determines that the district does not have jurisdiction over the complaint.

There shall be the right for either party to request the Superintendent to reconsider decisions. There is also the right to appeal the decision of the Superintendent to the school board. The complaining party may, at any time, pursue the matter through other state agencies or through the United States Department of Education, Office for Civil Rights.

INVESTIGATION

1. The investigation, at a minimum, will consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods including retrieval and review of documents deemed pertinent by the investigator.
2. In determining whether alleged conduct constitutes a violation of this policy, the investigation should consider the surrounding circumstances, the nature of the behavior, past incidents or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
3. In addition, the principal, assistant superintendent or superintendent may take immediate steps to protect the complainant, pupils, teachers, administrators, or other school personnel pending completion of an investigation of alleged discrimination/harassment.
4. The investigation will be completed as soon as possible, but within 20 business days of the date the complaint was received by District, the superintendent will update the complainant and respondent on the progress of the investigation.
5. The investigator shall make a report to the Superintendent upon completion of the investigation.
6. If the complaint involves the Superintendent, the report may be filed directly with the School Board Chair.

INFORMAL RESOLUTION

Because of the personal and often embarrassing disclosures concomitant to making or responding to accusations of discrimination / harassment, the district strongly encourages complainants to attempt to resolve their complaint informally (in lieu of or before commencing formal proceedings).

Informal resolutions maybe attempted by taking the opportunity to utilize facilitated mediation with a neutral party (e.g. HR Department Representative) This step is not mandatory and would require the consent of both complainant and respondent.

DISCIPLINARY ACTIONS

Upon receipt of an investigation report which indicates that the complaint is valid, the Superintendent shall determine the appropriate disciplinary action if the individual(s) against whom the complaint is filed is an employee. Disciplinary action shall be appropriate to the severity of the discrimination/harassment and may include warning, referral of an employee to the Employee Assistance Program, suspension, or termination.

If a substantiated complaint is filed against a student, the building principal shall determine the appropriate disciplinary action. Parents shall be notified consistent with policies dealing with discipline and due process procedures. Disciplinary action shall be appropriate to the severity of the discrimination/harassment and may include warning, suspension, or recommendation to the superintendent for potential expulsion.

The results of the investigation and the disciplinary action taken will be reported in writing to the complainant by the principal within ten working days following the receipt of the investigation report, which validated the complaint.

In all instances involving certified staff members, a substantiated complaint will result in the Superintendent immediately notifying the Department of Education's Office of Credentialing.

RETALIATION

No reprisals or retaliation of any kind will be taken by the Board or by any District employee against the complainant or other individual on account of his or her filing a complaint or report or participating in an investigation of a complaint or report filed and decided pursuant to this policy, unless that person knew the complaint or report was false or knowingly provided false information

PREVENTION

It is important that all students and employees understand what constitutes discrimination and harassment and their right to report unwelcome behavior. Administration should educate those within their building regarding this policy annually, and should be watchful for behavior which fits the description of discrimination or harassment. Employees who witness such behavior as a third party have a responsibility to report it.

FALSE CLAIMS OF NON-DISCRIMINATION/NON-HARASSMENT:

The school district recognizes that not every advance or communication based on race, color, religion, gender identity, sexual orientation, national origin, disability, age or status in any group protected by federal or state law constitutes discrimination or harassment. Whether a particular action or incident is a personal, social relationship without a discriminatory/harassing employment or classroom learning effect requires a determination based on all the facts and surrounding totality of circumstances. False accusations of discrimination and/or harassment can have a serious detrimental effect on innocent parties and may result in disciplinary action.

EMPLOYEE ASSISTANCE PROGRAM:

For persons employed by the school system who are involved in a harassment accusation or incident of discrimination/harassment, the Brookline School District, Hollis School District, and Hollis Brookline Cooperative School District provides support from the Employee Assistance Program (EAP). The intent of this program, in this case, would be to help the employee deal with the psychological effects of being involved in the process. The District's Human Rights Office may assist employees in contacting the EAP for assistance.

RELATED BROOKLINE SCHOOL DISTRICT, HOLLIS SCHOOL DISTRICT, AND HOLLIS BROOKLINE COOPERATIVE SCHOOL DISTRICT POLICIES:

- Sexual Harassment and Sexual Violence - Students (Policy JBAA)
- Sexual Harassment and Sexual Violence – Staff (Policy GBAA)
- Nondiscrimination on the Basis of Handicap/Disability (Policy ACE)
- Nondiscrimination (Policy AC)
- Student Records and Access (Policy JRA)
- Pupil Safety and Violence Prevention – Bullying (Policy JICK)
- Public Complaints About Facilities or Services (Policy KED)

APPENDIX A – DISCRIMINATION / HARASSMENT COMPLAINT FORM

HARASSMENT, DISCRIMINATION, OR RETALIATION COMPLAINT FORM

If you have experienced or been threatened physically or sexually with assault, harm, or injury, notify 911 immediately.

Directions:

Please fill out this form if you believe you have experienced or witnessed an act of discrimination, harassment (including bullying and other behaviors that lead to a hostile work environment), or retaliation. Please see pages 3-5 for information on different types of discrimination, harassment, or retaliation.

You may submit this form electronically or by hard copy to a trusted supervisor, administrator, or the Human Resources department at the district SAU 41 office located at 4 Lund Lane, Hollis, NH 03049. If you prefer to submit a complaint verbally, you may do so by contacting any of the previously mentioned staff members. If you prefer to submit this complaint anonymously, please mail to the SAU 41 at 4 Lund Lane, Hollis, NH 03049 or send through interoffice mail to: Human Rights Officer – SAU Office.

Whether or not you file a complaint with the Brookline School District, Hollis School District, and Hollis Brookline Cooperative School District, you also have the right to file a complaint with an external agency. These include:

- **Office for Civil Rights: U.S. Department of Education;** 5 Post Office Square, 8th Floor, Boston, MA 02109-3921; Telephone - 617-289-0111; Email - OCR.Boston@ed.gov
- **Office of Civil Rights, U.S. Dept of Agriculture;** 1400 Independence Avenue, SW, Washington, D.C., 20250-9410; Telephone - 866-632-9992; Email – program.intake@usda.gov
- **N.H. Commission for Human Rights,** 2 Industrial Park Drive, Concord 0330, Telephone - 603-271-2767; Email – humanrights@nh.gov
- **N.H. Department of Justice, Civil Rights Unit;** 33 Capitol Street, Concord, NH 03301; Telephone – 603-271-1181
- **N.H. Department of Education, Commissioner of Education;** 101 Pleasant Street, Concord, NH 03301, Telephone – 603-271-3494; Email - info@doe.nh.gov

For additional information, please see: *Policy AC – Nondiscrimination*

HARASSMENT, DISCRIMINATION, OR RETALIATION COMPLAINT FORM

What type of complaint are you filing?

(Choose all that apply, please see definitions at end of form)

Discrimination (check all that apply)

- Age
- Creed
- Disability, presence or perception of
- Gender
- Gender Identity Gender identity
- Genetic information
- Marital status
- Military status
- National origin
- Pregnancy
- Race/ethnicity/color
- Religion
- Sexual orientation
- Other (please explain):

Harassment

Hostile Work Environment

Retaliation

Sexual Harassment

Other (please explain): _____

Who is this complaint against?	
Name:	
<input type="checkbox"/> SAU41 Employee	<input type="checkbox"/> Non-SAU41 Employee
School:	Affiliation:
Phone:	Phone:
Email:	Email:
Notes:	Notes:
Date(s) of incident(s):	Date(s) of incident(s):

Please include any information that you are able to and/or comfortable including.

Who is filing this complaint? <i>Leave blank if filing anonymously.</i>	
Name:	
<input type="checkbox"/> SAU41 Employee	<input type="checkbox"/> Non-SAU41 Employee
School:	Affiliation:
Phone:	Phone:
Email:	Email:
Notes:	Notes:

Please describe what happened. The more information and details you are able to provide, the more helpful it will be in our ability to follow-up. The type of information that is helpful includes: dates, times, locations, witnesses, and any details you are able to provide about the event(s), incident(s), and/or behavior(s). If you have included your name, the Office of Human Resources may follow up with you for more information.

Is there anything else you'd like the Office of Human Resources to know?

Definitions:

Discrimination: Unlawful discrimination in employment occurs when an employer takes an adverse, harmful, harassing and/or retaliatory employment action against an employee (or potential employee) based on that employee's race/ethnicity/color, creed, sex, pregnancy, age, religion, national origin, marital status, the presence or perception of a disability, veteran's status, military status, genetic information, sexual orientation, gender, or gender identity. See SAU41 Anti-Discrimination Plan document for full definitions.

Harassment: Harassment is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, (ADEA), the Americans with Disabilities Act of 1990 (ADA), and NH SB 263. Harassment is offensive conduct that may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance.

Harassment can occur in a variety of circumstances, including, but not limited to, the following:

- Asking unwelcome personal questions or other unwelcome treatment based on a person's age, creed, disability, gender expression, gender identity, genetic information, national origin, marital status, military status, pregnancy, race/ethnicity/color, religion, sex, sexual orientation/, gender identity, or veteran's status.
- Disclosing an individual's sexuality, gender identity, or gender expression against their wishes.
- The deliberate misuse of an individual's preferred name, form of address, or gender-related pronouns (except on legally mandated documentation, if the individual has not officially obtained a name change).
- Posting offensive pictures or sending offensive electronic or other communications.
- Unwelcome physical conduct.

Harassment becomes unlawful when 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a hostile, intimidating, or abusive work environment.

Bullying may be a type of harassment seen in the workplace.

Bullying: A behavior that intends to frighten, hurt, or threaten others and cause harm, humiliation, or intimidation. Bullying behavior is often repetitive. It may involve verbal harassment, verbal or non-verbal threats, physical assault, stalking, or other methods of coercion such as manipulation, blackmail, or extortion. An imbalance of power, either real or perceived, between the aggressor and the victim is often involved.

Hostile Work Environment: A hostile work environment is one that is intimidating, hostile, or offensive. Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name-calling, assumptions based on stereotypes, , physical assaults or threats, intimidation,

ridicule or mockery, insults or put-downs, offensive objects or pictures, and inappropriate interference with work performance. Harassment can occur in a variety of circumstances, including, but not limited to, the following:

- The harasser can be the victim's supervisor, a supervisor in another area, a subordinate, an agent of the employer, a co-worker, or a non-employee (such as a fellow, volunteer or intern).
- The victim does not have to be the person harassed, but can be anyone affected by the offensive conduct.
- Unlawful harassment may occur without economic injury to, or discharge of, the victim.

Protected Classes: Race/ethnicity/color, creed, sex, pregnancy, age, religion, national origin, marital status, the presence or perception of a disability, veteran's status, military status, genetic information, sexual orientation, or gender identity.

Retaliation: Retaliation occurs when employers treat applicants, employees or former employees, fellows/volunteers/interns, or people closely associated with these individuals, less favorably for

- reporting discrimination;
- participating in a discrimination investigation or lawsuit (for example, serving as a witness), or;
- opposing discrimination (for example, threatening to file a charge or complaint of discrimination).

Retaliation will not be tolerated by the SAU41. Any employees, fellows/volunteers/interns, and applicants found to have retaliated will be subject to corrective or disciplinary action that is appropriate to the circumstances, up to and including dismissal.

Sexual Harassment: Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature. Harassment does not have to be of a sexual nature, however, and can include offensive remarks about a person's sex. For example, it is illegal to harass a woman by making offensive comments about women in general. Both victim and the harasser can be either a woman or a man, and the victim and harasser can be the same sex. Although the law doesn't prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted). The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer.

Category: Priority/Required by Law

The School Board is committed to protecting the health, safety and welfare of its students and school community. This policy supports federal, state and local efforts to provide education on youth suicide awareness and prevention; to establish methods of prevention, intervention, and response to suicide or suicide attempt ("postvention"); and to promote access to suicide awareness, prevention and postvention resources.

I. District Suicide Prevention Plan and Biennial Review.

- A. The Superintendent shall develop and provide to the Board for approval, a coordinated written District Suicide Prevention Plan (the "Plan") to include guidelines, protocols and procedures with the objectives of prevention, risk assessment, intervention and response to youth suicides and suicide attempts. This coordinated plan shall conform to the components required of public schools by RSA 193-J:2.
- B. **Biennial Review:** No less than once every two years, the Superintendent, in consultation with the District Suicide Prevention Coordinator with input and evidence from community health or suicide prevention organizations, and District health and guidance personnel, shall update the District Suicide Prevention Plan, and present the same to the Board for review. Such Plan updates shall be submitted to the Board in time for appropriate budget consideration.

II. Suicide Prevention Coordinator and Liaisons.

- A. **District Suicide Prevention Coordinator.** The Superintendent shall appoint a District Suicide Prevention Coordinator, who, shall be responsible for:
 1. developing and maintaining cooperative relationships with and coordination efforts between the District and community suicide prevention programs and personnel;
 2. annual updating of (i) State and community crisis or intervention referral intervention information, and (ii) names and contact information of Building Suicide Prevention Liaisons, for inclusion in student handbooks and on the District's website;
 3. developing - or assisting individual teachers with the development - of age appropriate student educational programing, such that all students receive information in the importance of safe and healthy choices and coping strategies, recognizing risk factors and warning signs of mental disorders and suicide in oneself and others, and providing help-seeking strategies for oneself or others, including how to engage school resources and refer friends for help;
 4. developing or assisting in the development of the annual staff training required under section C of this policy;
 5. Such other duties as referenced in this Policy or as assigned by the Superintendent.
- B. **Building Suicide Prevention Liaison.** The school counselor, or, in their absence, the building administrator, shall be designated as the Building Suicide Prevention Liaison, and shall serve as the in building point-of-contact person when a student is believed to be at an elevated risk for suicide. Employees who have reason to believe a student is at risk of suicide, or is exhibiting risk factors for suicide, shall report that information to the Building Liaison, who shall, immediately or as soon as possible, establish and implement a response plan with the District Suicide Prevention Coordinator.

III. Annual Staff Training. The Superintendent shall assure all school building faculty and staff, designated volunteers, and any other personnel who have regular contact with students, including contracted personnel or third-party employees, receive at least two hours of training in suicide awareness and prevention. Such training may include such matters as youth suicide risk factors, warning signs, protective factors, intervention, response procedures, referrals, and postvention and local resources.

IV. Dissemination. Student handbooks and the District's website will be updated each year with the contact information for the Building Suicide Prevention Liaisons, State and community crisis or intervention referral intervention resources. The District Suicide Prevention Plan will be made available on the District's, and each school's respective websites.

V. Student Identification Cards. The National Suicide Prevention Lifeline shall be labeled on student identification cards for grades 6 – 12 and include the telephone number; National Suicide Prevention Lifeline 988. Prior to the start of each school year, the Superintendent shall certify that the contact information for the National Suicide Prevention Lifeline is accurate and up to date.

Legal References:

RSA 193-J: Suicide Prevention Education

District Policy History:

1st Reading: June 1, 2022
2nd Reading: August 3, 2022
3rd Reading: September 7, 2022 (as amended)
Adopted: September 7, 2022

1st Reading and Adopt: October 5, 2022

BACKGROUND INVESTIGATION AND CRIMINAL RECORDS CHECK

A. Background Investigation

The Superintendent, their designee, shall conduct a thorough investigation into the past employment history, criminal history records, and other applicable background, of any person considered for employment with the Hollis School District. This investigation shall be completed prior to making an offer of employment, approving the contract with an individual contracting directly with the District, or approving the assignment of an employee of a contractor, a student teacher, or “designated volunteer”

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 notified that he or she will not be hired.

Record of background investigations (not necessarily source documentation) shall be retained pursuant to the District’s Record Retention Schedule

B. 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.

C. “Covered Person” and “Applicant” Defined

Except as otherwise provided in this Policy, the term “**Covered Person**” shall mean employee, coaches, trainers, designated volunteer, whether direct or through a volunteer organization, including but not limited to cafeteria workers, school bus drivers, custodial personnel, or any other service where the contractor or employees of the contractor provide services directly to students of the district.

The term “**applicant**” as used in this policy shall include an applicant for employment or any person seeking to serve in any position falling with the term “covered person” as defined above.

D. Criminal Records Check

As part of the District’s background check, each covered person/applicant must submit to a State and FBI Criminal Records Check per RSA [189:13-a](#).

The Superintendent is responsible to establish all necessary internal procedures relative to the initiation and completion of the State and FBI Criminal Records Check.

No covered person shall be employed, extended a conditional offer of employment (as described below), or begin service in the District, until the Superintendent, or his/her designee, has initiated the formal State and FBI criminal history records check process and a background investigation.

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 according to that statute. The release form generally authorizes the State Police to conduct a criminal history records check through its state and records of the Federal Bureau of Investigation, and to release a report of any misdemeanors and/or felony convictions, as well as any charges pending disposition for any crimes listed in the then current paragraph V of RSA 189:13-a (“**Section V Offenses**”). Refusal to provide the required criminal history records release form (with fingerprints) and any other required releases to authorize the criminal history records check will result in immediate disqualification of the applicant and no further consideration for the position.

E. Volunteers

Volunteers may be subject to a background investigation/criminal records check, as designated in Policy IJOC, Paragraph B.

Any person for whom the Board requires a Criminal Records Checks shall pay all fees and costs associated with the fingerprinting process and/or the submission or processing of the requests for the Criminal Records Checks, unless otherwise determined by the Board.

F. Exceptions for, Substitute Teachers, Bus Drivers & Bus Monitors.

The following exceptions apply only to the State Police/FBI criminal history records check provisions of this policy. The Superintendent shall, nonetheless, require a full background investigation for the excepted employees, and for applicants for school bus drivers or monitors employed directly by the District, the background check shall include a full background check, including a state criminal record release from an applicant for a bus driver or monitor for district positions.

- 1. Substitute Teachers and Other Non-“Applicant” Educational Staff.** Pursuant to RSA 189:13-a, IX(a), substitute teachers and other staff who do not meet the definition of “applicant” above, may initiate a criminal history records check with the Superintendent as described above. The State Police, however, shall issue its report directly to the potential substitute teacher/staff person. The report shall be valid for 30 days from the date of issuance and constitutes satisfactory proof of compliance with RSA 189:13-a.
- 2. 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.

G. Results of Criminal History Records Check.

The results of the criminal history records check shall be delivered to the Superintendent or designee who shall be responsible for maintaining their confidentiality.

As used in this Section G, a “**designee**” of the Superintendent authorized to receive and inspect results of the criminal history records check, may only be an assistant superintendent, head of human resources, the personnel director, the business administrator or the finance director.

If the results of the records check disclose no criminal record, the results and information shall be destroyed immediately following review by the Superintendent or designee. If the results indicate criminal conviction or indicate any charge pending disposition of a Section V Offense, then the Superintendent or designee shall review the information for a hiring decision but shall destroy the records within 60 days of receiving the information.

Section V Offense. If the results of the record check disclose that the Applicant or Covered Person has either been convicted 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.

Non-Section V Offenses. In addition to disqualification based upon conviction or pending charges for a Section V Offense, the District may deny a final offer of employment or permit service/work in the schools based upon convictions or charges of other misdemeanors or felonies, provided the basis for disqualifying the candidate is job related for the position in question and is consistent with business necessity and the best interests of the students and the District. Such determination will be made by the Superintendent or designee in accordance with the established protocol and on a case-by-case basis. For non-Section V Offenses, which the applicant discloses, or which come to light during the background check, the presumption of innocence shall apply, however, the Superintendent or designee shall consider all reliable information in assessing the applicant's suitability. The Superintendent or designee shall assess whether, in light of the totality of the circumstances, the pending charges or convictions raise reasonable cause to doubt the applicant's suitability for the position.

If the Superintendent chooses to nominate an applicant who has a history of conviction or pending charges of a crime (non-Section V Offense), then the final hiring decision must be approved by the School Board, who shall be informed generally of that history in non-public session.

H. Conditional Employment

Persons 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 check, the State Police and FBI criminal history records check, and a determination that there are no disqualifying pending charges or convictions.

Any person 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 contract and continuation of employment is entirely conditioned upon the results of a Criminal Records Check and background check which is satisfactory to the District.

All persons employed under a conditional offer of employment may be covered under the District's health insurance program, at the sole discretion of the Board, and in accordance with Board policies and/or collective bargaining agreements, if applicable. However, any such coverage will immediately cease and will not be subject to extension under COBRA, if the Board does not tender the person a final offer of employment by reason of application of this Policy.

I. Final Offer of Employment

A person who has been extended a conditional offer of employment may be extended a final offer of employment upon the completion of a Criminal Records Check which is satisfactory to the Board.

A person may be denied a final offer of employment if he/she has been convicted of ANY felony. Such determination will be made by the Board, on a case by case basis.

No applicant shall be extended a final offer of employment or be allowed to serve 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 criminal history records check and background check.

The Superintendent, or designee, will transmit this policy to the State Police, who will then screen the criminal records check for any selected applicant for employment, or designated volunteer, and will notify the district whether the record of said selected applicant or volunteer contains any felony convictions.

When the District receives a notification of a felony conviction from the state police on a particular person which it finds unsatisfactory, the Superintendent shall dismiss said person within twenty-four hours (24) of the receipt of such report, excluding Saturdays, Sundays, or legally recognized holidays.

Additionally, a person may be denied a final offer of employment if the Superintendent becomes aware of other conduct that he/she determines would render the person unsuitable to perform the responsibilities of the position involved. Such determinations shall be made on a case-by-case basis.

J. Fees for Criminal History Records Check.

Any applicant for whom the Board requires a criminal history records check, or, in the instance of third party contractors, the applicant's employer, shall pay the actual fees and costs associated with the fingerprinting process and/or the submission or processing of the requests for the criminal history records check, unless otherwise determined by the Board.

K. Administrative Protocols/Procedures.

The Superintendent is authorized to establish written protocols for background investigations, which 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 disqualifying misdemeanor or felony convictions or charges in addition to the Section V Offenses.

L. 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 criminal history records checks as required under this policy, as well as training and information required under policy **GBCE**.

M. Additional Criminal Records Checks

The Superintendent may require a state criminal history Records Check of any employee at any time to the extent permitted by law.

N. Reports of Post-Employment/Service Section V Offenses.

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 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 make report to the Department of Education pursuant to section 510.05 of the Code and Board policy **GBEAB**.

Legal Reference:

RSA [189:13-a](#), School Employee and Volunteer Background Investigations

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

Code of Conduct for New Hampshire Educators

Reviewed and Revised: August 11, 2010

1st Reading: August 10, 2016

2nd Reading: September 7, 2016

3rd Reading: Waived

Adopted: September 7, 2016

Reviewed and Revised: June 1, 2022

2nd Reading: September 7, 2022 (as amended)

3rd Reading and Adopt: October 5, 2022

Category R See Also [KE](#), [KEB](#)

PUBLIC PARTICIPATION AT BOARD MEETINGS

The primary purpose of 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:

Rules of Order

1. The Board will provide a maximum of ~~fifteen~~ thirty minutes to hear public comments at the beginning of each regular Board meeting. This period may be extended by a majority vote of the Board. Additionally, the Board may include additional public comment period for specific agenda items with a time limit for public comment specified on the pertinent agenda.
2. Individual speakers will be allotted three 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.
3. The Chair will recognize speakers on a first come basis.
4. In order to comply with the minute requirements of RSA 91-A:2, II, speakers shall identify themselves clearly for the record.
5. Except as otherwise provided in this policy, members of the public may offer comments on agenda items or upon any other matter of public concern directly relating to the District's school policies, programs and operations. In the interest of preserving individual privacy and due process rights, the Board requests that comments (including complaints) regarding individual employees (other than the Superintendent) or individual students be directed to the Superintendent in accord with the complaint/grievance resolution processes set forth in School Board Policies [KE](#) and/or [KEB](#). Complaints regarding the Superintendent, may be made either during public comment, or directed to the School Board Chair as described in Board Policy [KEB](#).
6. Any comments which 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 threatening bodily harm, 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 or disruptions may result in the intervention of law enforcement, with the 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, questions may be directed to individual Board members, but answers must be deferred pending consideration by the full Board.

With the aim of maintaining focus on the issues in discussion, it is desired that all speakers strive to adhere to ordinary norms of decorum and civility.

Legal References:

RSA 91-A:2, Meetings Open to Public

RSA 91-A:3, Non-Public Sessions

U.S. Constitution, 1st Amendment

Revised: May 2007

Revised: July 1998, November 1999, February 2004

1st Reading: October 10, 2012

2nd Reading: December 12, 2012

3rd Reading: April 10, 2013

Adopted: April 10, 2013

1st Reading: June 5, 2019 (as amended)

2nd Reading: August 7, 2019 (as amended)

3rd Reading: September 4, 2019

Adopted: September 4, 2019

1st Reading and Adopt: October 5, 2022

Category: *Priority/Required by Law*

INDOOR AIR QUALITY & WATER QUALITY

- A. **Indoor Air Quality.** In order to ensure that all school buildings have adequate indoor air quality, the Board directs the Superintendent to address methods of minimizing or eliminating emissions from buses, cars, delivery vehicles, and other motorized vehicles. The Superintendent may delegate the implementation of these methods to building principals. The Board encourages the Superintendent to utilize methods and recommendations established by various State agencies.

In addition to addressing methods eliminating emissions, building principals or designee are directed to annually investigate air quality in their respective school buildings using a checklist provided by the New Hampshire Department of Education.

In support of this policy, the Superintendent is authorized to establish regulations and/or administrative rules necessary to implement anti-idling and clear air measures aimed at improving indoor air quality.

- B. **Water Quality and Access.** The Board directs the Superintendent/designee to take measures to limit lead exposure in school drinking water and ensure compliance with RSA 485:17-a, III, and consistent with regulations and guidance of the N.H. Departments of Environmental Services and of Education.

Water stations in school buildings shall be installed in accordance with Ed Rule 321.18(h) relative to the number of drinking fountains required.

The Superintendent/designee will make recommendations to the Board for any modifications that will require unbudgeted expenditures.

Legal References:

RSA 200:11-a, Investigation of Air Quality

RSA 200:48, Air Quality in Schools

First Review: January 21, 2011

Second and Third Review: Waived, January 21, 2011

Approval: January 21, 2011

Reviewed:

1st Reading: June 1, 2016

2nd Reading: July 18, 2016

3rd Reading: July 18, 2016 (Waived)

Adopted: July 18, 2016

1st Reading: October 5, 2022

Category P

See Also [JEC](#), [JFAB](#), [JFAA](#) & [JG](#)

CHANGE OF SCHOOL OR ASSIGNMENT POLICY- BEST INTERESTS AND MANIFEST HARDSHIP

In circumstances where the best interests of a pupil warrant a change of school or assignment, the Superintendent is authorized to re-assign a pupil from the public school to which he/she is currently assigned to another public school, or to approve a request from another superintendent to accept a transfer of a pupil from a school district that is not part of the SAU, under the following conditions:

The Superintendent's decision shall be based on the best interests of the pupil, as determined by the Superintendent. The Superintendent may develop administrative regulations concerning the factors that will be considered in making such a determination.

If the Superintendent determines that the best interests of the pupil warrant a reassignment, he/she will present the matter to the school board. The board must vote to approve the reassignment before the reassignment can occur. Upon school board approval, the Superintendent may approve reassignment of the pupil to (a) another school within the same school district, (b) another school district within the same SAU, or (c) a school district in another SAU, subject to the pupil meeting the admission requirements of such school, and subject to the agreement of the superintendent of the receiving SAU.

The Superintendent's re-assignment decision shall be in writing, and shall be final and binding.

Pupils reassigned under this policy will be counted in the average daily membership in residence of a given pupil's resident school district. Said pupil's resident district will forward any tuition payment due to the District to which the pupil was assigned.

Tuition will be charged as per policy [JFAB](#).

The cost of transportation for any pupil reassigned under this policy will be the sole responsibility of the parent/guardian.

MANIFEST EDUCATIONAL HARDSHIP CHANGE OF ASSIGNMENT

When a parent(s)/legal guardian(s) believe that an initial assignment has been made which will result in a manifest educational hardship to the pupil, said parent(s)/legal guardian(s) may seek a change of assignment in accordance with RSA [193:3 I. and II.](#), and Policy [JEC](#), Manifest Educational Hardship.

The Superintendent is charged with assigning students of the District to schools and classes consistent with Board policies and procedures. New Hampshire RSA 193:3 recognizes that there are limited instances when the class or school to which a student might be assigned under a district's ordinary assignment policies and procedures, might not be in that student's best interests, or other factors might exist under which create a manifest educational hardship upon the student such that a change (referred to in this policy as "reassignment") in the student's class or school assignment is warranted. The Board has adopted this policy consistent with RSA 193:3 and to provide procedures for parents/guardians to follow when they believe a reassignment is appropriate.

A. Best Interest Re-Assignment - Determination by Superintendent or their designee.

Consistent with RSA 193:3, I, and subject to the provisions below, the Superintendent is authorized to reassign a student residing in the District to another class within the school, to another public school or public academy in another district, or approved private school.

Authorization granted to the Superintendent to make reassignments under this policy applies only after application is made by the parent/guardian of the student or with the parent/guardian's consent, and upon a finding by the Superintendent that reassignment is in the student's best interests, after taking into consideration the student's academic, physical, personal, or social needs.

This policy, however, does not limit the Superintendent's discretion to make other in-District assignments consistent with applicable Board policies and administrative rules.

1. Procedure:

a. In order to initiate consideration of a reassignment based upon the child's best interests, the parent/guardian shall submit to the Superintendent a written request stating why and/or how the child's best interests warrant reassignment. In order to facilitate a determination, such application may also include any additional information described in 4 below. The written request should be mailed or delivered to the SAU office or emailed to the Superintendent at the email address provided on the District's website.

b. Upon such request, the Superintendent shall schedule a meeting (the "reassignment meeting") with the parent/guardian, to be held within 10 days of receiving the request.

c. Prior to or at the reassignment meeting, the parent/guardian shall make a specific request that the student be re-assigned to another class/grade within the same school, or to a public school, public academy, or approved private school in another district.

d. At the reassignment meeting, the parent/guardian may present documents, witnesses, or other relevant evidence supporting the parent's belief that reassignment is in the best interest of the student.

e. The Superintendent may present such information as he or she deems appropriate.

f. In determining whether reassignment is in the student's best interest the Superintendent shall consider the student's academic, physical, personal, or social needs.

2. Finding Reassignment Is or Is Not in Best Interest.

a. Within five school days of the reassignment meeting, the Superintendent shall deliver to the parent/guardian a written determination as to whether or not reassignment is in the child's best interest. Delivery of the written determination should be done in a manner to produce evidence of the delivery (e.g., courier, email, fax).

b. If the Superintendent finds it is in the best of the interest of the student to change the student's school or assignment, the Superintendent shall initiate:

i. A change of assignment within the student's current assigned school;

iii. The student's transfer to a public school, public academy, or approved private school in another district which can reasonably meet the student's educational needs.

c. If the Superintendent does not find that it is in the best interest of the student to change the student's school or assignment, the parent/guardian may request a hearing before the School Board to determine if the student is experiencing a manifest educational hardship as provided in Section B of this policy.

3. Tuition Determination. If a student is to be reassigned to another school district or approved school as a result of a best interest determination, the Superintendent shall work with the Superintendent or administrator of the receiving school district/approved school to establish a tuition rate for such student. Pursuant to RSA 193:3, I(g), if the Superintendent has made a finding that it is in the best interest of the student to be reassigned, then the School Board shall approve the tuition payment consistent with the Board's ordinary manifest approval procedures.

If the student is reassigned to an approved private school as a result of a best interest determination, that school may charge tuition to the parent/guardian or may enter into an agreement for payment of tuition with the school district in which the student resides. 1 The Superintendent shall consult with counsel regarding tuition obligations in such an instance.

The Superintendent shall assure that the reassignment approval is placed on the agenda for the next regularly scheduled Board meeting.

4. Transportation: Transportation for a student reassigned to a school in another district under this Section A (best interest) shall be the responsibility of the parent/guardian.

5. Tuition for Students Reassigned by Other Districts Pursuant to RSA 193:3, I. It is the general policy of the Board that the tuition amount to be charged to another district for any student reassigned by that district to a school within this District under the best interest standard of 193:3, I, shall be the lesser of the tuition charged for non-residential students under Board policy [JFAB](#) or as computed under the formula set out in RSA 193:4. The

Superintendent, however, is authorized to reduce the tuition amount below those thresholds or for other good cause shown (e.g., reciprocal assignments between the two districts).

6. Other In-District Assignments. Nothing in this policy is intended to limit authority otherwise extended to the Superintendent to make assignments or reassignments according to the policies, regulations, and ordinary practices of the District.

B. Manifest Educational Hardship - Determination by School Board and Appeal to State Board.

If, after following the procedure outlined in Section A of this policy, the Superintendent did not find that it was in the best interest of the student to reassign the student as requested by the student's parent/guardian, then the parent/guardian may request a hearing before the School Board to determine if the student is experiencing a manifest educational hardship.

1. "Manifest Educational Hardship" Defined. As provided in RSA 193:3, II (a), "manifest educational hardship" means that a student has a documented hardship in his or her current educational placement; and that such hardship has a detrimental or negative impact on the student's academic achievement or growth, physical safety, or social and emotional well-being. Such hardship must be so severe, pervasive, or persistent that it interferes with or limits the ability of the student to receive an education.

2. Procedure for Determination of Manifest Educational Hardship.

a. Within thirty (30) days after receipt of the Superintendent's written determination described that reassignment is not in a student's best interest as described in paragraph A.2.C, above, the parent/guardian requesting a manifest educational hardship hearing shall submit a written application to the Superintendent detailing the specific reasons why they believe that the current assignment constitutes a manifest educational hardship.

b. The Superintendent shall duly notify the school board that the parent/guardian has requested a manifest educational hardship hearing, upon which the school board shall schedule a hearing to be held no more than 15 days after the request has been received by the Superintendent. The Board shall provide at least two full days' notice of the hearing. The Board will conduct the hearing in non-public session, unless the parent/guardian requests the hearing be held in public session, subject to RSA 91-A:3, II(c).

c. Prior to or at such hearing, the parent/guardian shall provide to the Superintendent a specific request in writing that the student ~~[[if applicable] attend another public school, public academy, or approved private school in the District, or~~ attend a public school, public academy, or approved private school in another school district which can reasonably meet the student's educational needs. The Superintendent shall provide such a request to the School Board at the hearing. Although not required, the parent/guardian may include this request as part of the original hearing request.

d. At such hearing, the parent/guardian may present documents, witnesses, or other relevant evidence supporting their belief that the student is experiencing a manifest educational hardship. The Superintendent may present such information as he or she may deem appropriate to assist the School Board in reaching its decision. The parties (or their appointed designee) shall have the right to examine all evidence and witnesses. The formal rules of evidence shall not apply. The Superintendent will assure the means for the Board to establish an adequate record of the hearing.

e. The parent/guardian shall have the burden of establishing the presence of a manifest educational hardship by clear and convincing evidence, which means that the evidence is highly and substantially more likely to be true than untrue, and the Board must be convinced that the contention is highly probable.

f. The Board will render its decision in writing within seven (7) days after the hearing and will forward its written decision to the parent/guardian via means producing proof of delivery (e.g., courier, email, etc.). The decision will conform to the requirements of NH Dept. of Education Rule Ed 320(c)-(e).

3. Finding of Manifest Educational Hardship. If the School Board finds that the student has a manifest educational hardship, the School Board shall grant the parent's or guardian's request to reassign the student ~~[(if applicable) another public school, public academy, or approved private school in the District, or]~~ to a public school, public academy, or approved private school in another district which can reasonably meet the student's educational needs.

4. Finding that Manifest Educational Hardship Was Not Established - Appeal to the New Hampshire State Board of Education. If the School Board finds that the parent/guardian has not met their burden of proof, the parent/guardian may appeal the local Board decision to the New Hampshire State Board of Education ("SBOE"), within thirty (30) days of receipt of the Board's written decision in accordance with NH Dept. of Ed. Rule Ed 204.01(g). If a parent/guardian believes that denial of a re-assignment under this policy upon the child's disability, the parent/guardian may appeal to the SBOE or file a complaint with the N.H. Human Rights Commission under RSA 354-A:28.

5. Tuition for Students Reassigned Upon Finding of Manifest Educational Hardship. If, after a finding of a manifest educational hardship - by either the School Board or the State Board - a student of the District is assigned to attend school in another district, or a student from another district is assigned to a school in this District, the district in which the student resides shall pay tuition to the district to which the child is reassigned.

Such tuition shall be computed according to RSA 193:4. The school board of the district in which the student resides shall approve the tuition payment consistent with its ordinary manifest approval process.

6. Transportation: Transportation for a student reassigned to schools in another district under this section B (manifest educational hardship) shall be the responsibility of the District unless otherwise ordered by the SBOE.

C. Admission Requirements. Students reassigned under this Policy shall meet the admission requirements of the school to which the student is to be reassigned.

D. Statutory Reassignment Limit. The total reassignments or transfer made under this policy in any one school year will not exceed one (1) percent of the average daily membership in residence of a school district, or five (5) percent of the average daily membership in residence of any single school, whichever is greater, unless the School Board votes to exceed this limit.

E. Count of Reassigned Pupils, Tuition Payment and Rate, and Transportation. Pupils reassigned under this policy will be counted in the average daily membership in residence of a given pupil's resident school district. Said pupil's resident district will forward any tuition payment due to the District to which the pupil was assigned.

F. Notice to the Department of Education. The Superintendent of the pupil's resident SAU will notify the Department of Education within thirty (30) days of any reassignment made under this policy.

G. Special Education Placements. A placement made relative to a student's special education needs and services shall not be deemed a change of school assignment for purposes of this section.

Legal References:

Ed RSA 193:3, III, Change of School Assignment

RSA 193:14-a, Change of School Assignment; Duties of State Board of Education

N.H. Dept. of Education Administrative Rule Ed. 320 [Pending revision]

Legal Reference:

~~RSA 193:3, III, Change of School Assignment~~

~~RSA 193:3, I. and II, Manifest Educational Hardship~~

~~RSA 193:14 a, Change of School Assignment; Duties of State Board of Education~~

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