

Enfield Village School

Handbook

2026 - 2027



Mascoma Inspires!

Build the path you want to take

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VISION, MISSION, & GOALS

Mascoma Valley Regional School District Vision

Mascoma Inspires! Build the path you want to take

Mascoma Valley Regional School District Mission Statement

We are a community that values creativity, curiosity and the pursuit of excellence, cultivating our strengths and interests to inspire partnerships in the district, community and the world beyond.

Enfield Village School Vision Statement

We will cultivate a village that understands the value of an empathetic and diverse community in order to support lifelong intellectual and emotional growth.

Enfield Village School Goals

To improve students' behavioral choices by integrating *Social-Emotional Wellness* topics into the curriculum (ie. *Choose Love, Second Step, Kelso's Choice*) and by using a district-approved, objective, data collection tool to benchmark and progress monitor students' SEL. And to store, share, and analyze this data to provide direction for appropriate intervention (through *SEW, SST*, and the *SSC*).

To increase community engagement by encouraging a greater number and wider range of community members to come *into* the building, by putting a concerted effort into spending more time *out* of the building and *beyond* our property lines, and by increasing the information we share with the community through our online presence.

To increase students' reading/writing skills as measured by a district-approved, objective, data collection tool to benchmark and progress monitor early literacy. And to store, share, and analyze this data to provide direction for work with students in the classroom, at the Tier I level. And by providing continuous professional development to teachers and support staff in early literacy programming and curriculum.

ENFIELD VILLAGE SCHOOL PERSONNEL

271 Route 4, Enfield, NH 03748

Telephone: 632-4231; FAX: 632-5482

Enfield Village School Website: <https://evs.mascomaschools.org/>

Administrative Team

Jamie Winny, *Principal*
Jennie Gilbert, *Nurse*

Melanie Brown, *Administrative Assistant*
Shaina Plumley, *School Counselor*

Special Education Team

Gerard Buchko, *Special Education Coordinator*
TBD, *Speech-Language Pathologist*
Rita Boyce, *Occupational Therapist*
Katie Powell, *Physical Therapist*
Stacy Hyjek, *Special Education Teacher*
Julie McHugh-Kramer, *Special Education Teacher*
Cassandra Vigor, *Special Education Teacher*

Melanie Brown, *Special Education Clerical Aide*
Samantha Hubbard, *Teacher of the Deaf*
TBD, *COTA*
Nancy Brightman, *School Psychologist*
Hana Massecar, *Special Education Teacher*
Stephanie Bostwick, *Special Education Teacher*

Unified Arts Team

Whitney Banker, *Librarian/Media Specialist*
Jason Jarvis, *Art Teacher*

Michel White, *Physical Education Teacher*
Amy Morse, *Music Teacher*

Grade-Level Academic Teams

Preschool	Kindergarten	Grade 1	Grade 2	Grade 3	Grade 4
Tara Lenihan	Kathleen Estes	Megan Morris	Lauren Simpson	Sara Robinson	Deb Alexander
	Amy Stewart	Tammy Poirier	Amanda Jenkyn	Heather Sullivan	Hannah Greene

Academic Support Team

TBD, *Reading Specialist*

Para Professional Team

Martha Doelle, Mary-Catherine Edson, Lisa Gardner, Brianna Kendall, Jessica Maynard, Tasha Moreno, Jonathan Parker, Catelynn Plante, Vicky Schomburg-Jones, Suzanne Swanson

Facilities, Transportation, & Food Services

Matt Oliver, *Building Maintenance Supervisor*
William Crookshanks, *Day Custodian*
Garrett Wilkinson, *Night Custodians*

Sierra Bishop, *Transportation Coordinator*; 632-1199
Danielle Pushee, *Special Ed Bus Coordinator*; 632-5563
Anton Prikazchikov, *Cafe Services*, 632-4308, ext 2048

Other District Schools

CES: 523-4312 / FAX 523-8872

IRS: 632-4357 / FAX 632-4262

MHS: 632-4308 / FAX 632-5419

STUDENT EXPECTATIONS

At the Enfield Village School we have three overarching expectations of our students that apply to all aspects of our program and all times of the day:



We are
SAFE
RESPECTFUL
and
RESPONSIBLE

We are **SAFE, RESPECTFUL, and RESPONSIBLE** in the Hallway

- ☐ We stay to the right.
- ☐ We use quiet voices.
- ☐ We keep our hands down.
- ☐ We walk.

We are **SAFE, RESPECTFUL, and RESPONSIBLE** at Recess

- ☐ We swing on the swings, slide on the slide, and only climb on ladders.
- ☐ We keep our hands and feet to ourselves.
- ☐ We help each other.
- ☐ We put away equipment.

We are **SAFE, RESPECTFUL, and RESPONSIBLE** in the Bathroom

- ☐ We use quiet voices.
- ☐ We do our business and wash our hands.
- ☐ We give each other privacy.
- ☐ We go right back to class.

We are **SAFE, RESPECTFUL, and RESPONSIBLE** in the Cafeteria

- ☐ We sit in assigned seats.
- ☐ We touch our own food.
- ☐ We clean up our messes.
- ☐ We use quiet voices and kind words.

School Calendar

MASCOMA SCHOOL DISTRICT 2026 - 2027 School Calendar – Approved 2/10/26

	M	Tu	W	Th	F		M	Tu	W	Th	F
August	17/NT	18/T	19/T	20/T	21/X	February	1	2	3	4	5
4	24/X	25/X	26	27	28	15	8	9	10	11	12
	31						15	16	17	18	19
							22/X	23/X	24/X	25/X	26/X
September		1	2	3	4/X	March	1	2	3	4	5
20	7/X	8	9	10	11	22	8	9	10	11	12
	14	15	16	17	18		15	16	17	18	19
	21	22	23/ED	24	25		22	23	24	25/ED	26/X/T
	28	29	30				29	30	31		
October				1	2	April				1	2
20	5	6	7	8	9/X/T	17	5	6	7	8	9
	12/X	13	14	15	16		12	13	14/EDC	15	16
	19	20	21/ED	22	23		19/X	20/X	21/X	22/X	23/X
	26	27	28	29	30		26	27	28	29	30
November						May					
17	2	3	4	5	6	20	3	4	5	6	7
	9	10	11/X	12	13		10	11	12	13	14
	16	17	18/EDC	19	20		17	18	19/ED	20	21
	23	24	25/X	26/X	27/X		24	25	26	27	28
	30						31/X				
December		1	2	3	4	June		1	2	3	4
14	7	8	9	10	11	12	7	8	9	10	11/G
	14	15	16	17	18		14	15	16	17	18
	21/X	22/X	23/X	24/X	25/X		21	22	23	24	25
	28/X	29/X	30/X	31/X			28	29	30		
January					1/X						
19	4	5	6	7	8						
	11	12	13	14	15						
	18/X	19	20	21	22						
	25	26	27	28	29						

August 17th	New Teacher Orientation	G = Graduation: June 11, 2027 TENTATIVE DATE (depending on the number of snow days)
August 18th -20th	Teacher Work Days	
August 20th	9th Grade Orientation	
August 26th	First Day of School	
September 4th - September 7th	No School/Labor Day	ED = Early Dismissal
October 12th	No School/Columbus Day	EDC = Early Dismissal/Parent Conferences (Elementary)
November 11th	No School/Veteran's Day	X = No School
November 25th - 27th	No School/Thanksgiving	T = Teacher Work Days (No School)
December 21st - January 1st	Holiday Vacation	NT = New Teacher Orientation
January 18th	No School/MLK Civil Rights Day	S = Possible Weather Day Make-Up
February 22nd - February 26th	Winter Vacation	First Quarter Ends: Monday, November 2nd (45 days)
April 19th - April 23rd	Spring Vacation	Second Quarter Ends: Monday, January 25th (45 Days)
May 31st	No School/Memorial Day	Third Quarter Ends: Tuesday, April 6th (45 Days)
June 16th	Last Day of School (if no snow days)	Year Ends: June 16th (if no snow days) (45 days)
June 16th	Last Teacher Day (if no snow days)	

REGISTRATION INFORMATION

The Mascoma School District has an online registration process. Parents will be emailed a link to fill in the registration. If you do not have access to the internet at home, you may call the school for help. **If information changes throughout the school year, please contact our office to update the registration system.** A birth certificate, immunization record, record of physical examination, and two proofs of residency are required when registering for school. After initial registration, any changes in diagnosis, medications, etc. should be shared with the school nurse. Children will not be permitted to begin school until all of these documents are on file. Also note that only those students who are, or will become, five (5) years of age on or before September 30th of the current school year shall be admitted to kindergarten.

SCHOOL HOURS

Student Drop-off

The school day officially begins at 8:00 a.m. Students may arrive as early as 7:30 a.m. and proceed to the playground. Prior to 7:30, there is no supervision for students. **For safety and health reasons, especially in winter, students will not be permitted on the grounds prior to 7:30.** Those students who arrive after 8:10 a.m. will be marked as tardy. All tardy students are to enter through the main entrance.



Cars should enter and exit the parking lot on the “Lebanon” side of the building. If you are dropping your child off, **please pull to the end of the fire lane alongside the building, or pull up as far as you can behind the car in front of you. There should be no parking of cars alongside the building.** If your child needs assistance getting out of the car, putting on their jackets/backpacks, please park in a designated parking spot and walk them to the gate. Please follow the traffic pattern and **pull around the parking lot to the left side** after dropping off your child. **Do not complete a u-turn as that affects the safety of our students and staff.**

If you are walking your child into school, please park in a designated space. It is essential that the fire lane remain open. Parents are welcome to walk their students into school each day. We ask, however, that parents say goodbye to their children near the gate to the playground.

Student Pick-Up

The school day officially ends at 3:00 p.m. Walkers and car riders are dismissed at 3:00. Upon dismissal all car riders will exit on the “Lebanon” side, from the door nearest the playground and all walkers will exit on the “Canaan” side of the building. Students walking toward Huse Park should use the sidewalk. Walkers heading downtown (via High Street) should walk to the front of the building and cross with the crossing guard. Parents picking up children at the door must leave their car to meet their child. We will not send any student out in the line of traffic or parking area

unattended. Bus riders are dismissed at 3:05 and are to line up by bus line in the gymnasium. After School Program participants are dismissed at 3:08 and are to report directly to the gymnasium. All people authorized to pick up your child **must be listed on the Registration and/or Emergency forms**. If, for some reason, you will be sending someone new to pick up your child, please give notice **in writing to the classroom teacher and call the office (632-4231)** stating the person's full name and date of pick-up. They will be asked to show identification.

Should a problem outside of school arise causing you to fear for the safety of your child, please report the problem to the school in writing with the necessary details. Should it be a question of custody resulting from a divorce decree or court order, please provide the school with a copy of the portion of the order that establishes who has custody.

WEATHER-RELATED OR EMERGENCY SCHOOL CLOSURES

School closings, delayed openings, and weather-related emergencies are posted on the school website, announced in the local media, and communicated directly to families via an automated phone system.



Delayed Openings

The superintendent may delay the opening of school by two hours. The school day would then run from 10:00 a.m. to 3:00 p.m. Students are not to arrive at school prior to 9:30. If school is delayed, you will receive an email and/or voice message via *Communicate*, the district's alert system. Please make sure that you keep your phone numbers and email addresses up to date so that you receive these messages, should there be a delay. Please note that **AM Preschool is canceled in the event of a Delayed Opening.**

School Cancellations

The decision to close school because of inclement weather will be made by the superintendent on the basis of conditions that exist within the district. If this should occur, you will also be sent an email or voice message via *Communicate*.

ATTENDANCE

If your child will be absent, please contact the school by phone at 632-4231 prior to 8:30 a.m.

This is a district program instituted to safeguard against stolen and runaway children. We intend for the Enfield Village School to be a place where students learn and grow in a happy and safe environment. Consistent attendance is an important factor in achieving this end. Learning is

interrupted when students arrive late to school or are dismissed early. Furthermore State law requires that every person between the ages of 6 and 18 attend school.

Tardies

Students who arrive at school after 8:10 a.m. must report to the front office to obtain a tardy slip for class.

- 10 Tardies - Will result in the issuance of a form letter expressing concern about the student's pattern of late arrivals and its impact on his or her educational experience
- 20 Tardies - Will result in the issuance of a second form letter and a meeting will be scheduled between the student, a parent/guardian, school counselor, and the principal to complete an Attendance Contract.



Early Dismissal

If the need arises for you to pick up your child prior to 3:00 p.m., please notify your child's teacher AND the front office by emailing or sending a note with your child stating the date, time, the name of the individual who will pick your child up, and the reason for the early dismissal. At the time of the dismissal please report to the front office to sign out and pick up your child. Identification will be required if we do not personally know a person.

Absences

In accordance with district policy, a *half-day* absence is defined as “a student missing more than 2 hours of instructional time and less than 3.5 hours of instructional time. Any absence of more than 3.5 hours of instructional time shall be considered a *full-day* absence.” (*MVRSD Policy JH*)

Students with a temperature of 100 degrees Fahrenheit or higher should not come to school as this is considered a fever. Students should be fever free without fever-reducing medication (such as Tylenol or Motrin) for at least 24 hours before returning to school.

Excused Absences

In accordance with district policy, absence from school for any of the following reasons will be considered “excused” absences:

1. Illness
2. Recovery from an accident
3. Required court attendance
4. Medical and dental appointments
5. Death in the immediate family
6. Observation or celebration of a bona fide religious holiday
7. Such other good cause as may be acceptable to the Principal or permitted by law

Any absence that has not been excused for any of these reasons will be considered an unexcused absence.” (*MVRSD Policy JH*)

Unexcused Absences

If a student misses more than 2 hours of instructional time without communicating appropriately with the school and/or without gaining the necessary sanction from an administrator, that student’s absence will be marked as “unexcused.”

- 5 Unexcused Absences - Will result in the issuance of a form letter expressing concern about the student’s lack of attendance and its impact on his or her educational experience
- 10 Unexcused Absences - Will result in the issuance of a second form letter and a meeting will be scheduled between the student, a parent/guardian, the school counselor, and the principal to complete an Attendance Contract.

Vacations During Instructional Days (Not Scheduled Holidays)

It is expected that parents plan their family vacations during the non-school days scheduled throughout the year. With only 180 school days available in a 365-day year, it is important for students to attend and participate in all instructional days that are scheduled.

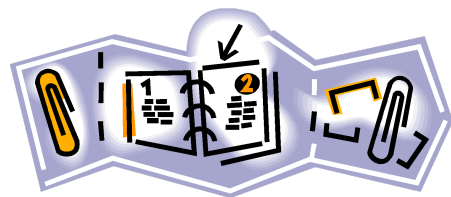
From time to time there are extenuating circumstances which make attendance and timeliness challenging for families. Please contact us if there are ways in which we can help support your child.

HOMEWORK

Teachers *may* give homework to students to aid in the student's educational development. If homework is to be used by teachers as part of a students' grade, the teacher will explain how such homework assignments relate to the teachers' grading system and communicate that to parents/guardians in writing. Homework should be an application or adaptation of a classroom experience, and will not be assigned for disciplinary purposes.

The following is an estimate of time spent on home study in addition to reading:

Grade 1	Will not exceed 25 minutes	2 nights/week
Grade 2	Will not exceed 30 minutes	3 nights/week
Grade 3	Will not exceed 40 minutes	4 nights/week
Grade 4	Will not exceed 45 minutes	4 nights/week

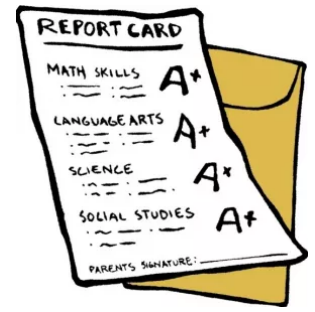


Parents play a vital role in helping each child develop important independent study habits:

- making sure the child has a workspace with good lighting
- making sure the TV is off and the child can work without disruption
- finding a regular time each night for the home study time so a routine develops
- talking regularly about home study assignments

REPORTING SYSTEM

Teachers report on a quarterly basis electronically through *Alma*. Parent conferences are offered at the end of the first and third terms. Additional conferences may be arranged to meet both parent and teacher needs.



OPEN HOUSE

Our annual Fall Open House is held on the first Thursday in the month of October. Families are invited to meet teachers, visit classrooms, and socialize.

CHAIN OF COMMUNICATION

Nearly all issues are appropriately and satisfactorily resolved in the first conversation with the staff member most directly involved in the concern. For those that are not, the chain of communication provides many ways to resolve an issue through meaningful conversation that will help to build understanding and trust.

1. **The first conversation in a “chain of communication” should be with the person most directly involved. Students and parents should communicate school-related concerns in a conversation with their child’s teacher, case manager, or School Nurse.**
2. The second conversation should be in a conference with the School Counselor or Special Education Coordinator.
3. If the concern is still not adequately resolved, a student or parent can arrange a conference with the principal.
4. Only after a student or parent has progressed from a conversation with the staff member most directly involved to the administration would it be appropriate to contact the Superintendent, and then the School Board.

Communicating with Staff Members: Teachers are accessible through phone or email. (A staff member’s email address is the first letter of their first name, followed by their last name, and “@mvrds.org”. Emily Smith’s email address would be: esmith@mvrds.org). Teachers welcome and encourage direct communication with parents; however, if a parent calls during a period in which a teacher is instructing, the call may be forwarded to a voice mailbox.

THE STUDENT SUPPORT CENTER

The SSC offers support for students who require additional behavior intervention and is a gateway to additional resources for students in crisis or need. It comprises two distinct spaces: The Proactive Side (“Break Room”) is intended for student breaks, scheduled check-ins, rewards for expected behavior, social/emotional group work, and the provision of social/emotional related services. The Reactive Side (“Time-out Room”) is a space for students to process after an incident has occurred and a space for students to serve detentions or suspensions if the behavior warrants consequence.



Accessing the Proactive Side

Breaks are *proactive* and are intended to head-off inappropriate behavior. Students taking a break have *not* yet committed a behavioral infraction. Breaks may be predetermined and scheduled as part of a behavior plan, or they may be impromptu and as needed. A student may need a break for any of the following reasons:

- student is anxious
- student is dysregulated
- student is acting out of character

Breaks may be initiated by a staff person, or they may be initiated by the student, after the student has been trained in how to ask for and take a break.

Accessing the Reactive Side

A student may be referred to the Reactive Side for a major infraction or for a minor infraction that has been addressed by the classroom teacher, properly communicated to the student’s parent/guardian, and persists despite intervention at the classroom level. A teacher must complete a “Behavior Referral Form” in order for their student to access the Reactive Side.

A student may remain on the Reactive Side for 40 minutes (the length of a regular class period). Keeping a student beyond 40 minutes requires a specific program or procedure documented in a Behavior Plan or explicit permission from the principal.



STUDENT CONDUCT

We hope that through a clear statement of acceptable behaviors and through open lines of communication with home, we can teach children that certain rules are necessary and important, that the behavior of each child must meet these standards, and that each child will be held accountable for his/her actions. Your understanding and support for these standards are essential.

Minor Infractions

- Disruption - interruption to the classroom/learning environment by crying, screaming, refusing to remove self when asked, repeated instances of calling-out
- Inappropriate Language - the use of language not appropriate for a school setting, name-calling, disrespectful words (i.e. stupid, idiot, shut up, I hate you)
- Lying - presenting false information
- Non-Compliance - refusing to follow adult directives by engaging in questioning, saying “no”, discounting, turning back on, or sitting on the floor
- Physical Contact (Benevolent) - Overly “busy” body, rough-play, pushing
- Property Misuse - tearing up assignments, throwing pencils or books
- Teasing/Mocking - making fun of or provoking another person (May be one-sided, or multiple parties)
- Threatening - a verbal or physical declaration of an intent to cause physical or emotional harm to another individual or group of individuals (i.e. raising fist, suggesting a physical act)
- Work Refusal - refusing to complete work as assigned in the time provided to complete that work, this includes vocal objection as well as quiet disobedience

Note: Repeated Minor Infractions, properly documented and adequately addressed with appropriate interventions, may be promoted to Major Infractions.

Major Infractions

- Bolting - moving away from a person or location without permission (i.e. running out of a classroom or off school grounds). Bolting is not walking towards a designated spot (like the SSC) without permission.
- Obscenity - words, phrases, conversations, gestures, acts, written language, or electronic communications that make others feel uncomfortable because they are mature or sexual in nature; unwanted touching; indecent exposure (Disciplinary action may include School Resource Officer, District Social Worker, and/or DCYF)
- Physical Aggression - any cause, or attempt to cause, physical harm to another individual (i.e. punching, kicking, biting, spitting, hair-pulling, choking, hitting with an object) ***Note: May be mutual/in retaliation** (School Resource Officer may be notified)
- Possession of Weapon - possessing imitation weapons (i.e. nerf guns), items that have been altered into a weapon (i.e. stick with nails in it), and items that should only be used by adults (i.e. lighters) (Disciplinary action may include School Resource Officer)
- Profanity - a swear or curse word
- Property Destruction - damage, attempt to damage, or action taken with a strong likelihood of damaging (i.e. throwing chair, throwing computer) school property or other’s personal property (Disciplinary action may include financial restitution)
- Theft - stealing or attempting to steal school property or other’s personal property (Additional disciplinary action may include financial restitution for damage or loss)

Response to Major Infractions

Research shows that, while progressive discipline may seem “tough,” the majority of students will rise to the expectations set for them. High behavioral expectations will result in improved school climate and culture and, in turn, will result in increased student achievement. (Felesena, Martin D. Does Your District Have A Progressive Discipline Policy? The Education Digest. Volume 79. Page 39-42. September 2013.) Please note that “**Student suspensions shall be at the sole discretion of administration, without the right of appeal to the School Board**, so long as, prior to the suspension taking effect, a student is given meaningful opportunity to respond after being notified of the reasons for the suspension” (*MVRSD Policy JBD*). The duration of time between similar offenses will be taken into consideration when deciding whether or not to take the next step in progressive discipline.

1st Offense	2nd Offense	3rd Offense	Subsequent Offenses
<u>(K-1) Action:</u> -Warning	<u>(K-1) Action:</u> -Recess Detention	<u>(K-1) Action:</u> -Lunch/Recess Detention	<u>(K-1) Action:</u> -Multiple Lunch/Recess Detentions
<u>(2,3,4) Action:</u> -Recess Detention	<u>(2,3,4) Action:</u> -Lunch/Recess Detention	<u>(2,3,4) Action:</u> -Multiple Lunch/Recess Detentions OR Suspension (½ day in-school)	<u>(2,3,4) Action:</u> -Suspension (½ day in-school OR 1-5 day(s) in-school OR 1-5 day(s) out-of-school)
<u>Interventions:</u> -Meet with Guidance, School Psych, or member of SSC -Call to parent	<u>Interventions:</u> -Meet with Guidance, School Psych, or member of SSC -Call to parent -Develop Collaborative Plan with student -Data collection on environmental antecedents and consequences OR observations	<u>Interventions:</u> -Meet with Guidance, School Psych, or member of SSC -Call to parent -Develop Collaborative Plan with student -Data collection on environmental antecedents and consequences OR observations -Referral to SEW -Targeted skills groups -Behavior Management Guidelines set in place (based on data)	<u>Interventions:</u> -Meet with Guidance, School Psych, or member of SSC -Call to parent -Meeting with parent -Targeted skills groups -Review Behavior Management Guidelines (based on data)

Minor and Major Infractions are documented through the *SWIS - School Wide Information System*. These forms are reviewed by the Building Principal each afternoon, emailed home to parents/guardians as an attachment, and placed in the student's file in the Front Office. In addition, classroom teachers may communicate directly with parents/guardians regarding the incident via phone or email. The Building Principal will communicate directly with parents/guardians in the event that the student is assigned a suspension.

BULLYING PREVENTION PROGRAM

Bullying is defined as “a single significant incident or pattern of incidents involving a written, verbal, or electronic communication, or a physical act or gesture, or any combination thereof, directed at another pupil which (a) Physically harms a pupil or damages the pupil's property; (b) Causes emotional distress to a pupil; (c) Interferes with a pupil's educational opportunities; (d) Creates a hostile educational environment; or (e) Substantially disrupts the orderly operation of the school. Bullying shall also include actions motivated by an **imbalance of power** based on a pupil's actual or perceived personal characteristics, behaviors, or beliefs, or motivated by the pupil's association with another person and based on the other person's characteristics, behaviors, or beliefs” (*MVRSD Policy JICK*). If deemed necessary, the principal will initiate a bullying investigation. If it is determined that a student has violated the District's Bullying Policy, the following actions may be taken:

1st Offense	2nd Offense	3rd Offense	Subsequent Offenses
<u>(K-4) Action:</u> 1 Day in-school suspension <u>Interventions:</u> -Referral to SEW -Referral to outside resources	<u>(K-4) Action:</u> 2 Days in-school suspension <u>Interventions:</u>	<u>(K-4) Action:</u> 3 Days in-school suspension <u>Interventions:</u>	<u>(K-4) Action:</u> 4+ Days in-school suspension <u>Interventions:</u>

JICK - PUPIL SAFETY AND VIOLENCE PREVENTION - BULLYING

Category: Priority/Required by Law

See also JBAA, JIC, JICD, IHBA

It is the policy of the Mascoma Valley Regional School District that its students have an educational setting that is safe, secure, peaceful and free from student harassment. The Mascoma Valley Regional School District will not tolerate unlawful harassment of any type and conduct that constitutes bullying, as defined herein is prohibited. Bullying in schools has historically included actions shown to be motivated by a pupil's actual or perceived race, color, religion, national origin, ancestry or ethnicity, sexual orientation, socioeconomic status, age, physical, mental, emotional, or learning disability, gender, gender identity and expression, obesity, or other distinguishing personal characteristics, or based on association with any person identified in any of the above categories.

I. Definitions (RSA 193-F:3)

1. Bullying. Bullying is hereby defined as a single significant incident or a pattern of incidents involving a written, verbal, or electronic communication, or a physical act or gesture, or any combination thereof, directed at another pupil which:

- (1) Physically harms a pupil or damages the pupil's property;
- (2) Causes emotional distress to a pupil;
- (3) Interferes with a pupil's educational opportunities;
- (4) Creates a hostile educational environment; or
- (5) Substantially disrupts the orderly operation of the school.

Bullying shall also include actions motivated by an imbalance of power based on a pupil's actual or perceived personal characteristics, behaviors, or beliefs, or motivated by the pupil's association with another person and based on the other person's characteristics, behaviors, or beliefs.

2. Cyberbullying. Cyberbullying is defined as any conduct defined as "bullying" in this policy that is undertaken through the use of electronic devices. For purposes of this policy, any references to the term bullying shall include cyberbullying.

3. Electronic devices. Electronic devices include, but are not limited to, telephones, cellular phones, computers, pagers, electronic mail, instant messaging, text messaging, and websites.

4. School property. School property means all real property and all physical plant and equipment used for school purposes, including public or private school buses or vans.

Any reference in this policy to "parent" shall include parents or legal guardians.

II. Statement Prohibiting Bullying or Cyberbullying of a Pupil (RSA 193-F:4, II(a))

The Mascoma Valley Regional School Board is committed to providing all pupils a safe and secure school environment. This policy is intended to comply with RSA 193-F. Conduct constituting bullying and/or cyberbullying will not be tolerated and is hereby prohibited.

Further, in accordance with RSA 193-F:4, the District reserves the right to address bullying and, if necessary, impose discipline for bullying that:

- (1) Occurs on, or is delivered to, school property or a school-sponsored activity or event on or off school property; or
- (2) Occurs off of school property or outside of a school-sponsored activity or event, if the conduct interferes with a pupil's educational opportunities or substantially disrupts the orderly operations of the school or school-sponsored activity or event.

The Superintendent of Schools is responsible for ensuring that this policy is implemented.

III. Statement prohibiting retaliation or false accusations (RSA 193-F:4, II(b))

False Reporting

A student found to have wrongfully and intentionally accused another of bullying may face discipline or other consequences, ranging from positive behavioral interventions up to and including suspension or expulsion.

A school employee found to have wrongfully and intentionally accused a student of bullying shall face discipline or other consequences be determined in accordance with applicable law, District policies, procedures and collective bargaining agreements.

Reprisal or Retaliation

The District will discipline and take appropriate action against any student, teacher, administrator, volunteer, or other employee who retaliates against any person who makes a good faith report of alleged bullying or against any person who testifies, assists, or participates in a proceeding or hearing relating to such bullying.

1. The consequences and appropriate remedial action for a student, teacher, school administrator or school volunteer who engages in reprisal or retaliation shall be determined by the Principal after consideration of the nature, severity and circumstances of the act, in accordance with law, Board policies and any applicable collective bargaining agreements.
2. Any student found to have engaged in reprisal or retaliation in violation of this policy shall be subject to measures up to, and including, suspension and expulsion.
3. Any teacher or school administrator found to have engaged in reprisal or retaliation in violation of this policy shall be subject to discipline up to, and including, termination of employment.
4. Any school volunteer found to have engaged in reprisal or retaliation in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds.

Process To Protect Pupils From Retaliation

If the alleged victim or any witness expresses to the Principal or other staff member that he/she believes he/she may be retaliated against, the Principal shall develop a process or plan to protect that student from possible retaliation.

Each process or plan may be developed on a case-by-case basis. Suggestions include, but are not limited to, re-arranging student class schedules to minimize their contact, stern warnings to alleged perpetrators, temporary removal of privileges, or other means necessary to protect against possible retaliation.

IV. Protection of all Pupils (RSA 193-F:4, II(c))

This policy shall apply to all pupils and school-aged persons on school district grounds and participating in school district functions, regardless of whether or not such pupil or school-aged person is a student within the District.

V. Disciplinary Consequences For Violations of This Policy (RSA 193-F:4, II(d))

The District reserves the right to impose disciplinary measures against any student who commits an act of bullying, falsely accuses another student of bullying, or who retaliates against any student or witness who provides information about an act of bullying.

In addition to imposing discipline under such circumstances, the Board encourages the administration and school district staff to seek alternatives to traditional discipline, including but not limited to early intervention measures, alternative dispute resolution, conflict resolution and other similar measures.

VI. Distribution and Notice of This Policy (RSA 193-F:4, II(e))

Staff and Volunteers

All staff will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (employee handbook, hard copy, etc.)

The Superintendent will ensure that all school employees and volunteers receive annual training on bullying and related district's policies.

Students

All students will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (student handbook, mailing, hard copy, etc.)

Students will participate in an annual education program which sets out expectations for student behavior and emphasizes an understanding of harassment, intimidation, and bullying of students, the District's prohibition of such conduct and the reasons why the conduct is destructive, unacceptable, and will lead to discipline. Students shall also be informed of the consequences of bullying conduct toward their peers.

The Superintendent, in consultation with staff, may incorporate student anti-bullying training and education into the district's curriculum, but shall not be required to do so.

Parents

All parents will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (parent handbook, mailing, etc.). Parents will be informed of the program and the means for students to report bullying acts toward them or other

students. They will also be told that to help prevent bullying at school they should encourage their children to:

1. Report bullying when it occurs;
2. Take advantage of opportunities to talk to their children about bullying;
3. Inform the school immediately if they think their child is being bullied or is bullying other students;
4. Cooperate fully with school personnel in identifying and resolving incidents.

Additional Notice and School District Programs

The Board may, from time to time, host or schedule public forums in which it will address the anti-bullying policy, discuss bullying in the schools, and consult with a variety of individuals including teachers, administrators, guidance counselors, school psychologists and other interested persons.

VII. Procedure for Reporting Bullying (RSA 193-F:4, II(f))

At each school, the Principal shall be responsible for receiving complaints of alleged violations of this policy.

Student Reporting

1. Any student who believes he or she has been the victim of bullying should report the alleged acts immediately to the Principal. If the student is more comfortable reporting the alleged act to a person other than the Principal, the student may tell any school district employee or volunteer about the alleged bullying, who shall then be responsible for reporting to the building principal.
2. Any school employee or volunteers who witnesses, receives a report of, or has knowledge or belief that bullying may have occurred shall inform the Principal as soon as possible, but no later than the end of the that school day.
3. The Principal may develop a system or method for receiving anonymous reports of bullying. Although students, parents, volunteers and visitors may report anonymously, formal disciplinary action may not be based solely on an anonymous report. Independent verification of the anonymous report shall be necessary in order for any disciplinary action to be applied.
4. The administration may develop student reporting forms to assist students and staff in filing such reports. An investigation shall still proceed even if a student is reluctant to fill out the designated form and chooses not to do so.
5. Upon receipt of a report of bullying, the Principal shall commence an investigation consistent with the provisions of Section XI of this policy.

Staff Reporting

1. An important duty of the staff is to report acts or behavior that they witness that appears to constitute bullying.
2. All district employees and volunteers shall encourage students to tell them about acts

that may constitute bullying. For young students, staff members may provide direct assistance to the student.

3. Any school employee or volunteers who witnesses, receives a report of, or has knowledge or belief that bullying may have occurred shall inform the Principal as soon as possible, but no later than the end of the that school day.

4. Upon receipt of a report of bullying, the Principal shall commence an investigation consistent with the provisions of Section XI of this policy.

VIII. Procedure for Internal Reporting Requirements (RSA 193-F:4, II(g))

In order to satisfy the reporting requirements of RSA 193-F:6, the Principal or designee shall be responsible for completing all New Hampshire Department of Education forms and reporting documents of substantiated incidents of bullying. Said forms shall be completed within 10 school days of any substantiated incident. Upon completion of such forms, the Principal or designee shall retain a copy and shall forward one copy to the Superintendent. The Superintendent shall maintain said forms in a safe and secure location.

IX. Notifying Parents of Alleged Bullying (RSA 193-F:4, II(h))

The Principal shall report to the parents of a student who has been reported as a victim of bullying and to the parents of a student who has been reported as a perpetrator of bullying within 48 hours of receiving the report. Such notification may be made by telephone, writing or personal conference. The date, time, method, and location (if applicable) of such notification and communication shall be noted in the report. All notifications shall be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

X. Waiver of Notification Requirement (RSA 193-F:4, II(i))

The Superintendent may, within a 48 hour time period, grant the Principal a waiver from the requirement that the parents of the alleged victim and the alleged perpetrator be notified of the filing of a report. A waiver may only be granted if the Superintendent deems such a waiver to be in the best interest of the victim or perpetrator. Any waiver granted shall be in writing.

XI. Investigative Procedures (RSA 193-F:4, II(j))

1. Upon receipt of a report of bullying, the Principal shall, within 5 school days, initiate an investigation into the alleged act. If the Principal is directly and personally involved with a complaint or is closely related to a party to the complaint, then the Superintendent shall direct another district employee to conduct the investigation.

2. The investigation may include documented interviews with the alleged victim, alleged perpetrator and any witnesses. All interviews shall be conducted privately, separately and shall be confidential. Each individual will be interviewed separately and at no time will the alleged victim and perpetrator be interviewed together during the investigation.

3. If the alleged bullying was in whole or in part cyberbullying, the Principal may ask students and/or parents to provide the District with printed copies of e-mails, text messages, website pages, or other similar electronic communications.

4. A maximum of 10 school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.

5. Factors the Principal or other investigator may consider during the course of the investigation, including but not limited to:

Description of incident, including the nature of the behavior;

How often the conduct occurred;

Whether there were past incidents or past continuing patterns of behavior;

The characteristics of parties involved, (name, grade, age, etc.);

The identity and number of individuals who participated in bullying behavior;

Where the alleged incident(s) occurred;

Whether the conduct adversely affected the student's education or educational environment;

Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident; and

The date, time and method in which parents or legal guardians of all parties involved were contacted.

6. The Principal shall complete the investigation within 10 school days of receiving the initial report. If the Principal needs more than 10 school days to complete the investigation, the Superintendent may grant an extension of up to 7 school days. In the event such extension is granted, the Principal shall notify in writing all parties involved of the granting of the extension.

7. Whether a particular action or incident constitutes a violation of this policy shall require a determination based on all facts and surrounding circumstances and shall include recommended remedial steps necessary to stop the bullying and a written final report to the Principal.

8. Students who are found to have violated this policy may face discipline in accordance with other applicable board policies, up to and including suspension. Students facing discipline will be afforded all due process required by law.

9. Consistent with applicable law, the District will not require or request that a student disclose or provide to the District the student's user name, password or other authenticating information to a student's personal social media account. However, the District may request to a student or a student's parent/guardian that the student voluntarily share printed copies of specific information from a student's personal social media account if such information is relevant to an ongoing District investigation.

XII. Response to Remediate Substantiated Instances of Bullying (RSA 193-F:4, II(k))

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of bullying or retaliation may range from positive behavioral interventions up to and including suspension or expulsion of students and dismissal from employment for staff members.

Consequences for a student who commits an act of bullying or retaliation shall be varied and graded according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. Remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim, and take corrective action for documented systematic problems related to bullying.

Examples of consequences may include, but are not limited to:

- Admonishment
- Temporary removal from classroom
- Deprivation of privileges
- Classroom or administrative detention
- Referral to disciplinarian
- In-school suspension
- Out-of-school suspension
- Expulsion

Examples of remedial measures may include, but are not limited to:

- Restitution
- Mediation
- Peer support group
- Corrective instruction or other relevant learning experience
- Behavior assessment
- Student counseling
- Parent conferences

In support of this policy, the Board promotes preventative educational measures to create greater awareness of aggressive behavior, including bullying. The Board encourages the Superintendent to work collaboratively with all staff members to develop responses other than traditional discipline as a way to remediate substantiated instances of bullying.

XIII. Reporting of Substantiated Incidents to the Superintendent (RSA 193-F:4, II(l))

The Principal shall forward all substantiated reports of bullying to the Superintendent upon completion of the Principal's investigation.

XIV. Communication With Parents Upon Completion of Investigation (RSA 193-F:4, II(m))

1. Within two school days of completing an investigation, the Principal will notify the students involved in person of his/her findings and the result of the investigation.
2. The Principal will notify via telephone the parents of the alleged victim and alleged

perpetrator of the results of the investigation. The Principal will also send a letter to the parents within 24 hours again notifying them of the results of the investigation.

3. If the parents request, the Principal shall schedule a meeting with them to further explain his/her findings and reasons for his/her actions.

4. In accordance with the Family Educational Rights and Privacy Act and other law concerning student privacy, the District will not disclose educational records of students including the discipline and remedial action assigned to those students and the parents of other students involved in a bullying incident.

XV. Appeals

A parent or guardian who is aggrieved by the investigative determination letter of the principal or his/her designee may appeal the determination to the Superintendent for review. The appeal shall be in writing addressed to the Superintendent, shall state the reason(s) why the appealing party is aggrieved, and the nature of the relief they seek. The Superintendent shall not be required to re-investigate the matter and shall conduct such review as he/she deems appropriate under the circumstances.

It is in the best interests of students, families and the District that these matters be promptly resolved. Therefore, any such appeal to the Superintendent shall be made within ten (10) calendar days of the parent/guardian's receipt of the investigative determination letter of the principal or his/her designee. The Superintendent shall issue his/her decision in writing.

If the parent or guardian is aggrieved by the decision of the Superintendent, they may appeal the decision to the School Board within ten (10) calendar days of the date of the parent/guardian's receipt of the Superintendent's decision. An appeal to the Superintendent shall be a prerequisite to any appeal to the School Board. The appeal to the School Board shall be in writing, addressed to School Board Chair in care of the Superintendent, shall state the reason(s) why the appealing party is aggrieved, and the nature of the relief they seek.

An aggrieved parent/guardian has the right to appeal the final decision of the local School Board to the State Board within thirty (30) calendar days of receipt of the written decision of the local School Board in accordance with RSA 541-A and State of New Hampshire Department of Education Regulations set forth in ED 200. The State Board may waive the thirty-day requirement for good cause shown, including, but not limited to, illness, accident, or death of a family member.

XVI. School Officials (RSA 193-F:4, II(n))

The Superintendent of schools is responsible for ensuring that this policy is implemented.

XVII. Capture of Audio Recordings on School Buses

Pursuant to RSA 570-A:2, notice is hereby given that the Board authorizes audio recordings to be made in conjunction with video recordings of the interior of school buses while students are being transported to and from school or school activities. The Superintendent shall ensure that there is a sign informing the occupants of school buses that such recordings are occurring.

XVIII. Use of Video or Audio Recordings in Student Discipline Matters

The District reserves the right to use audio and/or video recording devices on District property (including school buses) to ensure the health, safety and welfare of all staff, students and visitors. Placement and location of such devices will be established in accordance with the provisions of Policies EEAA, EEAE and ECAF.

In the event an audio or video recording is used as part of a student discipline proceeding, such video may become part of a student's education record. If an audio or video recording does become part of a student's education record, the provisions of Policy JRA shall apply.

The Superintendent is authorized to contact the District's attorney for a full legal opinion relative in the event of such an occurrence.

Legal References:

RSA 189:70, Educational Institution Policies on Social Media

RSA 193-F:3, Pupil Safety and Violence Prevention Act

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

NH Code of Administrative Rules, Section Ed 306.04(a)(8), Student Harassment

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.*

Adopted: 12/28/10

Reviewed/First Reading: 10/27/20; 2nd Reading/Adopted: 11/10/20

JICK-R - BULLYING REPORT FORM

Definition – Bullying is defined as a single significant incident or a pattern of incidents involving a written, verbal, or electronic communication, or a physical act or gesture, or any combination thereof, directed at another pupil which:

1. Physically harms a pupil or damages the pupil's property;
2. Causes emotional distress to a pupil;
3. Interferes with a pupil's educational opportunities;
4. Creates a hostile educational environment; or
5. Substantially disrupts the orderly operation of the school.

Bullying shall also include actions motivated by an imbalance of power based on a pupil's actual or perceived personal characteristics, behaviors, or beliefs, or motivated by the pupil's association with another person and based on the other person's characteristics, behaviors, or beliefs. Historically this has included a pupil's actual or perceived race, color, religion, national origin, ancestry or ethnicity, sexual orientation, socioeconomic status, age, physical, mental, emotional, or learning disability, gender, gender identity and expression, obesity, or other distinguishing personal characteristics.

Policy Statement – The Mascoma Valley Regional School Board is committed to providing all pupils a safe and secure school environment in which all members of the school community are treated with respect. This policy is intended to comply with RSA 193-F. Conduct constituting bullying and/or cyber bullying will not be tolerated, and is prohibited.

Further, in accordance with RSA 193-F, the Mascoma Valley Regional School District reserves the right to address bullying and, if necessary, impose discipline for bullying that:

1. Occurs on, or is delivered to, school property or a school-sponsored activity or event on or off school property; or
2. Occurs off of school property or outside of a school-sponsored activity or event, if the conduct interferes with a pupil's educational opportunities or substantially disrupts the orderly operations of the school or school-sponsored activity or event.

Disciplinary Consequences – The Mascoma Valley Regional School District reserves the right to impose disciplinary measures or appropriate measure against any student, teacher, staff member, administrator, volunteer, or school district agent who commits an act of bullying, falsely accuses another student of bullying, or who retaliates against any student or witness who provides information about an act of bullying.

Policy Reference – The full School Board Policy JICK – “Pupil Safety and Violence Prevention Bullying” can be referenced on the district website.

Reporting – I the undersigned have read the above information and am reporting an act of

bullying. Print Name: Date:

Signature:

JICK-R

Relationship to Victim – Please indicate on the appropriate line.

Self Student School Volunteer Anonymous Parent Staff Member Other

Contact Information:

Address:

Phone:

Email:

Bullying Incident – Please list all incidents. You may add additional pages as necessary.

When?	
Where?	
Who?	Alleged Victim of Bullying: _____ Alleged Perpetrator of Bullying: _____
What Happened?	
Witnesses?	Name(s): _____ Contact Information, if available: _____ _____ _____

JICK-R

How do you feel this incident adversely affected the student's education or educational environment?

Received by:

Date:

Time:

Reviewed by Board: 12/14/10

PLAYGROUND

In keeping with *Responsive Classroom*, the majority of our rules on the playground are framed in the positive. They tell students what they *should* do, as opposed to telling students what they should *not* do.

You will note an absence of rules where “natural consequences” are permissible. Natural consequences are the inadvertent outcome of a poor choice; they happen without design or adult intervention. *Logical* consequences, on the other hand, are the outcome that we, the adults, come up with for our students in response to a poor choice.

Research shows that natural consequences have a deeper and longer lasting impact on children’s growth and development than do logical consequences. (Natural consequences also have the added benefit of helping adults avoid student-resentment and unnecessary power struggles with students.) If natural consequences are permissible, and no one will be physically harmed as a result, we *don’t* want a rule. In fact, instituting such a rule might deny a student a learning opportunity, and that’s the last thing we want to do as educators.



EVS Playground Guidelines

General Rules

- Have fun
- Share
- Problem solve (use Guidance Process)
- Be Safe, Responsible, Respectful

Swings

- Remain seated or swing on stomach
- Stop swing to get off
- Keep safe distance from students on swings

Parallel Bars

- Sit upright
- Only 3 students at a time
- No flips

Slide

- Slide feet first
- Slide DOWN

Fences, Poles, or Goal posts

- No climbing
- Stay 3 feet away from fence

Climbing Wall

- Climb UP
- One at a time

Balls

- Balls over the fence or into parking lot must be retrieved by an adult
- Balls on grass, field or hoops. NO WALLS

Snow

- No throwing snow
- Keep hands to self when on snow banks
- Wear proper clothing - coat, hat, boots, gloves, snow pants

Other

- Climb on playground structure only
- Food and drink are not allowed on playground
- Be respectful of others who may not be involved in your game
- Line up at the end of recess
- Enter building quietly

TOYS FROM HOME

Children are ***not permitted*** to bring playground equipment or personal electronic devices to school. Occasionally a teacher may request that children bring in something special from home for use in a particular activity. The teacher maintains sole discretion as to when toys from home may be taken out for use or display. The teacher also reserves the right to confiscate a toy from home and return it directly to a parent or guardian, if that toy becomes a distraction to the learning environment.

TRANSPORTATION

All students, grades K-12, will be transported within the framework of the law, RSA 189-6, and school board rules on transportation.



Students must be at their bus stop on time, so that buses may keep to their schedule. If a student does not typically ride the bus, or if a student needs to take a bus other than the one he/she typically rides, please email the front office or send a note to school with your child. The note must be signed and dated by the front office staff and then given to the driver.

Riding the bus to and from school is a privilege, not a right. The bus is considered school property and therefore an extension of the school day. While in transport, students are expected to honor EVS behavioral expectations as well as any additional bus regulations. Distracting the driver or disrespecting his/her directives may impact the safety of everyone on the bus. All Bus Write-ups will be processed with students and the consequences that will be implemented will be determined by the severity of the behavior.

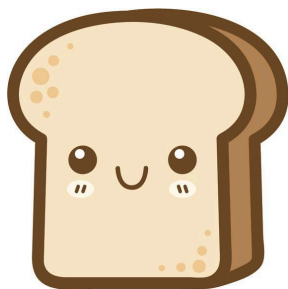
If suspended from the bus, the student's suspension would not begin until the day after parents are notified. Please note, a bus suspension is *not* a school suspension. Students are required by law to be in school and must find another way to get to school.

FIELD TRIPS

Students may go on nature walks around the school property from time to time. These do not require special permission from parents, but the school office is notified when the class leaves the building. Children may also be offered the opportunity to accompany related service providers (such as occupational, speech, or physical therapists) to other parts of the school building to join in a classmates' special activities. If you do not wish your child to take part in such adventures, please notify the classroom teacher in writing.

At the outset of each school year, a blanket permission form is sent home for "in-district field trips." The majority of the classes in the school walk to the Enfield Town Library every other week. There may be other brief excursions around town to local businesses or natural sites as well as attending some theater productions in the high school auditorium.

For all field trips on which students will travel outside the district, a separate permission form will be issued.



FOOD SERVICE

All Mascoma schools provide a hot lunch program. Students may participate in this program or bring lunch from home. Snack and lunch milk are also available. In addition, the Mascoma elementary schools provide a breakfast program.

Our school participates in a federally subsidized free and reduced-cost lunch program. We encourage all families eligible under the income guidelines to participate. Not only do the children receive a nutritious meal each day, but the school district is reimbursed for each meal, thereby offsetting the cost of the program. Additionally, eligibility for many federally funded educational programs is based on the number of free and reduced applications. Please review the guidelines sent home on the first day, and if eligible, take advantage of the reduced prices and help the school receive additional funding at the same time!



The confidential *Free/Reduced Lunch Application* can be completed electronically at www.mymealtime.com or a paper copy may be obtained from the [Food Services](#) page of the district website. We also encourage families to set up a Mealtimes account in order to fund their student's meals. You may also set up a low balance email notification.

For Mealtimes balance questions: Anton Prikazchikov 603 632-4308 ext 2048 or fooddirector@mvrdsd.org

For Free & Reduced application questions: Martha MacDonald 603 632-5563 ext 3004 or mmacdonald@mvrdsd.org

SNACK

Early childhood is a prime time for introducing and teaching healthy food habits. A snack time is scheduled for mid-morning each day. If your child has dietary restrictions due to medical or religious reasons, please notify the teacher.

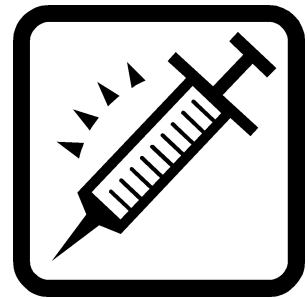
ACCIDENT & ILLNESS NOTIFICATION

In the event of a significant student accident or illness during the school day, the school nurse will contact the parents/guardians as soon as possible. When completing annual online registration,

parents are asked to provide emergency contact information for individuals who would care for their child in the event of illness, accident or injury, when they, the parent/guardian, cannot be reached. **Parents must keep this emergency contact information up to date and notify the school office immediately of any changes.** In the event of a serious emergency, it is our policy, unless specifically requested to do otherwise, to contact parents immediately, and, if necessary, activate emergency medical services.

IMMUNIZATIONS

According to NH RSA 141-c:20-a, students must have proof of all New Hampshire required immunizations, documentation of immunity, or valid exemptions, in order to be admitted or enrolled in any school in the Mascoma Valley Regional School District. Medical and Religious exemptions have specific requirements, please contact the school nurse for exemption information. Documentation of immunization **MUST** be provided before a child's first day of school attendance. Children may be conditionally enrolled when the parent/guardian provides:



1. Documentation of at least one dose of each required vaccine; AND
2. The appointment date for the next dose of required vaccine.

MEDICATION

In accordance with the *MVRSD Policy JLCD*, medication required during the school day is to be administered by the school nurse, principal, or other designee. Medication will be administered in school only after receiving and filing in the student's health record the following:

1. A written statement from the licensed prescriber detailing the method of taking the medication, dosage, and the time schedule of the medication.
2. A written authorization from the parent/guardian indicating the desire that the school assist the student in taking the prescribed medication.

All medication should be delivered to appropriate school personnel by the parent/guardian. All prescription medication must be delivered and contained in its **original pharmacy container**. The school nurse is directed to keep such medications in a locked cabinet and refrigerator. No more than a 30-day supply will be kept and maintained by the school. The school nurse will contact the parent/guardian regarding any unused medication. Such medication shall be picked up by parent/guardian within ten days after its use is discontinued. If the parent/guardian does not pick up the medication within ten days, the school nurse may dispose of the unused medication and record as such in the student's health record.

Students may possess and self-administer an epinephrine auto-injector if the student suffers from potentially life-threatening allergies. Both the student's parent/guardian and physician must authorize such self-possession and self-administration. If a student finds it necessary to use his/her auto-injector, s/he shall immediately report to the nearest supervising adult. The school nurse or building principal may maintain at least one epinephrine auto-injector, provided by the student, in the nurse's office or other suitable location. Additionally, students may possess and self-administer a metered dose inhaler or a dry powder inhaler to alleviate or prevent asthmatic symptoms, auto-injectors for severe allergic reactions, and other injectable medications necessary to treat life-threatening allergies. Both the student's parent/guardian and physician must authorize such self-possession and self administration.

Students shall not share any prescription or over-the-counter medication with another student. Students acting in violation of this prohibition will be subject to discipline consistent with applicable Board policies.

This policy shall extend to any school-sponsored activity, event, or program.



EXCLUSION OF STUDENTS FROM SCHOOL FOR ILLNESS

In accordance with *MVRSD Policy JLCG*, a student of the Mascoma Valley Regional School District may be excluded from the classroom when he/she exhibits symptoms of a contagious or communicable illness. **The school nurse is responsible for determining whether a student should be excluded from school for such an illness.** Parents will be notified if their child is excluded from school for such an illness and provided with criteria for readmission. Parents are expected to retrieve their child from school, or send a designee in their place to retrieve their child from school, within 45 minutes of receiving notification that their child is to be dismissed.

When your child is in school, we expect that he/she will participate in all school activities, including recess and physical education. Students will not be kept indoors for recess or excluded from physical education due to minor illnesses. Only under special circumstances and with the advice of a doctor in writing will a child be kept indoors at recess or be excluded from physical education.

STUDENT DRESS

Please label all clothing. This avoids confusion and lost articles. Please send in only what your child can handle on his/her own. Teacher's hands need to be available for children at transition and

dismissal times. In choosing appropriate footwear, please take your child's size and abilities into consideration, as safety and independence are high priorities. Also, please send your child in with an appropriately sized backpack every day. Frequently, there are projects, notes and newsletters to be sent home.

In keeping with *MVRSD Policy JICA*, reviewed and adopted in 2023, students:

- are *not* to wear “clothing depicting hate speech, offensive, vulgar, or racist language or pictures”
- are *not* to wear “clothing that glorifies or promotes use of alcohol, drugs or tobacco”
- are *not* to wear clothing that exposes their midsection

Any student in violation of the dress code will be required to find clothing that meets the code or will be sent home to correct the situation.

Winter Clothing

Please note that children are scheduled to be outside for recess unless the temperature and/or wind chill factor is at or below 10°F.

In winter months, students must come to school with:

- a coat
- snow pants
- boots
- gloves or mittens
- a hat or headband



Students will not be permitted to play in the snow or on the snow banks, without the above mentioned articles of clothing. Children who are missing any of the articles of clothing mentioned above will be restricted to the plowed blacktop. A separate pair of indoor footwear is also recommended in winter months.

LOST AND FOUND

It is wise to place a permanent label on all items brought to school. Labeling avoids potential confusion and lost items that are labeled are easily returned to their owner. Unidentified articles of clothing and other items left in public areas of the school will be taken to a storage rack near the entrance on the “Canaan side” of the lobby. Please note that unclaimed items do accrue as the year goes on and storage space in the building is limited. Before each school vacation that is a week or more in duration (Holiday, Winter, Spring, Summer), all items in the Lost and Found will be packed up and donated to a local charity, such as the *Listen Center*.

LIBRARY BOOKS

Students visit the Enfield Village School Library with their class once each week. They are permitted to borrow two books at a time and are permitted to bring these books home. Students and families assume responsibility for these books while they are in their care. A lost or damaged library book must be found or replaced at the family's expense before that student will be permitted to check out a second book again. The student may continue to check out one library book at a time in the interim, unless a second book is lost or damaged before restitution is made on the first.

PRESCHOOL

Who Can Attend?

The preschool program is open to children who are three on or before September 30th. (***Their attendance will start when they have turned three.***) Three-year-olds meet two days a week (Tuesday and Thursday), from 8:00 - 11:00 a.m. or 11:45 - 2:50 p.m. The preschool program is also open to children who are four on or before September 30th. Four-year-olds meet three days a week (Monday, Wednesday, and Friday), from 8:00 - 11:00 a.m. or 11:45 - 2:50 p.m. The program is an inclusive, integrated classroom. Children not living in the Mascoma Valley Regional School District will be accepted into the program after June 1st, provided there is space available.

Drop off and Pick Up

For our morning sessions, families are asked to drop off their children at the door near the office at 8:00 a.m. Preschool children are not permitted to be dropped off prior to 8:00 a.m. Please park on the “Lebanon” side of the building. Pick up at the end of the morning session takes place at 11:00. at the door by the playground.

For our afternoon sessions, families are asked to drop their children off at the door near the playground at 11:45 p.m. Pick up at the end of the day takes place promptly at 2:50 p.m. on the playground.

Early Release & Delayed Openings

Please note, if there is an early release scheduled for the district, there will be NO PM preschool session. If there is a delayed opening called due to inclement weather, there will be NO AM preschool session.

Absences

If your child is going to be absent, please call 632-4231 before 8:30 a.m. **Absences do not alter a child's tuition bill.** The space is held for your child regardless of his/her participation and expenses are not reduced. If you know in advance that your child will not be in attendance, it is greatly appreciated if a written note is sent.

Clothing

Please remember to change these out seasonally. Indoor shoes are expected during boot weather, not slippers, as they need to be able to attend specials, walk on the stairs, as well as in the event of an emergency evacuation.

Tuition

All tuition inquiries should be directed to the Administrative Assistant at EVS. Tuition payments are due on the first school day of the month. Parents will be notified if payment has not been received by the 8th of the month. If payment is not received by the 15th of the month, you may be contacted by the Superintendent's Office. Payments that are more than one month late may result in your child being withdrawn from the program. The \$30 registration fee must be paid at the time of registration.

Federal and state laws require school districts to identify and provide programs for all children with special needs starting at age three. If you think you have a child with special needs that is three or four years of age, please contact Melanie Brown, our Administrative Assistant to the Special Education Coordinator at 603 632-4231 ext 5134 or mbrown@mvrsl.org.

PARENT TEACHER ASSOCIATION

Our school has an active PTA (Parent Teacher Association). We host a variety of activities throughout the academic year to enhance the education of our children, support our teachers and administrators, and bring our wonderful community together. Periodic fundraisers support these activities and help to keep our programming free and accessible to all.

Our PTA is an inclusive organization. We do hold monthly board meetings, and officers are elected for an annual term in the spring. However, we know that many individuals have difficulty committing to monthly meetings but have a lot to offer in terms of skills and willingness to work on specific projects throughout the year. That's the strength of our organization! Please consider giving your time/talent to one or more of our projects. Specific program planning is available at the start of each school year. Reach out directly at evspta@mvrsl.org with any questions or to join our communication list.



FUNDRAISING ACTIVITIES

The school board recognizes that citizens, students, community members and organizations may wish to express support for a particular program or activity by conducting fundraising activities. Fundraising drives

involving school children require the prior approval of the school principal and school board.

VOLUNTEERING

Adults from the community are invited to become school volunteers to assist teachers and students with special class projects, to chaperone field trips, to help with holiday parties, etc. There is an application process and criminal background check in order to become a volunteer for the Mascoma schools. Instructions can be found online at <https://mascomaschools.org/> under the “Career” tab and “Volunteer Information.” Volunteer Application packets can also be picked up in the front office. A deadline for volunteer applications will be established each year and will always be prior to the district’s April Vacation.

VISITING

1. Visitors should contact the teacher to arrange a mutually convenient time to visit the classroom. Prolonged visits (strictly observational) are discouraged as they may affect the routine classroom operation. In addition, younger siblings should not accompany parents during a classroom visit.
2. Any visitor must report to the school office on the day of a classroom visit to sign in and obtain a *Visitors Badge*. The visitor's badge is to be worn where it can be seen throughout the visit.
3. Any visitor should make his/her visit as unobtrusive as possible, allowing classroom activities to continue without interruption.
4. Visitors are to sign out at the front office at the end of their visit and return their visitors badge.

APPENDIX - STUDENTS

List of Policies Included:

- I. **AB** – New Hampshire Parental Rights Bill of Rights (9/9/25)
- II. **AC** – Non-Discrimination, Equal Opportunity Employment and Anti-Discrimination Plan (2/25/25)
- III. **AC-R(2)** – Non-Discrimination, Equal Opportunity Employment and Anti-Discrimination – Annual Notice of Contact Information (2/25/25)
- IV. **ACAC** – Prohibition of Sexual Harassment: Policy and Grievance Procedures (2/25/25)
- V. **ACAC-R** – Title IX Sexual Harassment Grievance Procedures (9/22/20)
- VI. **ADC/GBED/JICG** – Prohibitions Regarding Use and Possession of Tobacco Products, E-Cigarettes and E-Liquids in and on School Facilities and Grounds (8/13/24)
- VII. **ECAF** – Audio and Video Surveillance on School Buses (2/22/22)
- VIII. **EF** - Food Service Management (1/22/19)
- IX. **EFA** – Availability and Distribution of Healthy Foods (11/1/18)
- X. **EFAA** – Meal Charging (8/27/19)
- XI. **GBEBB** – Employee-Student Relations (1/13/26)
- XII. **GBEC/ADB** – Drug-Free Workplace & Drug-Free Schools (8/13/24)
- XIII. **IGDJ** - Interscholastic and Intramural Sports (2/16/17)
- XIV. **IKE** – Promotion and Retention of Students (2/9/21)
- XV. **JH** - Attendance, Absenteeism and Truancy (12/4/18)
- XVI. **JH-R2** - MVRSD Attendance Contract (11/15/18)
- XVII. **JI** – Student Rights and Responsibilities (10/22/24)
- XVIII. **JIC** – Student Conduct (8/12/25)
- XIX. **JICA** – Student Dress Code (3/21/23)
- XX. **JICC** – Student Conduct on School Buses (2/22/22)
- XXI. **JICC-R** – School Bus Conduct Rules (12/13/22)
- XXII. **JICD** – Student Discipline & Due Process (11/12/24)
- XXIII. **JICD-R** – Safe School Zones Memorandum of Understanding (4/27/21)
- XXIV. **JICDD** – Student Discipline/Out of School Actions (11/10/20)
- XXV. **JICFA** – Hazing (2/9/21)
- XXVI. **JICH** – Drug and Alcohol Use by Students (5/28/19)
- XXVII. **JICI** - Weapons on School Property (5/12/15)
- XXVIII. **JICJ** – Unauthorized Communication Devices (9/9/25)
- XXIX. **JICK** – Bullying Prevention - Pupil Safety and Violence Prevention (1/13/26)
- XXX. **JKAA** – Use of Restraints and Seclusion (10/22/24)
- XXXI. **JLCF** - Wellness (10/28/25)
- XXXII. **JLCJ** - Concussions and Head Injuries (1/26/21)
- XXXIII. **JLDBB** – Suicide Prevention and Response (10/8/24)
- XXXIV. **JLDBB-R** – Suicide Prevention Procedures (10/21/24) – See Website
- XXXV. **JLF** – Reporting Child Abuse or Neglect (12/10/24)
- XXXVI. **JRA** – Student Records & Access - FERPA (4/22/25)

Updated: 1/21/26

AB - NEW HAMPSHIRE PARENTAL BILL OF RIGHTS

Category: Priority/Required by Law

A. New Hampshire Parental Bill of Rights

- I. All parental rights are reserved to the parents of a minor child in this state without obstruction or interference from any school. These rights include, but are not limited to, the right:
 1. To direct the upbringing and the moral or religious training.
 2. To direct the education, including the right to choose to enroll the minor child in an assigned resident public school, a public charter school, a non-public school, including a religious school, a home education program, or any other state-based education program, as authorized by law, as an alternative to public education, as set forth in RSA 193:1 and RSA 194-F:1, et seq.
 3. To request that a minor child be enrolled in a public school other than the public school assigned to them by their residence to avoid a manifest educational hardship, as set forth in RSA 193:3.
 4. To enroll his or her minor child in gifted or special education programs if the child qualifies for such programs.
 5. To inquire of the school or school personnel and promptly receive accurate, truthful, and complete disclosure regarding any and all matters related to their minor child, unless an immediate answer cannot be provided when the initial request is made, in which case, the answer shall be provided no later than 10 business days after the request.
 6. To be informed of the school's policy regarding discipline policies and procedures, as set forth in RSA 193:13.
 7. To obtain access for a minor child to public curricular courses and co-curricular programs offered by the local school district where the student resides while choosing to enroll their child in a non-public, public chartered, home education, or any other state-based education program, as set forth in RSA 193:1-c and RSA 194-F:2, II(d).
 8. To inspect any instructional material used as part of the educational curriculum within a reasonable period following a request, as set forth in 20 U.S.C. section

1232h(c)(1)(C).

9. To opt out of health or sex education and any other objectionable material, as set forth in RSA 186:11, IX-b and IX-c.
10. To be advised of and have the right to opt the minor child out of any nonacademic survey or questionnaire.
11. To opt out of any district-level data collection relating to his or her minor child not required by federal or state law.
12. To exempt their public-school minor child from participating in required statewide assessments in English, language arts, mathematics, and/or science, as set forth in RSA 193-C:6.
13. To receive information regarding the level of achievement and academic growth of their minor child in the state academic assessments in English, language arts, mathematics, and/or science, as set forth in the Every Student Succeeds Act, 20 U.S.C. section 1112 (e)(1)(B)(i).
14. To receive a school report card and be informed of his or her minor child's attendance requirements and compliance with such requirements.
15. To access and review all education records relating to their minor child within 10 business days after the day the school receives a request for access, as set forth in RSA 189:66, IV and 34 C.F.R. 99.5.
16. To consent in writing before the state or any of its political subdivisions, including, without limitation, any school pursuant also to the provisions of RSA 189:68, III-V, makes a video or voice recording, unless such recording is made during or as part of a court proceeding or part of a forensic interview in a criminal or other investigation by the bureau of child protective services or it is to be used solely for the purpose of a safety demonstration, including the maintenance of order and discipline in the common areas of a school or on student transportation vehicles.
17. To be notified whenever seclusion or restraint has been used on their minor child as set forth in RSA 126-U:7.
18. To access and review all medical records of their minor child maintained by a school or school personnel, unless otherwise prohibited by law.
19. To exempt their minor child from immunizations if, in the opinion of a physician, the immunization is detrimental to the child's health or because of religious beliefs, as set forth in RSA 141-C:20-a and RSA 141-C:20-c.

II. Federal law provides for additional parent and family involvement for schools that are receiving Title I, Part A; Title I, Part C (migrant); Title III, Part A (EL) funds, including:

1. The right to receive information, including student reports, in an understandable and uniform format and to the extent practicable, in a language that parents can understand, as set forth in 20 U.S.C. sections 1112(e)(4); 1114(b)(4); 1116(e)(5); and 1116(f).
2. Upon request of the parent, the right to receive information regarding state qualifications of the student's classroom teachers and paraprofessionals providing services to their minor child, as set forth in 20 U.S.C. section 1112(e)(1)(A)(i-ii).
3. The right to receive an annual local educational agency report card that includes information on such agency as a whole and each school served by the agency, as set forth in 20 U.S.C. section 1111(h)(2)(A-B)(i-iii).

B. Dissemination

Pursuant to RSA 189-B:5, II, the Board directs that the Superintendent cause a **complete copy of Section A** (the Parental Bill of Rights) of this policy to be published:

1. Each year in the School District's annual report each year;
2. Permanently on the District's website; and
3. Each year in every student and employee handbook.

***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.*

NH Statutes

RSA 126-U
 RSA 141-C:20-a
 RSA 141-C:20-c
 RSA 186:11, IX-b
 RSA 186:11, IX-c
 RSA 186:11, IX-d
 RSA 186:11, IX-e
 RSA 189:66
 RSA 189:67
 RSA 189:68
 RSA 193:1
 RSA 193:13

Description

[Limiting the Use of Child Restraint Practices](#)
[Immunization](#)
[Exemptions](#)
[Health and Sex Education](#)
[Objectionable Course Material](#)
[Duties of State Board of Education](#)
[Notice to Parents/Guardian Required](#)
[Data Inventory and Policies Publication](#)
[Limits on Disclosure of Information](#)
[Student Privacy](#)
[Duty of Parent: Compulsory Attendance by Pupil](#)
[Suspension and Expulsion of Pupils](#)

RSA 193:3

[Change of School or Assignment, Manifest Educational Hardship or Best Interest, Excusing Attendance](#)

Federal Regulations

Description

34 CFR. Part 99

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

Federal Statutes

Description

20 U.S.C. § 1232h

[Protection of Pupil Rights Amendment \(PPRA\)](#)

Cross References

Code

Description

ECAF

[Audio and Video Surveillance on School Buses](#)

EEAA

[Video and Audio Surveillance on School Property](#)

IGE

[Parental Objections to Specific Course Material](#)

IHAM

[Health Education and Exemption From Instruction](#)

IHAM-R(1)

[Health Education and Exemption From Instruction - Health and Sex Education Exemption/Objectionable Course Material: Opt-Out Form](#)

IHBB

[Programs for Gifted and Talented Students](#)

IK

[Earning of High School Credit - Achievement of Competencies](#)

ILD

[Non-Educational/Non-Academic Questionnaires, Surveys & Research](#)

ILD-R(1)

[Non-Educational/Non-Academic Questionnaires, Surveys & Research - Protection of Pupil Rights Amendment - Supporting Forms](#)

JCA

[Change of Class or School Assignment - Best Interests and Manifest Hardship](#)

JIC

[Student Conduct](#)

JICD

[Student Discipline and Due Process](#)

JICD-R(1)

[Student Discipline and Due Process - Memorandum of Understanding](#)

JJJ

[Access to Public School Programs by Nonpublic, Charter School and Home Educated Pupils](#)

JJJ-R(1)

[Access to Public School Programs by Nonpublic, Charter School and Home Educated Pupils - Administrative Regulations](#)

JKAA

[Use of Restraints and Seclusion](#)

JLCB

[Immunizations of Students](#)

JRA

[Student Records and Access \(FERPA\)](#)

JRA-R(1)

[Student Records and Access \(FERPA\)](#)

Policy Review - NEW/1st Reading: 8/26/25; 2nd Reading/Adopted: 9/9/25

AC – NON-DISCRIMINATION, EQUAL OPPORTUNITY EMPLOYMENT and DISTRICT ANTI-DISCRIMINATION PLAN

Category: Priority/Required by Law

A. INTRODUCTION AND GENERAL POLICY AGAINST DISCRIMINATION AND HARASSMENT

The Mascoma Valley Regional School District recognizes the right of all students and staff members to learn and work in an environment free from discrimination or harassment, and likewise, that persons participating or attempting to participate in District programs, employment or activities have the right to do so free from discrimination or harassment.

Accordingly, the District prohibits any type of unlawful harassment or discrimination based on age, race, color, religion, creed, sex, national or ethnic origin, gender identity, sexual orientation, marital status, familial status, physical or mental disability, pregnancy, genetic information, or veteran status by employees, students, members of the school community, or by vendors or visitors on school property or at school-sponsored events. No person shall be excluded from or denied the benefits of educational programs or activities on the basis of any of the above classes or economic status.

As described above, the blanket prohibition afforded under this policy, as well as other Board policies, reflects, but goes further than, some of the same protections afforded under multiple State and Federal statutes or regulations, such as, but not limited to, NH RSA 354-A, and NH RSA 193:38-39, Titles IV, VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1972, the Americans with Disabilities Act of 1990, the Age Discrimination in Employment Act of 1967, and the Pregnant Worker Fairness Act. Additionally, bullying or general harassment of students unrelated to any of the characteristics (“protected classes”) identified above, is further prohibited under Board policy JICK and RSA 193-F. Statutory and regulatory statements and notices of nondiscrimination are included in Section I of this policy.

The District has determined that the most effective way to limit harassing or discriminating statements or conduct that is illegal or unlawful under those statutes is to treat it as misconduct under Board policies even when such conduct or statements might not rise to the level of discrimination or harassment prohibited under federal or state law.

B. DEFINITIONS

The definitions found here apply to each Board policy unless and to the extent that such definition is contrary to specific language or context of that policy or other legal authority.

“Days” means calendar days, but excludes non-weekend days on which the SAU office is closed (e.g., holidays, office-wide vacations), or any weekday during the school year on which school is closed (e.g., snow days).

“Discrimination” is conferring benefits upon, refusing or denying benefits to, or providing differential treatment to a person or class of persons in violation of law based on race, color, religion, sex, national origin, ancestry, disability, age, genetic information, or any other characteristic protected by law, or based on a belief that such a characteristic exists.

A *“Grievance”* or *“Complaint”* is a verbal or written report or complaint of discrimination, harassment, or retaliation that objectively can be understood as a request for the District to investigate and make a determination about alleged discrimination. The required form and the specific process for making a report may vary depending on the nature of the conduct or issue. See Section D, below, for further information.

“Harassment” generally refers to the use of words or engaging in behaviors that annoy, threaten, intimidate, or demean a person without a legitimate purpose. Harassment will often constitute bullying prohibited under Board policy JICK. Additionally, harassment may constitute illegal discrimination if the harassing statements or behaviors include explicit or implicit reference to age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion or national origin.

“Retaliation” means intimidation, threats, coercion, or discrimination against any person by the District, a student, or an employee or other person authorized by the District to provide aid, benefit, or service under the District’s education program or activity, for the purpose of interfering with any right or privilege secured by state or federal law, or District policies, procedures, regulations or rules, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, hearing, or appeal under such policies, procedures, etc.

C. POLICY APPLICATION

This policy is applicable to all persons employed or served by the District. It applies to all sites and activities the District supervises, controls, or where it has jurisdiction under the law, including where it (a) occurs on, or is delivered to, school property or a school-sponsored activity or event on or off school property; or (b) occurs off of school property or outside of a school-sponsored activity or event, if the conduct interferes with a student’s educational opportunities or substantially disrupts the orderly operations of the school or school-sponsored activity or event, as set forth in Board policy JICK, Pupil Safety and Violence Prevention. Examples of sites and activities include all District buildings and grounds, school buses and other vehicles, field trips, and athletic competitions.

D. REPORT, COMPLAINT, AND GRIEVANCE PROCEDURES

1. Reports or complaints of sex discrimination, including sex-based harassment, or sexual violence should be made under Board policy ACAC;

2. Reports or complaints by students of discrimination on the basis of educational disability under the IDEA should be made under Board policy ACE;
 3. Reports or complaints of bullying or other harassment of pupils should be made under Board policy JICK;
 4. Reports or complaints of discrimination, harassment, or retaliation not specified above, including, without limitation, claims relating to race, ethnicity, disability (e.g., ADA or 504), religion, access to the Boy Scouts of America or other Title 36 youth group listed in Title 36, Subtitle II, Part B of the United States Code (as a patriotic society) that is intended to serve young people under the age of 21, and not involving or relating to the District's food services (see number 5 below) should be made under the grievance procedure in Board policy ACA; and
 5. Reports or complaints of discrimination based upon protected classes relative to any of the District's food and nutrition services (FNS) programs (school lunches, etc.) should be made under Board policy ACF, unless the alleged discriminatory conduct relates to a class identified in Sections D.1 or D.2.
- 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 above 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 above 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 above and related administrative procedures or regulations. Complaints or reports regarding matters not covered in those policies should be made to the District Human Rights Officer.

E. ALTERNATIVE COMPLAINT PROCEDURES AND LEGAL REMEDIES

At any time, whether or not an individual files a complaint or report under this policy or policy ACA, an individual may file a complaint with an external agency, such as the Office for Civil Rights (“OCR”) of the United States Department of Education, the New Hampshire Commission for Human Rights, or another relevant authority. The contact information for such agencies is located in AC-R(2). Complaints to the OCR, however, must be made within 180 days of the last act of alleged discrimination, harassment or retaliation giving rise to the complaint or from the date the Complainant could reasonably become aware of such occurrence.

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

F. RETALIATION PROHIBITED

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 making statements in the course of an investigation or grievance procedure. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of an investigation, a disciplinary proceeding, or grievance proceeding does not constitute retaliation, provided, however, that a finding explicitly or implicitly negating a statement, alone, is not sufficient alone to conclude that the person made a materially false statement in bad faith.

G. HUMAN RIGHTS OFFICER, TITLE IX AND 504/ADA COORDINATORS

The Superintendent shall assure that District and or building personnel are assigned to the positions listed below. Each year, and more often when personnel change, the Superintendent shall prepare and disseminate as a supplement to this policy AC-R(2) an updated list of the person or persons acting in those positions, along with their District contact information, including telephone number, email, and postal and physical addresses:

Human Rights Officer:

Name: April Guinness

Address: 547 US Route 4/PO Box 789, Enfield, NH 03748

Telephone: 603-632-5563

Email Address: aguinness@mvrds.org

Title IX Coordinator:

Name: Chris Beeso, Special Education Director

Address: 547 US Route 4/PO Box 789, Enfield, NH 03748

Telephone: 603-632-5563

Email Address: cbeeso@mvrds.org

504/ADA Coordinator:

Name: Chris Beeso, Special Education Director

Address: 547 US Route 4/PO Box 789, Enfield, NH 03748

Telephone: 603-632-5563
Email Address: cbeeso@mvrsl.org

The Appendix will also include current contact information for relevant state and federal agencies including:

U.S. Department of Education, Office of Civil Rights
U.S. Department of Agriculture, Office of Civil Rights
N.H. Human Rights Commission
N.H. Department of Justice, Civil Rights Unit
N.H. Department of Education, Commissioner of Education

H. DISTRICT ANTI-DISCRIMINATION PLAN

No later than October 15, 2020, the Superintendent shall develop and provide to the Board for approval, a coordinated written District Anti-Discrimination Plan (the “Plan”) to include guidelines, protocols, and procedures intended to prevent, assess the presence of, intervene in, and respond to incidents of discrimination.

Among other things, the Plan should include provisions and recommendations with respect to resources, policies, complaint procedures, student education programs, Plan dissemination, and training appropriate to carrying out the Plan objectives stated in the preceding paragraph.

In developing the Plan, the Superintendent is encouraged to seek input from appropriate groups of the school and local community and coordinate with the District’s Human Rights Officer and Title IX and 504 Coordinators.

No less than once every two years (off years from review of the District’s Suicide Prevention Plan per Policy JLDBB), the Superintendent shall update the District Anti-Discrimination Plan, and present the same to the Board for review. Such Plan updates should be submitted to the Board in time for appropriate budget consideration.

I. STATUTORY AND REGULATORY NONDISCRIMINATION STATEMENTS AND NOTICES

1. Comprehensive Prohibition Against Discrimination in Educational Programs and Activities.

Under State or Federal 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. As used in this section, “race” means immutable traits associated with race, including hair texture and protective hairstyles and “protective hairstyles” means hairstyles or hair type, including braids, locs, tight coils or curls, cornrows, Bantu knots, Afros, twists, and headwraps. Discrimination, including harassment, against any person in the District’s education programs,

on the basis of any of the above classes, or a person'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.

2. **Equal Opportunity of Employment and 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.

3. **USDA Nondiscrimination Statement (copied from Policy ACF).**

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotope, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: [USDA Form AD-3027](#) (linked tested 2024/5/9), from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in

sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

- a. **Mail:**
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- b. **Fax:**
(833) 256-1665 or (202) 690-7442; or
- c. **Email:**
Program.Intake@usda.gov

J. COLLABORATION WITH OUTSIDE AGENCIES

Information may be disclosed if necessary to further the investigation, appeal or resolution of a grievance, or if necessary to carry out interim or disciplinary measures. The District will disclose information to the District's attorney, law enforcement, and others when necessary to enforce this policy or when required by law. In implementing this policy, the District will comply with state and federal laws regarding the confidentiality of student and employee records. Information regarding any resulting employee or student disciplinary action will be maintained and released in the same manner as any other disciplinary record. The District will keep any documentation created in investigating the complaint including, but not limited to, documentation considered when making any conclusions, in accordance with Board policy, state and federal laws, and as advised by the District's attorney.

K. ADDITIONAL REPORTING REQUIREMENTS

Reports under this Policy are in addition to and do not replace other reporting requirements mandated by law or other policies - see, e.g., Educator Code of Conduct (see Board policy GBEAB), abuse or neglect of children (see RSA 169-C:29 and policy JLF), acts of “theft, destruction, or violence” (see RSA 193-D:4, I (a) and Ed 317.06), incidents of “bullying” (see RSA 193-F and policy JICK), and hazing (see RSA 671:7).

L. ADMINISTRATIVE PROCEDURES, REGULATIONS AND TRAINING PROGRAMS

The Superintendent shall develop such other procedures and regulations, and shall ensure that training programs are provided as are necessary and appropriate to implement this policy as well as the other policies referenced above.

M. NOTICE OF COMPLIANCE

The Superintendent will provide notice of the nondiscrimination statements and notices, the Anti-Discrimination Plan, to all applicants for employment, employees, students,

parents, and other interested persons as required by statute, policy or regulation, or as the Superintendent may otherwise deem appropriate.

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.*

NH Statutes

RSA 186:11, XXXIII

RSA 193-F

RSA 193:38

RSA 275:71

RSA 275:78-83

RSA 354-A

RSA 354-A:1

RSA 354-A:27

RSA 354-A:6

NH Dept of Ed Regulation

N.H. Code Admin. Rules Ed 303.01 (i)

Federal Regulations

34 CFR 108

89 FR 29182

Federal Statutes

20 U.S.C 1681, et seq

20 U.S.C. § 1400-1417

20 U.S.C. § 7905

29 U.S.C. 621, et seq.

29 U.S.C. 705

29 U.S.C. 794

36 U.S.C. Subtitle II Part B

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

42 U.S.C. 2000c

42 U.S.C. 2000d et seq.

42 U.S.C. 2000e et seq.

42 U.S.C. 2000gg

Description

[Discrimination](#)

[Student Safety and Violence Protection Act](#)

[Discrimination in Public Schools](#)

[Prohibited Conduct by Employer](#)

[Policies Relating to Nursing Mothers \(Scroll down to sections 275:78-83\)](#)

[State Commission for Human Rights](#)

[\(Human Rights\) Title and Purposes of Chapter](#)

[Opportunity for Public Education without Discrimination a Civil Right](#)

[Opportunity for Employment without Discrimination a Civil Right](#)

Description

[School Board Substantive Duties](#)

Description

[Equal Access to Public School Facilities for the Boy Scouts of America and Other Designated Youth Groups](#)

[Pregnant Workers Fairness Act \(“PWFA”\)](#)

Description

[Title IX of the Education Amendments of 1972](#)

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

[Equal access to public school facilities \(“Boy Scouts of America Equal Access Act”\)](#)

[The Age Discrimination in Employment Act of 1967](#)

[The Rehabilitation Act of 1973 - Definitions](#)

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

[Organizations](#)

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

[Title IV of the Civil Rights Act of 1964](#)

[Title VI of the Civil Rights Act of 1964](#)

[Title VII of the Civil Rights Act of 1964](#)

[Pregnant Worker Fairness Act \("PWFA"\)](#)

Cross References

Code	Description
ACA	Discrimination and Harassment Grievance Procedure
ACAC	Prohibition of Sexual Harassment: Policy and Grievance Procedures
ACD	Commitment to Religious Neutrality
ACE	Procedural Safeguards: Nondiscrimination on the Basis of Disability
ACF	Food and Nutrition Services: Anti-Discrimination and Civil Rights Complaints
ACN	Accommodation of Nursing Mothers
EF	Food Service Management
EFAA	Meal Charging
GBAM	Accommodation of Pregnancy and Related Medical Conditions: Personnel
GBI	Staff Participation in Political Activities
GDB	Employment of Non-Certified Personnel
IHBA	Programs for Pupils with Disabilities
IHBA-R(1)	Programs for Pupils with Disabilities - Section 504 - Notice of Parent & Student Rights
IHBAM	District Special Education Policy and Procedures Manual
IHBCA	Accommodation of Pregnancy and Related Medical Conditions: Students
IHBG	Home Education Instruction
IKG	Awards and Scholarships
JICK	Pupil Safety and Violence Prevention
JICK-R(1)	Pupil Safety and Violence Prevention - Report Form
JICK-R(2)	Pupil Safety and Violence Prevention - Bullying Report Form
JICK-R(3)	Pupil Safety and Violence Prevention - School Board Notification of Bullying Report
JJA	Student Activities & Organizations
JJA-R(1)	Student Activities & Organizations - Eligibility Standards
JJIC	Eligibility for Interscholastic Athletics
KEE	Website Accessibility and Grievance
KFA	Conduct on School Property
KFA-R(1)	Conduct on School Property - Assaults

Draft to School Board: 12/16/03

First Reading: 12/16/03; Second Reading and Adoption: 1/13/04

SB Review: 11/27/18; F&F Review: 4/3/19; 1st Reading: 4/23/19; 2nd Reading: 5/14/19

Policy Review: 1/30/20; 1st Reading: 2/25/20; 2nd Reading/Adopted: 4/28/20
Policy Review/1st Reading: 7/23/24; 2nd Reading/Adopted: 8/13/24
Waive Review/1st Reading/2nd Reading - Emergency Adopt/Adopted: 2/25/25

AC-R (2) - NONDISCRIMINATION, EQUAL OPPORTUNITY EMPLOYMENT, AND ANTI-DISCRIMINATION PLAN – ANNUAL NOTICE OF CONTACT INFORMATION

Category: Priority/Required by Law

Pursuant to Board policy AC, *Nondiscrimination, Equal Opportunity Employment, and District Anti-Discrimination Plan*, the District administration is directed to update and publish a list of current personnel and contact information for various positions and outside agencies relating to the District's anti-discrimination policies.

DISTRICT PERSONNEL:

Human Rights Officer:

Name: April Guinness
Address: 547 US Route 4/PO Box 789, Enfield, NH 03748
Telephone: 603-632-5563
Email Address: aguinness@mvrds.org

Title IX Coordinator:

Name: Chris Beeso, Special Education Director
Address: 547 US Route 4/PO Box 789, Enfield, NH 03748
Telephone: 603-632-5563
Email Address: cbeeso@mvrds.org

504/ADA Coordinator:

Name: Chris Beeso, Special Education Director
Address: 547 US Route 4/PO Box 789, Enfield, NH 03748
Telephone: 603-632-5563
Email Address: cbeeso@mvrds.org

OUTSIDE AGENCIES:

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 the Assistant Secretary for Civil Rights, U.S. Department of Agriculture; 1400 Independence Avenue, SW, Washington, D.C., 20250-9410; Telephone - 866-632-9992; Email - program.intake@usda.gov

Boston Area Office, U.S. Equal Employment Opportunity Commission; JFK Federal Building, 15 New Sudbury Street, Room 475, Boston, MA 02203-0506; Telephone - 1-800-669-4000; ASL Videophone - 1-844-234-5122; Email - info@eeoc.gov

New Hampshire Commission for Human Rights; 57 Regional Drive, Suite 8, Concord, NH 03301; Telephone - 603-271-2767; Email - humanrights@hrc.nh.gov

New Hampshire Department of Justice, Civil Rights Unit; 33 Capitol Street, Concord, NH 03301; Telephone - 603-271-3650; Email - doj.civilrights@doj.nh.gov

N.H. Department of Education, Commissioner of Education; 25 Hall Street, Concord, NH 03301; Telephone - 603-271-3494; Email - info@doe.nh.gov

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20 U.S.C. § 1400-1417

20 U.S.C. § 7905

29 U.S.C. 621, et seq.

29 U.S.C. 705

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[The Rehabilitation Act of 1973 - Definitions](#)

29 U.S.C. 794
 36 U.S.C. Subtitle II Part B
 42 U.S.C. 12101, et seq.
 42 U.S.C. 2000c
 42 U.S.C. 2000d et seq.
 42 U.S.C. 2000e et seq.
 42 U.S.C. 2000gg
 42 U.S.C. 218d

[Rehabilitation Act of 1973 \(Section 504\)](#)
[Organizations](#)
[Title II of The Americans with Disabilities Act of 1990](#)
[Title IV of the Civil Rights Act of 1964](#)
[Title VI of the Civil Rights Act of 1964](#)
[Title VII of the Civil Rights Act of 1964](#)
[Pregnant Worker Fairness Act \("PWFA"\)](#)
[Pump for Nursing Mothers Act \("PUMP Act"\)](#)

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KFA-R(1)	Conduct on School Property - Assaults

Old Policy AC-E: Adopted 4/28/20

Review/1st Reading Waived, 2nd Reading/Adopted: 9/10/24

Waive Review/1st Reading/2nd Reading - Emergency Adopt/Adopted: 2/25/25

ACAC – PROHIBITION OF SEXUAL HARASSMENT: POLICY AND GRIEVANCE PROCEDURES

Category: Priority/Required by Law

This Mascoma Valley Regional School District policy and grievance procedure applies to all reports or complaints of sexual harassment, whether prohibited by Title IX (“Title IX sexual harassment”) or sexual harassment prohibited/governed by other policies or state or federal laws (“Non-Title IX sexual harassment”). Definitions for both Title IX and Non-Title IX sexual harassment are found in Section II.C of this policy.

Instructions for making a report of either form of sexual harassment are found in Section II.K, and instructions for making a “Formal Complaint” initiating the Title IX investigation and determination process are found in Section III.A. The “Title IX Grievance Process” (or sometimes simply the “Grievance Procedure”) is Section III.

I. RESTATEMENT OF POLICY PROHIBITING DISCRIMINATION ON THE BASIS OF SEX.

Per Board policy AC, Title IX of the Education Amendments Act of 1972 (“Title IX”), as well as RSA 193:38, among others, the District does not discriminate on the basis of sex in its educational programs and activities, including employment and admissions. All forms of sex-based discrimination, including sexual harassment, are prohibited in the District.

II. DEFINITIONS AND OTHER PROVISIONS APPLICABLE TO PROHIBITED SEXUAL HARASSMENT.

- A. **Prohibited Sexual Harassment.** Sexual harassment is a form of sex discrimination and is strictly prohibited by the District. Behaviors that will often constitute prohibited sexual harassment include:

1. Sexually suggestive remarks or jokes;
2. Verbal harassment or abuse;

3. Displaying or distributing sexually suggestive pictures, in whatever form (e.g., drawings, photographs, videos, irrespective of format);
4. Sexually suggestive gesturing, including touching oneself in a sexually suggestive manner in front of others;
5. Harassing or sexually suggestive or offensive messages that are written or transmitted electronically;
6. Subtle or direct propositions for sexual favors or activities; or
7. Touching of a sexual nature or groping will always constitute a violation of school policies, and such touching or groping that occurs without consent (i.e. sexual assault) will constitute sexual harassment prohibited under Title IX.

Such behaviors are prohibited and, depending on the context, the repetition, and/or the severity, may also violate one or more state or federal laws. The most severe, pervasive, and offensive of these behaviors are governed by Title IX. Less severe sexual harassment may still constitute a violation of this policy, Board policy AC and/or JICK, as well as one or more state or federal laws, such as: Title VII of the Civil Rights Act of 1964, RSA 193:38, RSA 354-A:1, -A:6 and -A:27. More detailed definitions of “Title IX sexual harassment” and other prohibited sexual harassment (“non-Title IX sexual harassment” are set out in the definitions section in II.C, below.

While **all reports of sexual harassment are to be processed in the first instance under Sect. II.K.1 of this Policy**, only formal complaints regarding alleged conduct that **could** constitute Title IX sexual harassment are subject to the Complaint and Grievance Procedure found in Sect. III, below. If the alleged conduct does not appear to meet - or has been determined under the Title IX Grievance Procedure of Sect. III not to meet - the definition of sexual harassment under Title IX, then the report will be investigated and processed in accordance with Board policy ACA.

B. Application of Policy.

This Policy shall apply to all students, employees, and any third party who contracts with the District to provide services to District students or employees, upon District property or during any school program or activity.

Nothing in this policy will be construed to confer on any third party a right to due process or other proceedings to which student and employee respondents are entitled under this policy unless such right exists under law. Volunteers and visitors who engage in sexual harassment will be directed to leave school property and/or will be reported to law enforcement, the NH Division of Children, Youth and Families (DCYF), as appropriate. A third party under the supervision and control of the school system will be subject to termination of contracts/agreements, restricted from access to school property, and/or subject to other consequences, as appropriate.

The Superintendent shall have overall responsibility for implementing this Policy, and shall annually appoint a District Title IX Coordinator as that position is described in Sect. II.C, below. The name and contact information for the Title IX Coordinator is set

forth in Board Policy AC-R(2), which policy shall be updated and disseminated annually with the Title IX Coordinator's name as set forth in Board policy AC.

C. **Definitions.**

As used in this Policy and the Title IX Grievance Process, the terms below shall have the meaning ascribed.

“Actual knowledge” occurs when the District's Title IX Coordinator or **ANY** employee of one of the District's schools (other than a “respondent” or alleged harasser) receives a notice, report or information or becomes aware of sexual harassment or allegations of sexual harassment.

“Complainant” is an individual who is alleged to be the victim of conduct that could constitute sexual harassment, whether or not that person files a report or formal complaint.

“Days” shall mean calendar days, but shall exclude non-weekend days on which the SAU office is closed (e.g., holidays, office-wide vacations), or any weekday during the school year on which school is closed (e.g., snow days).

“Decision Maker” means persons tasked with: the responsibility of making initial determinations of responsibility (at times referred to as “initial decision maker”); or the responsibility to decide any appeal (at times “appeals decision maker”) with respect to formal complaints of sexual harassment in accordance with the Title IX Grievance Process.

“Determination of Responsibility” is the formal finding by the decision-maker on each allegation of Sexual Harassment contained in a Formal Complaint that the Respondent did or did not engage in conduct constituting Sexual Harassment Under Title IX.

“Formal Complaint” means a document filed by a complainant, the complainant's parent/guardian, or the Title IX Coordinator, alleging sexual harassment against a respondent, and requesting that the district investigate the allegation of sexual harassment.

“Respondent” is an individual who is reported to be the individual accused of conduct that could constitute sexual harassment.

“Sexual harassment” prohibited under this policy includes sexual harassment specifically prohibited and defined under regulations implementing Title IX (“Title IX sexual harassment”) and other sexual harassment defined or governed by other policies, or state or federal laws (“non-Title IX Sexual Harassment”).

The context and severity of behavior can make a difference between conduct prohibited under Title IX, and conduct of a sexual nature that violates Board policy and/or other statutes. The nature of the allegations will determine whether the allegations are to be processed under provisions relating to Title IX or under Board policy ACA. The Title IX Grievance Process found in Sect. III, below,

will only be used upon the filing of a formal complaint (discussed in Sections II.K.3 and III.A, below.

Sexual harassment under either definition may be directed against a particular person or persons, or a group, whether of the opposite sex or the same sex.

“Title IX sexual harassment” is *conduct on the basis of sex* occurring in a school system, education program or activity that constitutes one or more of the following:

I.

1. A school district employee conditioning an aid, benefit, or service of an education program or activity on an individual’s participation or refusal to participate in sexual conduct, irrespective of whether the conduct is welcomed by the student or other employee;
2. Sexual assault, dating violence, domestic violence, or stalking as defined in state or federal law; **OR**
3. Unwelcome sex-based/related conduct determined by a reasonable person to be so severe, pervasive, **AND** objectively offensive that it effectively denies a person equal access to the education program or activity (this standard requires consideration of all the facts and circumstances, including, but not limited to, the ages and disability statuses of the harasser and victim and the number of individuals involved and their authority. *(Note: conduct that meets some but not all the elements of this type of sexual harassment would not be Title IX sexual harassment, but, may, nonetheless, constitute Non-Title IX sexual harassment.)*)

Conduct that meets one or more of the above will not constitute Title IX sexual harassment if the conduct occurred (1) outside the United States or (2) under circumstances in which the school system did not have substantial control over both the harasser/respondent and the context in which the harassment occurred. The same conduct, may, however, be addressed under policy ACA.

NOTE Regarding Concurrent Enrollment and Dual Enrollment, Extended Learning Opportunities, 3rd Party Distance Learning and Other Alternative Instructional

Programs: *Under federal regulations, in order for the District to have jurisdiction over conduct that would otherwise meet the definition above of Title IX sexual harassment, the District must have substantial control over both the respondent and the context in which the harassment occurred. In general, this will mean that unless such learning program is occurring upon district property, conduct otherwise meeting the definition of Title IX sexual harassment within that program, may not be subject to this policy.*

“Non-Title IX sexual harassment” prohibited under this policy, Board policies AC and ACA and one or more of Title VII of the Civil Rights Act of 1964, RSA 193:38, RSA 354-A:1, -A:6 or -A:27 is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature in the following situations:

I.

A.

- i. Submission to such conduct is made either explicitly or implicitly a term or condition of a student’s educational benefits, a term of an employee or prospective employee’s employment, or any other person’s access to District programs or activities;
- ii. Submission to or rejection of such conduct is used as the basis for decisions on educational benefits, district employment, or access to programs or facilities; or
- iii. Such conduct has the purpose and effect of substantially interfering with a student’s academic performance, an employee’s work performance, any person’s access to district programs or facilities, **OR** creates an intimidating, hostile or offensive learning or work environment.

“Supportive Measures” are free, non-disciplinary, non-punitive, individualized services and shall be offered to the complainant, and may be offered to the respondent, as appropriate. These measures may include, but are not limited to, the following:

I.

1. Counseling;
2. Course modifications;
3. Schedule changes; and
4. Increased monitoring or supervision

Supportive measures shall be designed to restore or preserve equal access to the District’s education programs and activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District’s educational environment and/or deter sexual harassment. Supportive measures shall remain confidential with exclusive exceptions stated and required in Sect. II.F, below.

D. **Title IX Coordinator.**

The Title IX Coordinator shall respond promptly to all general reports as well as formal complaints of sexual harassment, whether the report concerns Title IX sexual harassment or Non-Title IX sexual harassment. the Title IX Coordinator shall receive general and specific reports of sexual harassment and coordinate the District’s responses to both

reports and formal complaints of sexual harassment so that the same are prompt and equitable. In addition to any other specific responsibilities assigned under this Policy, or as assigned by the Superintendent, the Title IX Coordinator will be responsible for:

1. meeting with a complainant, and informing the parent/guardian once the Title IX Coordinator becomes aware of allegations of conduct that could constitute sexual harassment as defined in this Policy;
2. identification and implementation of supportive measures;
3. signing or receiving formal complaints of sexual harassment;
4. engaging with the parents/guardians of parties to any formal complaint of sexual harassment;
5. coordinating with District and school-level personnel to facilitate and assure implementation of investigations, and remedies, and helping to assure that the District otherwise meets its obligations associated with reports and complaints of sexual harassment;
6. coordinating with the Superintendent with respect to assignment of persons to fulfill the District's obligations, both general and case specific, relative to this Policy (e.g., investigator, decision makers, etc.; this may involve the retention of third party personnel.);
7. coordinating with District and school-level personnel to assure appropriate training and professional development of employees and others in accordance with Sect. II.E of this Policy; and
8. helping to assure that appropriate systems are identified and maintained to centralize sexual harassment records and data.

In cases where the Title IX Coordinator is unavailable, including unavailability due to a conflict of interest or other disqualifying reason (see Sect. II.H, below), the Superintendent shall assure that another person with the appropriate training and qualifications is appointed as acting Title IX Coordinator for that case, in such instances "Title IX Coordinator" shall include the acting Title IX Coordinators.

E. **Training.**

All District employees shall receive regular training relative to mandatory reporting obligations under this policy (see also Board policy GBEAB, and any other responsibilities they may have relative to this Policy.

Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process must receive training on the definition of sexual harassment, this Policy, the scope of the District's education program or activity, and how to conduct an investigation (including the requirements of the reporting and the Title IX Grievance Process, including hearings, appeals, and information resolution processes). The training must also include avoiding prejudgment of the facts, conflicts of interest, and bias.

Decision-makers must also receive training on issues of relevance of questions and evidence, including when questions about the complainant's sexual predisposition or prior sexual behavior are not relevant.

Investigators must receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes, must promote impartial investigations and adjudications of formal complaints of sexual harassment, and must be made available to the public as provided in Sect. II.I of this Policy.

F. **Confidentiality.**

The District will respect the confidentiality of the complainant and the respondent as much as possible; however, some information may need to be disclosed to appropriate individuals or authorities. All disclosures shall be consistent with the District's legal obligations and the necessity to investigate allegations of harassment and take disciplinary action. Examples of required disclosure include:

1. information to either party to the extent necessary to provide the parties due process during the Title IX Grievance Process (if allegations concern Title IX sexual harassment, or a formal complaint has been filed instituting the Title IX Grievance Process under Sect. III.A);
2. information to individuals who are responsible for handling the District's investigation and determination of responsibility to the extent necessary to complete the District's grievance process;
3. mandatory reports of child abuse or neglect to DCYF or local law enforcement (per Board policy JLF);
4. information to the complainant's and the respondent's parent/guardian as required under this Policy and or the Family Educational Rights and Privacy Act ("FERPA"); and
5. reports to the New Hampshire Department of Education as required under N.H. Code of Administrative Rules Ed 510 regarding violations of the NH Code of Conduct for Education Professionals.

Additionally, any supportive measures offered to the complainant or the respondent shall remain confidential to the extent that maintaining such confidentiality would not impair the ability of the school district to provide the supportive measures.

Except as specified above in this Section, the District shall keep confidential the identity of:

- I.
 - i. Any individual who has made a report or complaint of sex discrimination;

- ii. Any individual who has made a report or filed a formal complaint of sexual harassment;
- iii. Any complainant;
- iv. Any individual who has been reported to be the perpetrator of sex discrimination;
- v. Any respondent; and
- vi. Any witness.

Any supportive measures provided to the complainant or respondent shall be kept confidential to the extent that maintaining such confidentiality does not impair the ability of the District to provide the supportive measures.

G. Retaliation Prohibited.

Retaliation against any person who makes a report or complaint, or against any person who assists, participates, or refuses to participate in any investigation of an act alleged in this Policy is prohibited. Actions taken in response to materially false statements made in bad faith, or to submitting materially false information in bad faith, as part of a report or during the Title IX Grievance Process do not constitute retaliation. A finding of responsibility alone is insufficient to conclude that a person made a materially false statement in bad faith. Complaints of retaliation with respect to reports or formal complaints of sexual harassment shall be filed under the District's general grievance process.

H. Conflict of Interest.

No person designated as a Title IX Coordinator, investigator, decision-maker, nor any person designated by the District to facilitate an informal resolution process, may have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

I. Dissemination and Notice.

The District shall include in all student and employee handbooks, and shall make publicly available on the district's website the following information:

- 1. the District's policy of non-discrimination on the basis of sex (included in Board policy AC).
- 2. the title, name, office address, email address, and telephone number of the Title IX Coordinator (to be provided pursuant to Board policy AC and its addendum, updated annually, AC-R(2);
- 3. the complaint process;
- 4. how to file a complaint of sex discrimination or sexual harassment;
- 5. how the District will respond to such a complaint; and

6. a statement that Title IX inquiries may be referred to the Title IX Coordinator or to the Assistant Secretary for Civil Rights.

The same information shall be provided to all persons seeking employment with the District, or seeking to enroll or participate in the District's educational programs or activities.

Additionally, the District will make this Policy, as well as any materials used to train personnel as required under Sec. II.E *[publicly available on the district's website]* {OR, BUT only if the District does not maintain a website} *[available to members of the public as government records]*.

J. **Records and Record Keeping.**

1. For each report or formal complaint of sexual harassment, the District, through the Title IX Coordinator, must create, and maintain for seven (7) years, record of:
 - a. Any actions, including any supportive measures,
 - b. The basis for the District's conclusion that its response was not deliberately indifferent; and
 - c. Documentation which:
 - If supportive measures were provided to the complainant, a description of the supportive measures taken designed to restore or preserve equal access to the District's education program or activity; or
 - If no supportive measures were provided to a complainant, explains the reasons why such a response was not clearly unreasonable in light of the known circumstances.
2. In addition, the District shall maintain the following records for a minimum of seven (7) years:
 - a. Records for each formal complaint of sexual harassment, including:
 - Any determination regarding responsibility, including dismissals;
 - Any disciplinary sanctions imposed on the respondent;
 - Any remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity;
 - Any appeal and the result therefrom;
 - Any informal resolution process and the result therefrom;

- b. All materials used to train Title IX Coordinators, investigators, and decision-makers.

K. **Reports of Sexual Harassment, Formal Complaints and District Responses.**

1. **Report of Sexual Harassment.**

NOTE: A report does not initiate the formal Title IX Grievance Process. That process is begun only upon the filing of a formal complaint under the procedures set out in II.K.3, and III.A, below.

Any person may report sexual harassment whether relating to her/himself or another person. **However, if any District employee – other than the employee harasser, or the Title IX Coordinator – receives information of conduct which may constitute sexual harassment under this Policy, s/he shall, without delay, inform the Title IX Coordinator** of the alleged sexual harassment. Failure to report will subject the employee to discipline up to and including dismissal.

A report of sexual harassment may be made at any time, in person, by mail, by telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Additionally, while the District strongly encourages reports of sexual harassment to be made directly to the Title IX Coordinator, the report may be made to **any** District staff member, including, for instance, a counselor, teacher or principal.

If the Title IX Coordinator is the alleged respondent, the report or formal complaint may be made directly to the Superintendent, who shall thereafter fulfill the functions of the Title IX Coordinator regarding that report/complaint, or delegate the function to another person.

NOTE: For any allegation of sexual assault on a student under the age of 18, such conduction shall be reported immediately to the DCYF per Board policy JLF. If the alleged respondent (perpetrator) is a person holding a license or credential from the New Hampshire Department of Education (i.e., "credential holder"), then a report shall also be made pursuant to Board policy GBEAB.

2. **District Response to Report of Sexual Harassment.**

The district will promptly respond when there is actual knowledge of sexual harassment, even if a formal complaint has not been filed. The district shall treat complainants and respondents equitably by providing supportive measures to the complainant and by following the Title IX Grievance Process prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive

measures.

As soon as reasonably possible after receiving a report of alleged sexual harassment from another District employee or after receiving a report directly through any means, the Title IX Coordinator shall contact the complainant to:

- a. discuss the availability of and offer supportive measures;
- b. consider the complainant's wishes with respect to supportive measures;
- c. inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
- d. explain to the complainant the process for filing a formal complaint.

3. Formal Complaints.

Pursuant to federal regulations, and this Policy, a formal complaint that contains allegations of conduct that may constitute Title IX sexual harassment and a request that the District investigate the allegations is required before the District may conduct a formal investigation of Title IX sexual harassment or take any action (other than supportive measures) against a person accused of Title IX sexual harassment. **Once a formal complaint of Title IX sexual harassment is received by the Title IX Coordinator, s/he shall commence the Title IX Grievance Process set out in Sect. III below. The process for filing a formal complaint is set forth in Sect. III.A.** If the alleged conduct does not appear to meet the definition of Title IX sexual harassment, **AND** no formal complaint is filed under Sect. III.A, then the matter may be processed under Board policy ACA.

4. Limitation on Disciplinary Action.

In no case shall the District impose disciplinary consequences or sanctions against a respondent who has been accused of conduct which may constitute Title IX sexual harassment, until the Title IX Grievance Process has been completed.

5. Emergency Removal and Administrative Leave.

At any point after receiving a report or formal complaint of sexual harassment, the Title IX Coordinator (or other District official charged with a specific function under this Policy or the Title IX Process: e.g., investigator, decision maker, etc.) may request the Superintendent to direct that an individualized safety and risk analysis be performed to determine whether a respondent student is an immediate threat to the physical health or safety of any person.

In the event that the safety and risk analysis determines that the respondent student does present an immediate threat to the physical health and safety of any person, the District may remove that student, provided that such removal is in full compliance with the IDEA, a student's IEP and or 504 plan if applicable. Such emergency removal shall not be disciplinary. However, the District must provide the respondent with notice and an opportunity to

challenge the decision immediately following the removal, and shall continue to offer educational programming until a final determination is made pursuant to the Title IX Grievance Process.

The Title IX Coordinator shall keep the Superintendent of Schools informed of any employee respondents so that he/she can make any necessary reports to New Hampshire Department of Education in compliance with applicable administrative rules and the New Hampshire Code of Conduct for Educational Professionals. In appropriate cases, the Superintendent may place an employee respondent on non-disciplinary administrative leave pursuant to RSA 189:31.

III. **TITLE IX GRIEVANCE PROCESS.**

The Title IX Grievance Process is used only upon the filing of a formal complaint of sexual harassment as described in Sect. III.A, below. The provisions of Sections I and II of this Policy are incorporated as part of the Title IX Grievance Process. ***However, as used in this Section III, “sexual harassment” shall only refer to “Title IX sexual harassment” unless otherwise specifically indicated.*** Upon receipt of a formal complaint of sexual harassment, the Title IX Coordinator will coordinate the District’s efforts to comply with its responsibilities related to the Title IX Grievance Process.

A. **Process for Filing a Formal Complaint of Sexual Harassment.**

The Title IX Grievance Process is initiated by way of a formal complaint (“complaint” or “formal complaint”) filed by the complainant, the complainant’s parent/guardian, or the Title IX Coordinator. The complainant may file a complaint or choose not to file a complaint and simply receive the supportive measures. If the Complainant does not file a complaint, the Title IX Coordinator may sign a formal complaint, but only if initiating the grievance process against the respondent is not clearly unreasonable in light of the known circumstances, and in other cases where, in the exercise of good judgment and in consultation with the District’s attorney as appropriate, the Title IX Coordinator determines that a grievance process is necessary to comply with the obligation not to be deliberately indifferent to known allegations of sexual harassment (e.g., reports of sexual assault, employee on student harassment, repeat reports, or the conduct in the complainant’s report has not been adequately resolved through the provision of supportive measures). If the complaint is filed by the Title IX Coordinator, he/she is not a party to the action, and the District must comply with all of the provisions of the Title IX Grievance Process relative to respondents and complainants.

If no formal complaint is filed by the complainant or the Title IX Coordinator no disciplinary action may be taken against the respondent based upon conduct that would constitute sexual harassment under this policy.

Although there is no time limit per se to filing a formal complaint, for complaints initiated by the complainant or his/her parent/guardian, the complainant must be employed by the District or participating in or attempting to participate in the education program or activities of the District at the time of filing. Additionally, although the District will initiate the Title IX Grievance Process regardless of when the formal

complaint is submitted, delays in reporting may significantly impair the ability of school officials to investigate and respond to the allegations.

At a minimum, a formal complaint must:

1. contain the name and address of the complainant and the student's parent or guardian if the complainant is a minor student;
2. describe the alleged sexual harassment,
3. request an investigation of the matter, and
4. be signed by the complainant or otherwise indicate that the complainant is the person filing the complaint.

The complaint may be filed with the Title IX coordinator in person, by mail, or by email. Complaint forms may be obtained from the Title IX Coordinator.

B. Initial Steps and Notice of Formal Complaint.

1. The Title IX Coordinator will provide notice to the complainant and the complainant's parent/guardian (if the complainant is a non-eligible student under FERPA), and to the respondent (if known) and the respondent's parent/guardian (if the respondent is a non-eligible student under FERPA), as well as to any other known parties, of the following:
 - a. this Title IX Grievance Process, including any informal resolution process;
 - b. the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview; "sufficient details" shall include to the extent known identities of persons involved, the conduct allegedly constituting sexual harassment, and the date and location of the incident;
 - c. a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
 - d. that each party may have an advisor of their choice, who may be, but is not required to be, an attorney;
 - e. that each party is entitled to inspect and review evidence; and
 - f. a reference to any provision in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.
2. The Title IX Coordinator will contact the complainant to discuss and offer supportive measures.

3. The Title IX Coordinator may contact the respondent to discuss, and or impose, non-disciplinary supportive measures.
4. The Title IX Coordinator will examine the allegations in the formal complaint, to determine whether even if assumed true, the allegations are sufficient to sustain a finding of sexual harassment under this Policy. If the Title IX Coordinator was not involved with preparing the formal complaint, the Title IX Coordinator will contact the complainant to discuss the complaint and whether amendment is appropriate, in which case the process of Sect. III.C.4 will apply.
5. If the formal complaint fails to satisfy the definition of sexual harassment in this Policy, the complaint shall be dismissed as provided in Sect. III.G, below.
6. If the complaint is not dismissed, then Title IX Coordinator will consult with the Superintendent as to whether the Title IX Coordinator should act as the investigator or whether a different District or other employee shall act in that capacity. At the same time, the Title IX Coordinator and the Superintendent shall appoint the person who shall make the initial determination of responsibility (initial decision maker). In all cases, the investigator and the initial decision maker must be properly trained and otherwise qualified (see Sect. II.E “Training”, and Sect. II.H “Conflict of Interest”).
7. If the report alleges sexual harassment by the Superintendent, the Title IX Coordinator will inform the School Board Chair and the Business Administrator the latter of whom shall have authority to seek guidance from the District’s general counsel, but shall not delay the District’s response to the report as outlined in this Policy.

C. General Provisions and Additional Definitions Relative to Title IX Grievance Process.

1. Copies and Notices. Except as specifically stated elsewhere in this Policy, for any document, information or material required to be delivered to a party or to a person assigned with responsibility under the Title IX Grievance Process, the manner of transmittal may be by electronic mail, regular mail or such other manner reasonably calculated to assure prompt delivery with evidence thereof (such as a commercial carrier or other receipted delivery). Hand delivery will only be permitted if made to the District official charged with the specific function under this Policy (e.g., Title IX Coordinator, Superintendent, investigator, decision maker(s), etc.). Any document required to be delivered to a minor or other non-eligible student, must also be delivered to the minor’s parent/guardian. Copies should also be sent to a party’s advisor if the information for the advisor has been previously communicated to the sending party. (Under federal regulations, copies of the investigative evidence, as well as the investigative report, must be forwarded to a party’s advisor. See Sections III.E.3, and III.E.4).
2. Risk Analysis and Emergency Removal. At any point during the Title IX Grievance Process, the Title IX Coordinator may arrange for an individualized

safety and risk analysis as described in Sec. II.K.5, following which a student may be removed.

3. Administrative Leave. At any point during the Title IX Grievance Process, the Superintendent, and at his/her own discretion, and with or without consulting the Title IX Coordinator, may place an employee on administrative leave pursuant to RSA 189:31.
4. Additional Allegations. If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that were not included in the previous notice, the District shall simultaneously provide notice of the additional allegations to the parties whose identities are known.
5. No Interference with Legal Privileges. At no point in process will the Title IX Coordinator, the investigator, any decision maker, or any other person participating on behalf of the District, require, allow, rely upon, or otherwise use questions or evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege (e.g., doctor/patient, attorney/client, clergy, etc.), unless the person holding such privilege (parent/guardian for minor student) has waived the privilege in writing to use the information with respect to the Title IX Grievance Process.
6. Consolidation of Complaints. The District may consolidate formal complaints of allegations of sexual harassment where the allegations of sexual harassment arise out of the same facts or circumstances and the formal complaints are against more than one respondent; or by more than one complainant against one or more respondents; or by one party against the other party. When the District has consolidated formal complaints so that the grievance process involves more than one complainant or more than one respondent, references to the singular “party”, “complainant”, or “respondent” include the plural, as applicable.
7. Remedies: Range of Disciplinary Sanctions and Remedial Actions Upon Final Determination of Responsibility.
 - a. “Disciplinary sanctions” are consequences imposed on a respondent when s/he is found responsible for sexual harassment under this Policy. Remedial actions are actions intended to restore or preserve a complainant’s equal access to the educational programs and activities of the District.
 - b. “Disciplinary sanctions” against an employee respondent may include any available sanction available for the discipline of employees, up to and including dismissal or non-renewal for any other violation of Board policy, NH Code of Conduct for Educational Professionals, applicable individual or collective bargaining contract, or state or federal laws or regulations.

- c. “Disciplinary sanctions” against a student may include any available discipline or sanction, up to and including expulsion, under the policies, rules and procedures that establish the district’s comprehensive student code of conduct.
- d. “Remedial actions” as to a respondent after a final finding of responsibility, whether employee or student, may include the imposition upon a responsible respondent of any additional non-disciplinary measures appropriate to effecting a remedy for sexual harassment, and may include such measures as no-contact requirements, scheduling adjustments, removal or exclusion from extracurricular activities, class reassignments, limits on future class registrations, restrictions on access to various spaces in the school buildings, reassignment of attendance, and similar measures fine-tuned to respond appropriately to the circumstances surrounding a successful complainant’s right to access the district’s program and activity.

Additional remedial actions may include recommendations that a school-wide or system-wide response is needed in order to respond to the sexual harassment in a way that is not clearly unreasonable under the circumstances. In such cases, the Superintendent shall provide additional staff training, harassment prevention programs, or such other measures as determined appropriate to protect the safety of the educational environment and/or to deter sexual harassment.

D. Timeframe of Grievance Process.

The District shall make a good faith effort to conduct a fair, impartial grievance process in a timely manner designed to provide all parties with a prompt and equitable resolution. It is expected that in most cases, the grievance process will be concluded through at least the determination of responsibility decision within 80 days after filing the formal complaint. In more complex cases, the time necessary to complete a fair and thorough investigation or other circumstances mean that a determination of responsibility cannot reasonably be made within that timeframe.

1. Summary of Grievance Process Timeline.

- a. Investigation (as described in Sect. III.E.1) 20 +/- days as the complexity of the case demands
- b. 10 days for reviewing information prior to conclusion of investigation
- c. 10 days after receiving report to respond to report
- d. 10 days for decision maker to allow initial questions
- e. 10 days for responses to questions

- f. 10 days for questions and responses to follow-up questions.
 - g. 10 days for determination of responsibility decision
 - h. 10 days for appeal (6 additional days for administrative steps)
 - i. 10 days for argument/statement challenging or supporting determination
 - j. 10 days for decision on appeal
2. Delays and Extensions of Time. At any stage of the grievance process, the District (through the Superintendent, or if the Superintendent is the respondent, the Title IX Coordinator or designee) may for good cause allow for temporary delays or extensions of time upon request of either party, or on his/her own initiative. Examples of good cause may include such things as availability of parties or witnesses, school or school administrative office holidays or vacations, referral back to an earlier stage of the grievance process, concurrent law enforcement or other agency activity, or need to obtain interpreters or accommodation of disabilities. For any such delay or extension of time, the Superintendent or the Title IX Coordinator will provide written notice to the parties of the delay/extension and the reason(s).

E. **Investigation.**

The Title IX Coordinator will coordinate the investigation. The investigator shall be as appointed pursuant to Sect. III.B.6.

1. The Title IX Coordinator may conduct the investigation, or, in consultation with the Superintendent, designate another qualified person to investigate. The investigation and investigator must:
 - a. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence. (Evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such evidence about the complainant's prior sexual behavior is offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the evidence concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and is offered to prove consent.)
 - b. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not on either of the parties;
 - c. Provide an equal opportunity for the parties to present witnesses, and other inculpatory and exculpatory evidence;

- d. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
 - e. Provide the parties with the same opportunities to have others present during any interview or other part of the investigation, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The investigator may restrict any others from participating, as long as the restrictions apply equally to both parties;
 - f. Provide, to a party (e.g., respondent or complainant – and parent/guardian as appropriate) whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate within the timeframes established in Sect. III.D, below.
 - g. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint;
2. Prior to completion of the investigative report, the District, through the Title IX Coordinator, must send to each party and party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report;
 3. The investigator must prepare a written investigative report that fairly summarizes relevant evidence, including, without limitation, witness credibility, discrepancies, inculpatory and exculpatory information, and relevant District policies, rules and regulations, and the manner in which the same were made known to the pertinent school populations or specific parties. The investigative report shall include a description of the procedural steps taken, starting with the receipt of the formal complaint, and continuing through the preparation of the investigative report, including any notifications to the parties, interview with parties and witnesses, site visit, and methods used to gather evidence.
 4. The investigator shall provide the investigative report in hard copy or electronic format to the Title IX Coordinator, to each party and each party's advisor, if any. Each party will have 10 days from receipt to provide the Title IX Coordinator a written response to the investigative report.
 5. It serves all parties when investigations proceed diligently and conclude within a reasonable time, which may vary case by case. In most cases, it is expected that the investigator will conclude the initial investigation, and provide the parties the evidence and other information required under Sect. III.E.2. Not more frequently than every other week, any party may request the Title IX Coordinator to obtain and provide the parties with a basic status report on the investigator's progress toward completion. In most cases, the investigator

should conclude the investigation within 10-20 days after receiving a Formal Complaint.

C. Determination of Responsibility and Initial Decision Maker.

The determination of responsibility of the respondent shall be made by the initial decision maker as appointed pursuant to Sect. III.B.6.

1. Prior to making a determination of responsibility, the initial decision maker will afford each party 10 days to submit written, relevant questions to the initial decision maker that the party wants asked of any party or witness.
2. The initial decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the question and evidence concern specific incidents of the complainants prior sexual behavior with respect to the respondent and are offered to prove consent.
3. The initial decision maker will provide the questions to the party/witness, with copies to each party, and provide no less than 10 days for written responses, likewise to be provided to each party.
4. The initial decision maker will provide 5 days each for supplementary, limited follow-up questions and 5 days for answers, and may provide for additional rounds of follow-up questions, as long as the provision is extended to both parties equally.
5. The initial decision maker may not make any creditability determinations based on the person's status as a complainant, respondent or witness.
6. The respondent must be deemed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
7. The initial decision maker may impose disciplinary sanctions and remedies as described in Sect. III.C.7, above.
8. The standard to be used for formal complaints in determining whether a violation has occurred and/or that the respondent is responsible is the preponderance of the evidence standard, which is only met when the party with the burden convinces the fact finder (the initial decision maker) that there is a greater than 50% chance that the claim is true (i.e., more likely than not).
9. The initial decision-maker must issue a written determination/decision within 10 days after the close of the period for responses to the last round of follow-up questions. The written "Initial Determination of Responsibility" must include:

- a. Identification of the allegations potentially constituting sexual harassment;
 - b. A description of the procedural steps taken from the receipt of the formal complaint through the Initial Determination of Responsibility, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
 - c. Findings of fact supporting the determination;
 - d. Conclusions regarding the application of the District's applicable codes of conduct, policies, administrative regulations or rules to the facts;
 - e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility (i.e., whether or not the respondent is responsible for sexual harassment), and any disciplinary sanctions or remedies; and
 - f. The District's procedures and permissible bases for the complainant and respondent to appeal (as set forth in Sect. III.H, below).
10. The decision maker shall provide the Initial Determination of Responsibility to the Title IX Coordinator, the Superintendent and the parties simultaneously.

C. Dismissal of a Formal Complaint.

- 1. The District must dismiss a formal complaint with regard to Title IX sexual harassment if the alleged conduct:
 - a. Would not constitute Title IX sexual harassment, even if proved;
 - b. Did not occur in the District's education program or activity; or
 - c. Did not occur against a person in the United States.
- 2. The District may dismiss a formal complaint with regard to Title IX sexual harassment if at any time during the investigation or determination of responsibility stage(s):
 - a. A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
 - b. The respondent is no longer enrolled or employed by the District; or
 - c. Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

3. Prior to dismissal of a complaint, the person responsible at that stage shall consult with the Superintendent.
4. Upon dismissal of a formal complaint, the District must promptly send written notice of the dismissal and the reason(s) therefor simultaneously to the parties.

The dismissal of a formal complaint under Title IX does not preclude the District from continuing any investigation or taking action relative to Non-Title IX sexual harassment or otherwise under Board policy ACA, other applicable District policies, code of conduct or administrative rules/regulations. In some cases, the District may have an obligation to continue an investigation and proceed under a different policy or mandated process. (See discussions in Sect. II.A and the definitions under "sexual harassment" in Sect. II.C).

C. Appeals Process.

1. Either party may appeal the Initial Determination of Responsibility or the dismissal of a formal complaint or any allegation in a formal complaint by notifying the Superintendent in writing ("written appeal"), with a copy to the Title IX Coordinator. If there are multiple determinations of responsibility, the written appeal shall specify which ones are included in the appeal. The written appeal must be received by the Superintendent within 10 days of the Initial Determination of Responsibility or written notice of dismissal being communicated to the parties.
2. An appeal under this Policy may only be based upon one or more of the following bases, which must be stated specifically in the party's written appeal:
 - a. Procedural irregularity that affected the outcome of the matter;
 - b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
 - c. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Appeals for any other reason or upon any determination of responsibility not included in the written appeal will not be heard.

Appeals pertain only to the determination of responsibility and non-disciplinary remedies. Once a determination of responsibility is final per Sect. III.I, below, appeals of disciplinary sanctions may be made pursuant to the District's ordinary review process for discipline, or, to the extent

applicable, any statutory or other processes provided under collective bargaining agreements or individual contracts.

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3. Within 3 days of receipt of the written appeal, the Superintendent shall appoint a decision maker for appeal (“appeals decision maker”), who must have adequate training as provided in Sect. II.E, be free from conflict of interest as provided in Sect. II.H, and may not be the same person as the initial decision maker, the person who ordered dismissal, the investigator(s), or the Title IX Coordinator. Upon the appointment of the appeals decision maker, the Superintendent shall provide a Notice of Appeal to each party and to the Title IX Coordinator, with a copy of the written appeal. The Notice of Appeal must include information about all deadlines and timeframes in the appeal stage.
4. Each party shall have 10 days from the date the Notice of Appeal is delivered to the parties to submit to the appeals decision maker a written statement, with copies to the Superintendent, Title IX Coordinator, and other party a statement (“appeal statement”) in support of, or challenging, the determination of responsibility or dismissal.
5. Each party shall provide copies of the appeal statement to the other party, the Superintendent, and the Title IX Coordinator at the same time the appeal statement is given to the appeals decision maker. If the basis of the appeal is newly available evidence affecting the outcome, the party shall submit such evidence or a summary of such evidence along with the party’s appeal statement.
6. The appeals decision maker may refer an appealed issue back to a prior point in the grievance process, with written notice to the parties, the Superintendent and the Title IX Coordinator.
7. The appeals decision maker shall provide a written appeals decision after considering the record and the parties’ appeal statements. The appeals decision maker will only overturn the Initial Determination of Responsibility upon a conclusion that it was clearly erroneous (i.e., either made on unreasonable grounds, or without any proper consideration of the circumstances). If the basis or one of the bases for the appeal was new evidence, the appeals decision maker may either make a determination of responsibility regarding that evidence, or refer it back to the appropriate stage of the Title IX Grievance Process. The written appeals decision will describe the result(s) of the appeal and the rationale, with copies provided to the parties, Superintendent and Title IX Coordinator, no more than 10 days after receiving the last of the parties’ written statements per Sect. III.H.5.

- II. **Finality of Determination of Responsibility.** The determination regarding responsibility becomes final either on the date that the recipient, through the Superintendent, provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal of the Initial Determination of Responsibility would no longer be considered timely. The final determination shall be identified as the Title IX Decision.

Once the Title IX Decision is final, the District may implement remedies and disciplinary sanctions. The Title IX Coordinator is responsible for effective implementation of any non-disciplinary remedies, with the assistance of building and District administrative personnel, while disciplinary sanctions will be imposed by persons charged with such responsibilities under other Board policies, regulations or administrative procedures. The District may also proceed against the respondent or complainant pursuant to the District's applicable code of conduct or other Board policies, collective bargaining agreement, individual contract or administrative rules/regulations/procedures. The issue of responsibility for the conduct at issue shall not be subject to further review or appeal within the District.

J. Informal Resolution

At any time prior to reaching a determination regarding responsibility (but only after the filing of a formal complaint), the District may offer an optional informal resolution process (e.g., mediation, arbitration), provided that the District:

1. Provides written notice to the parties disclosing:
 - a. The allegations of the formal complaint;
 - b. The requirements of the information resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to an informal final resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
 - c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary written consent to the informal resolution process; and

In no event may the District offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

***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.*

NH Statutes
RSA 193:38
RSA 354-A:1

Description
[Discrimination in Public Schools](#)
[\(Human Rights\) Title and Purposes of Chapter](#)

RSA 354-A:27	Opportunity for Public Education without Discrimination a Civil Right
RSA 354-A:6	Opportunity for Employment without Discrimination a Civil Right
NH Dept of Ed Regulation	Description
N.H. Code Admin. Rules Ed 303.01 (i)	School Board Substantive Duties
N.H. Code Admin. Rules Ed 303.01 (j)	Substantive Duties of School Boards; Sexual Harassment Policy
Federal Regulations	Description
34 CFR 106.30	Definitions
34 CFR 106.44	Recipient's response to sexual harassment
34 CFR 106.45	Grievance process for formal complaints of sexual harassment
34 CFR 106.71	Retaliation
34 CFR 106.8	Designation of responsible employee and adoption of grievance procedures.
34 CFR. Part 99	Family Educational Rights and Privacy Act Regulations
Federal Statutes	Description
20 U.S.C 1681, et seq	Title IX of the Education Amendments of 1972
42 U.S.C. 2000e et seq.	Title VII of the Civil Rights Act of 1964
Cross References	
Code	Description
AC	Nondiscrimination, Equal Opportunity Employment, and Anti-Discrimination Plan
AC-R(2)	Nondiscrimination, Equal Opportunity Employment, and Anti-Discrimination Plan - Annual Notice of Contact Information
ACA	Discrimination and Harassment Grievance Procedure
ACN	Accommodation of Nursing Mothers
EHB	Data/Records Retention
EHB-R(1)	Data/Records Retention - Local Records Retention Schedule
GBAM	Accommodation of Pregnancy and Related Medical Conditions: Personnel
GBEAB	Mandatory Code of Conduct Reporting - All Employees
IHBCA	Accommodation of Pregnancy and Related Medical Conditions: Students
JICK	Pupil Safety and Violence Prevention
JICK-R(1)	Pupil Safety and Violence Prevention - Report Form
JICK-R(2)	Pupil Safety and Violence Prevention - Bullying Report Form
JICK-R(3)	Pupil Safety and Violence Prevention - School Board Notification of Bullying Report

JJIC

[Eligibility for Interscholastic Athletics](#)

JLF

[Reporting Child Abuse or Neglect](#)

JLF-F(1)

[Reporting Child Abuse or Neglect - Report Form](#)

New Policy/1st Reading/Adopted: 9/22/20

Review/1st Reading Waived: 9/10/24; 2nd Reading/Adopted: 9/10/24

Waive Review/1st Reading/2nd Reading - Emergency Adopt/Adopted: 2/25/25

ACAC-R - TITLE IX SEXUAL HARASSMENT GRIEVANCE PROCEDURES

I. TITLE IX GRIEVANCE PROCESS.

The Title IX Grievance Process is used only upon the filing of a formal complaint of sexual harassment as described in Sec. I.A, below. The provisions of Section I of the Policy are incorporated as part of the Title IX Grievance Process. Upon receipt of a formal complaint of sexual harassment, the Title IX Coordinator will coordinate the District's efforts to comply with its responsibilities related to the Title IX Grievance Process.

A. Process for Filing a Formal Complaint of Sexual Harassment.

The Title IX Grievance Process is initiated by way of a formal complaint ("complaint" or "formal complaint") filed by the complainant, the complainant's parent/guardian, or the Title IX Coordinator. The complainant may file a complaint or choose not to file a complaint and simply receive the supportive measures. If the Complainant does not file a complaint, the Title IX Coordinator may sign a formal complaint, but only if initiating the grievance process against the respondent is not clearly unreasonable in light of the known circumstances, and in other cases where, in the exercise of good judgment and in consultation with the District's attorney as appropriate, the Title IX Coordinator determines that a grievance process is necessary to comply with the obligation not to be deliberately indifferent to known allegations of sexual harassment (e.g., reports of sexual assault, employee on student harassment, repeat reports, or the conduct in the complainant's report has not been adequately resolved through the provision of supportive measures). If the complaint is filed by the Title IX Coordinator, he/she is not a party to the action, and the District must comply with all of the provisions of the Title IX Grievance Process relative to respondents and complainants.

If no formal complaint is filed by the complainant or the Title IX Coordinator no disciplinary action may be taken against the respondent based upon conduct that would constitute sexual harassment under this policy.

Although there is no time limit per se to filing a formal complaint, for complaints initiated by the complainant or his/her parent/guardian, the complainant must be employed by the District or participating in or attempting to participate in the education program or activities of the District at the time of filing. Additionally, although the District will initiate the Title IX Grievance Process regardless of when the formal complaint is submitted, delays in reporting may significantly impair the ability of school officials to investigate and respond to the allegations.

At a minimum, a formal complaint must:

1. contain the name and address of the complainant and the student's parent or guardian if the complainant is a minor student;
2. describe the alleged sexual harassment,
3. request an investigation of the matter, and
4. be signed by the complainant or otherwise indicate that the complainant is the person filing the complaint.

The complaint may be filed with the Title IX coordinator in person, by mail, or by email. Complaint forms may be obtained from the Title IX Coordinator or on the district website (School Board Policy ACAC-F).

B. Initial Steps and Notice of Formal Complaint.

1. The Title IX Coordinator will provide notice to the complainant and the complainant's parent/guardian (if the complainant is a non-eligible student under FERPA), and to the respondent (if known) and the respondent's parent/guardian (if the respondent is a non-eligible student under FERPA), as well as to any other known parties, of the following:
 - o this Title IX Grievance Process, including any informal resolution process;
 - o the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview; "sufficient details" shall include to the extent known identities of persons involved, the conduct allegedly constituting sexual harassment, and the date and location of the incident;
 - o a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
 - o that each party may have an advisor of their choice, who may be, but is not required to be, an attorney;
 - o that each party is entitled to inspect and review evidence; and
 - o a reference to any provision in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.
- The Title IX Coordinator will contact the complainant to discuss and offer supportive measures.
- The Title IX Coordinator may contact the respondent to discuss, and or impose, non-disciplinary supportive measures.
- The Title IX Coordinator will examine the allegations in the formal complaint, to determine whether even if assumed true, the allegations are sufficient to sustain a finding of sexual harassment under this Policy. If the Title IX Coordinator was not involved with preparing the formal complaint, the Title IX Coordinator will contact the complainant to discuss the

complaint and whether amendment is appropriate, in which case the process of Sec. I.C.4 will apply.

- If the formal complaint fails to satisfy the definition of sexual harassment in this Policy, the complaint shall be dismissed as provided in Sec. I.G, below.
- If the complaint is not dismissed, then Title IX Coordinator will consult with the Superintendent as to whether the Title IX Coordinator should act as the investigator or whether a different District or other employee shall act in that capacity. At the same time, the Title IX Coordinator and the Superintendent shall appoint the person who shall make the initial determination of responsibility (initial decision maker). Ordinarily the building principal shall serve as the initial decision maker. In all cases, the investigator and the initial decision maker must be properly trained and otherwise qualified (see Sec. II.D “Training”, and Section II.G “Conflict of Interest”).
- If the report alleges sexual harassment by the Superintendent, the Title IX Coordinator will inform the School Board Chair and the Business Administrator, the latter of whom shall have authority to seek guidance from the District’s general counsel, but shall not delay the District’s response to the report as outlined in this Policy.

C. General Provisions and Additional Definitions Relative to Title IX Grievance Process.

1. Copies and Notices. Except as specifically stated elsewhere in this Policy, for any document, information or material required to be delivered to a party or to a person assigned with responsibility under the Title IX Grievance Process, the manner of transmittal may be by electronic mail, regular mail or such other manner reasonably calculated to assure prompt delivery with evidence thereof (such as a commercial carrier or other receipted delivery). Hand delivery will only be permitted if made to the District official charged with the specific function under this Policy (e.g., Title IX Coordinator, Superintendent, investigator, decision maker(s), etc.). Any document required to be delivered to a minor or other non-eligible student, must also be delivered to the minor’s parent/guardian. Copies should also be sent to a party’s advisor if the information for the advisor has been previously communicated to the sending party. (Under federal regulations, copies of the investigative evidence, as well as the investigative report, must be forwarded to a party’s advisor. See Sections I.E.3, and I.E.4).
2. Risk Analysis and Emergency Removal. At any point during the Title IX Grievance Process, the Title IX Coordinator may arrange for an individualized safety and risk analysis as described in Sec. II.J.5, following which a student may be removed.
3. Administrative Leave. At any point during the Title IX Grievance Process, the Superintendent, and at his/her own discretion, and with or without consulting the Title IX Coordinator, may place an employee on administrative leave pursuant to RSA 189:31.
4. Additional Allegations. If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that were not included in the previous notice, the District shall simultaneously provide notice of the additional allegations to the parties whose identities are known.

5. No Interference with Legal Privileges. At no point in process will the Title IX Coordinator, the investigator, any decision maker, or any other person participating on behalf of the District, require, allow, rely upon, or otherwise use questions or evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege (e.g., doctor/patient, attorney/client, clergy, etc.), unless the person holding such privilege (parent/guardian for minor student) has waived the privilege in writing to use the information with respect to the Title IX Grievance Process.
6. Consolidation of Complaints. The District may consolidate formal complaints of allegations of sexual harassment where the allegations of sexual harassment arise out of the same facts or circumstances and the formal complaints are against more than one respondent; or by more than one complainant against one or more respondents; or by one party against the other party. When the District has consolidated formal complaints so that the grievance process involves more than one complainant or more than one respondent, references to the singular “party”, “complainant”, or “respondent” include the plural, as applicable.
7. Remedies: Range of Disciplinary Sanctions and Remedial Actions Upon Final Determination of Responsibility.
 - a. “Disciplinary sanctions” are consequences imposed on a respondent when s/he is found responsible for sexual harassment under this Policy. Remedial actions are actions intended to restore or preserve a complainant’s equal access to the educational programs and activities of the District.
 - b. “Disciplinary sanctions” against an employee respondent may include any available sanction available for the discipline of employees, up to and including dismissal or non-renewal for any other violation of Board policy, NH Code of Conduct for Educational Professionals, applicable individual or collective bargaining contract, or state or federal laws or regulations.
 - c. “Disciplinary sanctions” against a student may include any available discipline or sanction, up to and including expulsion, under the policies, rules and procedures that establish the district’s comprehensive student code of conduct.
 - d. “Remedial actions” as to a respondent after a final finding of responsibility, whether employee or student, may include the imposition upon a responsible respondent of any additional non-disciplinary measures appropriate to effecting a remedy for sexual harassment, and may include such measures as no-contact requirements, scheduling adjustments, removal or exclusion from extracurricular activities, class reassignments, limits on future class registrations, restrictions on access to various spaces in the school buildings, reassignment of attendance, and similar measures fine-tuned to respond appropriately to the circumstances surrounding a successful complainant’s right to access the district’s program and activity.

Additional remedial actions may include recommendations that a school-wide or system-wide response is needed in order to respond to the sexual harassment in a way that is not clearly unreasonable under the circumstances. In such cases, the Superintendent shall provide additional staff training, harassment prevention

programs, or such other measures as determined appropriate to protect the safety of the educational environment and/or to deter sexual harassment.

D. Timeframe of Grievance Process.

The District shall make a good faith effort to conduct a fair, impartial grievance process in a timely manner designed to provide all parties with a prompt and equitable resolution. It is expected that in most cases, the grievance process will be concluded through at least the determination of responsibility decision within 80 days after filing the formal complaint. In more complex cases, the time necessary to complete a fair and thorough investigation or other circumstances mean that a determination of responsibility cannot reasonably be made within that timeframe.

1. Summary of Grievance Process Timeline.

- a. Investigation 20 +/- days as the complexity of the case demands (Sec. I.E.1) below
 - b. 10 days for reviewing information prior to conclusion of investigation
 - c. 10 days after receiving report to respond to report
 - d. 10 days for decision maker to allow initial questions
 - e. 10 days for responses to questions
 - f. 10 days for questions and responses to follow-up questions.
 - g. 10 days for determination of responsibility decision
 - h. 10 days for appeal (6 additional days for administrative steps)
 - i. 10 days for argument/statement challenging or supporting determination
 - j. 10 days for decision on appeal
2. **Delays and Extensions of Time.** At any stage of the grievance process, the District (through the Superintendent, or if the Superintendent is the respondent, the Title IX Coordinator or designee) may for good cause allow for temporary delays or extensions of time upon request of either party, or on his/her own initiative. Examples of good cause may include such things as availability of parties or witnesses, school or school administrative office holidays or vacations, referral back to an earlier stage of the grievance process, concurrent law enforcement or other agency activity, or need to obtain interpreters or accommodation of disabilities. For any such delay or extension of time, the Superintendent or the Title IX Coordinator will provide written notice to the parties of the delay/extension and the reason(s).

E. Investigation.

The Title IX Coordinator will coordinate the investigation. The investigator shall be as appointed pursuant to Sec. I.B.5, above.

1. The Title IX Coordinator may conduct the investigation, or, in consultation with the Superintendent, designate another qualified person to investigate. The investigation and investigator must:
 - a. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence. (Evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such evidence about the complainant's prior sexual behavior is offered to prove that someone other than the respondent committed

the conduct alleged by the complainant, or if the evidence concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and is offered to prove consent.)

- b. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not on either of the parties;
 - c. Provide an equal opportunity for the parties to present witnesses, and other inculpatory and exculpatory evidence;
 - d. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
 - e. Provide the parties with the same opportunities to have others present during any interview or other part of the investigation, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The investigator may restrict any others from participating, as long as the restrictions apply equally to both parties;
 - f. Provide, to a party (e.g., respondent or complainant – and parent/guardian as appropriate) whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate within the timeframes established in Sec. I.D, above.
 - g. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint;
2. Prior to completion of the investigative report, the District, through the Title IX Coordinator, must send to each party and party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report;
3. The investigator must prepare a written investigative report that fairly summarizes relevant evidence, including, without limitation, witness credibility, discrepancies, inculpatory and exculpatory information, and relevant District policies, rules and regulations, and the manner in which the same were made known to the pertinent school populations or specific parties. The investigative report shall include a description of the procedural steps taken, starting with the receipt of the formal complaint, and continuing through the preparation of the investigative report, including any notifications to the parties, interview with parties and witnesses, site visit, and methods used to gather evidence.
4. The investigator shall provide the investigative report in hard copy or electronic format to the Title IX Coordinator, to each party and each party's advisor, if any. Each party will have 10 days from receipt to provide the Title IX Coordinator a written response to the investigative report.
5. It serves all parties when investigations proceed diligently and conclude within a reasonable time, which may vary case by case. In most cases, it is expected that the

investigator will conclude the initial investigation, and provide the parties the evidence and other information required under Sec. I.E.2, above. Not more frequently than every other week, any party may request the Title IX Coordinator to obtain and provide the parties with a basic status report on the investigator's progress toward completion. In most cases, the investigator should conclude the investigation within 10-20 days after receiving a Formal Complaint.

F. Determination of Responsibility and Initial Decision Maker.

The determination of responsibility of the respondent shall be made by the initial decision maker as appointed pursuant to Section III.B.5.

1. Prior to making a determination of responsibility, the initial decision maker will afford each party 10 days to submit written, relevant questions to the initial decision maker that the party wants asked of any party or witness.
2. The initial decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the question and evidence concern specific incidents of the complainants prior sexual behavior with respect to the respondent and are offered to prove consent.
3. The initial decision maker will provide the questions to the party/witness, with copies to each party, and provide no less than 10 days for written responses, likewise to be provided to each party.
4. The initial decision maker will provide 5 days each for supplementary, limited follow-up questions and 5 days for answers, and may provide for additional rounds of follow-up questions, as long as the provision is extended to both parties equally.
5. The initial decision maker may not make any creditability determinations based on the person's status as a complainant, respondent or witness.
6. The respondent must be deemed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
7. The initial decision maker may impose disciplinary sanctions and remedies as described in Section I.C7, above.
8. The standard to be used for formal complaints in determining whether a violation has occurred and/or that the respondent is responsible is the preponderance of the evidence standard, which is only met when the party with the burden convinces the fact finder (the initial decision maker) that there is a greater than 50% chance that the claim is true (i.e., more likely than not).
9. The initial decision-maker must issue a written determination/decision within 10 days after the close of the period for responses to the last round of follow-up questions. The written "Initial Determination of Responsibility" must include:
 - a. Identification of the allegations potentially constituting sexual harassment;

- b. A description of the procedural steps taken from the receipt of the formal complaint through the Initial Determination of Responsibility, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
 - c. Findings of fact supporting the determination;
 - d. Conclusions regarding the application of the District's applicable codes of conduct, policies, administrative regulations or rules to the facts;
 - e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility (i.e., whether or not the respondent is responsible for sexual harassment), and any disciplinary sanctions or remedies; and
 - f. The District's procedures and permissible bases for the complainant and respondent to appeal (as set forth in Section I.H, below).
10. The decision maker shall provide the Initial Determination of Responsibility to the Title IX Coordinator, the Superintendent and the parties simultaneously.

G. Dismissal of a Formal Complaint.

1. The District must dismiss a formal complaint with regard to Title IX sexual harassment if the alleged conduct:
 - a. Would not constitute sexual harassment, even if proved;
 - b. Did not occur in the District's education program or activity; or
 - c. Did not occur against a person in the United States.
2. The District may dismiss a formal complaint with regard to Title IX sexual harassment if at any time during the investigation or determination of responsibility stage(s):
 - a. A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
 - b. The respondent is no longer enrolled or employed by the District; or
 - c. Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
3. Prior to dismissal of a complaint, the person responsible at that stage shall consult with the Superintendent.
4. Upon dismissal of a formal complaint, the District must promptly send written notice of the dismissal and the reason(s) therefor simultaneously to the parties.

The dismissal of a formal complaint under Title IX does not preclude the District from continuing any investigation or taking action under other District policies, code of conduct or administrative rules/regulations. In some cases, the District may have an obligation to continue an investigation and proceed under a different policy or mandated process.

H. Appeals Process.

1. Either party may appeal the Initial Determination of Responsibility or the dismissal of a formal complaint or any allegation in a formal complaint by notifying the Superintendent in writing (“written appeal”), with a copy to the Title IX Coordinator. If there are multiple determinations of responsibility, the written appeal shall specify which ones are included in the appeal. The written appeal must be received by the Superintendent within 10 days of the Initial Determination of Responsibility or written notice of dismissal being communicated to the parties.
2. An appeal under this Policy may only be based upon one or more of the following bases, which must be stated specifically in the party’s written appeal:
 - i. Procedural irregularity that affected the outcome of the matter;
 - ii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
 - iii. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Appeals for any other reason or upon any determination of responsibility not included in the written appeal will not be heard.

Appeals pertain only to the determination of responsibility and non-disciplinary remedies. Once a determination of responsibility is final per Sec. I.I, below, appeals of disciplinary sanctions may be made pursuant to the District’s ordinary review process for discipline, or, to the extent applicable, any statutory or other processes provided under collective bargaining agreements or individual contracts.

3. Within 3 days of receipt of the written appeal, the Superintendent shall appoint a decision maker for appeal (“appeals decision maker”),¹ who must have adequate training as provided in Section II.D, be free from conflict of interest as provided in Section II.G, and may not be the same person as the initial decision maker, the person who ordered dismissal, the investigator(s), or the Title IX Coordinator. Upon the appointment of the appeals decision maker, the Superintendent shall provide a Notice of Appeal to each party and to the Title IX Coordinator, with a copy of the written appeal. The Notice of Appeal must include information about all deadlines and timeframes in the appeal stage.
4. Each party shall have 10 days from the date the Notice of Appeal is delivered to the parties to submit to the appeals decision maker a written statement, with copies to the Superintendent, Title IX Coordinator, and other party a statement (“appeal statement”) in support of, or challenging, the determination of responsibility or dismissal.
5. Each party shall provide copies of the appeal statement to the other party, the Superintendent, and the Title IX Coordinator at the same time the appeal statement is given to the appeals decision maker. If the basis of the appeal is newly available evidence

¹ Although the school board is not precluded from serving as a decision maker with respect to appeals, before it may do so, each member of the board must meet both the training and conflict of interest requirements described in Sections II.D and II.G. Such training may be provided on an as-needed basis, but because of necessary timelines, the framework will need to be in place long before a case is appealed.

affecting the outcome, the party shall submit such evidence or a summary of such evidence along with the party's appeal statement.

6. The appeals decision maker may refer an appealed issue back to a prior point in the grievance process, with written notice to the parties, the Superintendent and the Title IX Coordinator.
7. The appeals decision maker shall provide a written appeals decision after considering the record and the parties' appeal statements. The appeals decision maker will only overturn the Initial Determination of Responsibility upon a conclusion that it was clearly erroneous (i.e., either made on unreasonable grounds, or without any proper consideration of the circumstances). If the basis or one of the bases for the appeal was new evidence, the appeals decision maker may either make a determination of responsibility regarding that evidence, or refer it back to the appropriate stage of the Title IX Grievance Process. The written appeals decision will describe the result(s) of the appeal and the rationale, with copies provided to the parties, Superintendent and Title IX Coordinator, no more than 10 days after receiving the last of the parties' written statements per Section I.H.5, above.

I. Finality of Determination of Responsibility. The determination regarding responsibility becomes final either on the date that the recipient, through the Superintendent, provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal of the Initial Determination of Responsibility would no longer be considered timely. The final determination shall be identified as the Title IX Decision.

Once the Title IX Decision is final, the District may implement remedies and disciplinary sanctions. The Title IX Coordinator is responsible for effective implementation of any non-disciplinary remedies, with the assistance of building and District administrative personnel, while disciplinary sanctions will be imposed by persons charged with such responsibilities under other Board policies, regulations or administrative procedures. The District may also proceed against the respondent or complainant pursuant to the District's applicable code of conduct or other Board policies, collective bargaining agreement, individual contract or administrative rules/regulations/procedures. The issue of responsibility for the conduct at issue shall not be subject to further review or appeal within the District.

J. Informal Resolution.

At any time prior to reaching a determination regarding responsibility (but only after the filing of a formal complaint), the District may offer an optional informal resolution process (e.g., mediation, arbitration), provided that the District:

1. Provides written notice to the parties disclosing:
 - a. The allegations of the formal complaint;
 - b. The requirements of the information resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to an informal final resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and

- c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary written consent to the informal resolution process; and

In no event may the District offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

See Also: ACAC – Title IX Sexual Harassment Policy

New Policy/Procedures: 9/22/20

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

Category: Priority/Required by Law

Identical Policy: GBED & JICG

Related Policy: IHAMA

State law prohibits the use of any tobacco product including but not limited to, e-cigarette, or liquid nicotine in any facility or upon any grounds maintained by the Mascoma Valley Regional School District. Students and minors are further prohibited from possessing such items in or upon any facility, school vehicle, or grounds owned or maintained by the District.

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

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

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

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

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

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

"Employee" shall include all persons within the definition of "covered person" under Board policy GBCD.

"Facility" is any place which is supported by public funds and which is used for the instruction of students enrolled in preschool programs and in all grades maintained by the District. This definition shall include all administrative buildings and offices and areas within facilities supportive of instruction and subject to educational administration, including, but not limited to, lounge areas, passageways, rest rooms, laboratories, classrooms, study areas, cafeterias, gymnasiums, maintenance rooms, athletic fields & facilities and storage areas.

B. **Students**

No person under the age of 21 shall purchase, attempt to purchase, possess or use any tobacco product, device, e-cigarette, e-liquid, or liquid nicotine in any facility, in any school building or vehicle, or anywhere on school grounds maintained by the District.

Additionally, no person, including, without limitation, students or employees (as defined above), may sell, give or furnish tobacco products, e-cigarettes, or e-liquid to any person under 21 in or upon any school facility

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

C. **Employees**

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

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

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

D. All other persons

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

E. Implementation and Notice - Administrative Rules and Procedures.

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

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

Signs shall be placed by the District in all buildings, facilities and school vehicles stating that the use of tobacco products is prohibited. Violators may be reported to local law enforcement at the discretion of administration.

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.*

NH Statutes

RSA 126-K:2

RSA 126-K:7

Description

[Definitions](#)

[Use of Tobacco Products on Public Educational Grounds Prohibited](#)

RSA 126-K:8

[Youth Access to and Use of Tobacco Products, Special Provisions](#)

RSA 126-K:6

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

RSA 155:64 – 77

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

Federal Statutes

Description

20 U.S.C. Sec. 7973

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

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Policy Review/1st Reading: 7/23/24; 2nd Reading/Adopted: 8/13/24

ECAF - AUDIO AND VIDEO SURVEILLANCE ON SCHOOL BUSES

Category: Recommended

See also EEA, EEAA, JICC JICK & JRA

General Authorization

Video cameras may be used on Mascoma Valley Regional School District school buses to monitor student behavior. Audio recordings in conjunction with video recordings may also be captured on school buses, in accordance with the provisions of RSA 570-A:2.

NOTE CONCERNING AUDIO RECORDINGS: Recordings that include audio must also comply with the limitations of RSA 570-A:2, II (k)(2), which provides in pertinent part: "In no event, however, shall the recording be retained for longer than 10 school days unless the school district determines that the recording is relevant to a disciplinary proceeding, or a court orders that it be retained for a longer period of time. An audio recording shall only be reviewed if there has been a report of an incident or a complaint relative to conduct on the school bus, and only that portion of the audio recording which is relevant to the incident or complaint shall be reviewed."

Notification

This policy constitutes notification that audio and video recordings may be made on school buses used in the district. See also Board policy JICK - Pupil Safety and Violence Prevention.

The Superintendent or his/her designee shall ensure that there is a sign prominently displayed on the school buses informing the occupants of the school buses that such video and audio recordings are occurring. Notification of such video and audio recordings on the bus will also be included in the Student-Parent Handbook as well as the District and school websites.

Procedures Concerning Usage and Retention of Audio Recordings

The Superintendent is charged with establishing additional administrative procedures consistent with this policy to address the length of time which any audio recording is retained, ownership of the recording, limitations on who may view and listen to the recording, and provisions for erasing or destroying the recordings. Video recordings without audio may be used, retained or destroyed as provided in Board policy EEAA.

Recordings may be viewed/heard only by the following persons and only after expressly authorized by the Superintendent:

- Superintendent or designee
- Transportation Coordinator
- Investigators or attorneys retained by district
- Business Administrator
- Building Administrator
- Law Enforcement Officers
- Parent/guardian of any student involved in disciplinary proceedings and present on the recording.

The Superintendent is authorized to consult with the District's attorney relative to the use and retention of an audio and video recording either generally or in reference to a particular occurrence.

Student Records

In the event an audio or video recording is used as part of a student discipline proceeding, such video may become part of a student's education record. If an audio or video recording does become part of a student's education record, the provisions of Policy JRA shall apply.

Legal References:

RSA 570-A:2, Capture of Audio Recordings on School Buses Allowed
34 C.F.R. Part 99, Family Educational Rights and Privacy Act Regulations

Draft recommended to the Board on: 5/9/94; Adopted by the Board on: 7/18/94

Revision approved, as amended, first reading: 10/12/99

2nd Reading and Adoption by the Board: 11/09/99

Revision approved and first reading: 12/16/14

Second Reading and Approval: 1/14/15

Reviewed/First Reading: 10/27/20; 2nd Reading/Adopted: 11/10/20

Review/1st Reading: 2/8/22; 2nd Reading/Adopted: 2/22/22

EF - FOOD SERVICE MANAGEMENT

Category: Recommended

See also JLCF

In the Mascoma Valley Regional School District, all food service personnel will be directly responsible to the Food Service Director. The Food Service Director is responsible to the Superintendent or Business Administrator.

The Food Service Director is responsible for the planning and preparation of food served in the food service program, ensuring full compliance with the State of New Hampshire's education rules and regulations. All food will comply with the nutrition standards as set forth by the school wellness program.

The Food Service Director will order supplies, keep accurate records of financial transactions connected with the food service program, and prepare all records and reports as required.

The Food Service Director will be certified by a NH Department of Education approved program. They must hold a certificate of completion for an approved sanitation course upon employment.

All food service employees shall, within their first year of employment, obtain a certificate of completion for an approved sanitation course.

The Food Service Director will make recommendations to the building principal, the Superintendent, and/or Business Administrator concerning personnel and operational matters related to the food service program.

The District will seek to ensure that all students have access to school-provided meals. The Superintendent and/or the Business Administrator will develop meal-payment procedures for school-provided meals. No student will be subject to different treatment from the standard school lunch meal or school cafeteria procedures, regardless of ability to pay for such meal.

Reviewed: 12/01/16; First Reading 12/13/16; Second Reading 1/10/17

F&F: 11/1/18; School Board: 11/13/18; F&F: 1/2/19;

1st Reading: 1/8/19; 2nd Reading & Adopted: 1/22/19

EFA - AVAILABILITY AND DISTRIBUTION OF HEALTHY FOODS

Category: Priority/Required by Law

The Mascoma Valley Regional School District will support the availability and distribution of healthy foods and beverages in all school buildings during the school day.

The Superintendent of Schools or his/her designee is responsible for ensuring that all foods and beverages distributed within the district meet nutritional standards established by state and federal

law relative to: (1) nutrient density; (2) portion size; and (3) nutrition targets, as defined in pertinent law.

The Superintendent of Schools or his/her designee is responsible for implementing developmentally appropriate opportunities to learn food preparation skills that support nationally recognized research-based nutrition standards. The Superintendent of Schools or his/her designee is responsible for providing annual communication information about the policy and procedure and related curricula to the school community.

First Reading to Board: 5/26/15

Second Reading and Approval: 6/9/15

Reviewed by F&F: 11/1/18 – No Changes Recommended

EFAA - MEAL CHARGING

Category: Priority/Required by Law

See also JLCF, EF, EFA & EFE

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

All students will be allowed a school lunch regardless of their account balance.

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

Student Meal Accounts

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

Funds may be deposited into a student lunch account by cash, check, or on-line payment. Cash or checks made out to: Café Services should be presented to the cashier at the cafeteria. A check may also be mailed to: Café Services, 27 Royal Road, Canaan, NH 03741. The District utilizes the services of www.MealTime.com. The use of checks or on-line payments is encouraged, as each provides a record. Parents are responsible for any fees charged by the on-line service. In

accordance with United States Department of Agriculture ("USDA") guidance SP 02-2015, there will be no processing fee for deposits to a student meal account made by cash or check.

Bank fees incurred on any check returned for insufficient funds will be charged to the parent. In accordance with RSA 358-C:5, notice of the fee charged for a check that is returned for insufficient funds shall be included in any letter sent to a Parent seeking payment because the student meal account has a negative balance.

Each notice to parents will include information on how to verify a student meal account balance, to resolve concerns regarding the accuracy of the account balance, or to obtain information on the school meal program, including the name, title, hours when available, phone number, and e-mail address of an appropriate member of the District staff.

Parental Restrictions on Use of Student Meal Account

Parents who establish a meal account for their student are responsible for establishing with their student any restrictions the parent chooses to place on use of the account. Unless restricted by the parent, a student may purchase a la carte items in addition to the regular meal choices. Some students purchase more than one meal at one sitting. Setting and ensuring compliance with limitations on the use of the student's meal account afford families an opportunity to develop their student's understanding of the responsible use of credit and debit accounts, which will benefit the student throughout life. Parents must monitor the student's use of the meal account to ensure that a sufficient balance is available at all times for their student to charge meals. The District's on-line payment system allows a parent to check their students balance at any time.

The District's policy is to ensure that students have access to healthy meals and that no student will be subject to different treatment from the standard school meal or school cafeteria procedures. Therefore, the District will allow students to purchase a meal, even if the student's meal account has insufficient funds. This policy applies to all meal offerings generally available at the cafeteria, including breakfast and lunch. This does not apply to a la carte items.

Balance Statements

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

The notices will be sent by e-mail when practical, otherwise by a note, sealed in an envelope, and sent home with the student. Only those District staff who have received training on the confidentiality requirements of federal and state law, including the United States Department of Agriculture's ("USDA") guidance for school meal programs, and who have a need to access a child's account balance and eligibility information may communicate with parents regarding unpaid meal charges. Volunteers, including parent volunteers will not be used to communicate with parents regarding unpaid meal charges. 42 U.S.C. 1758(b)(6).

Notice prior to the account reaching zero is intended to reinforce the requirement that a positive balance be maintained in the student meal account. If a student meal account falls into debt, the initial focus will be on resuming payments for meals being consumed to stop the growth of the debt. The secondary focus will be on restoring the account to routinely having a positive balance.

The District recognizes that unexpected financial hardships occur and will work with parents in this circumstance to limit the amount of accumulated debt. To do so, it is essential that parents respond to notices and cooperate with district staff efforts. Fairness and equal treatment requires that those able to pay, but who fall behind, must promptly bring their students meal account into a positive balance. The District's proactive approach is intended to help ensure students have healthy meals and that parents do not accumulate significant debt to the school meal program.

Free or Reduced Price Meals

The District participates in the federally supported program to provide free or reduced price meals to students from families whose economic circumstances make paying for meals difficult. Income guidelines for eligibility are based on family size and are updated each year by the USDA. The District will ensure parents are informed of the eligibility requirements and application procedures for free or reduced cost meals as well as the requirements of this policy.

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

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

The District will proactively enroll students found to be categorically eligible into the free or reduced price meal program. The District will seek to enroll eligible students in the free or reduced price meal program upon learning from any source of the student's potential eligibility. When eligibility is established, the District will apply the earliest effective date permitted by federal and state law.

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

(This section applies for districts that choose to allow a student with a zero balance to charge meals. A District may have a policy that charging meals is not permitted. A policy prohibiting meal charges may be more appropriate if applied only to older students.)

Students Without Cash in Hand or A Positive Account Balance

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

It is the parents' responsibility to provide their student with a meal from home or to pay for school prepared meals. Therefore, the District's policy is to direct communications to parents about student meal debt. When parents chose to provide meals sent from home, it is the parents' responsibility to explain to their student the necessity of the student not using the school meal program.

Initial efforts to contact parents will be by e-mail or phone, however if those efforts are unsuccessful, letters to parents may be sent home in sealed envelopes with the student. Where the District has not received a response from the parents or the parents do not cooperate in resolving negative student meal account balances and the student continues to use the school meal program, for students in grade seven or higher, the principal or designee may communicate directly with the student in a manner that is private and which does not publicly identify or stigmatize the student. Resolution of the problem should seek to ensure the student has ongoing access to an appropriate meal.

Should the student's meal account balance fall below zero, a balance statement requesting immediate payment shall be sent to parents no less than once each week.

If the student's meal account balance debt grows to \$15.00 or more a letter demanding immediate payment shall be sent by US Mail to the parent or the parent shall be contacted by the Principal or designee by phone or in person. Where warranted, the Principal may arrange a payment schedule to address current meal consumption and arrearages while the school continues to provide the student with meals.

If the student's meal account debt grows to \$30.00 or more the parents will be requested to meet with the principal. When appropriate, the Principal should explore with the parents whether an application for free or reduced cost meals is warranted. Where extenuating circumstances of financial hardship exist and the family is not eligible for free or reduced cost meals, the District will work with the parents to identify and engage governmental and private charitable resources which are available to assist the family.

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

Unresolved Debt

If the Principal determines that the best available information is that the parents are able to pay the expenses of the student's meals and the parents decline to cooperate with resolving the debt in a timely manner, the Principal shall send a letter to the parents directing them to have their student bring meals from home and cease utilizing the school meal program. The student may resume using the school meal program when a positive account balance is restored in the student's meal account.

If the student continues to use the school meal program, a second letter shall be sent to the parents using certified mail, return receipt requested.

If parents continue to fail to provide the student with a meal sent from home, continue to fail to provide funds for their student to use the school lunch program, continue to refuse to cooperate with reasonable requests by District staff to address the overdue debt, and the parent is believed to have the ability to pay, the Superintendent may pursue payment through civil legal action, including filing a claim in small claims court pursuant to RSA Chapter 503. The Superintendent is delegated authority to assess the likelihood that civil action will lead to payment, the resources required to pursue collection, and to pursue such action only when doing so is in the best interest of the District.

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

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

Staff Enforcement of Policy/Training

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

Student with Special Dietary Needs

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

To request meal accommodations for students whose dietary needs qualify them for accommodation under law or to file a school meal program complaint with the District, contact the Food Service Director at phone number 632-4308.

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

http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

This District is an equal opportunity provider.

Nondiscrimination

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

Assessment for Neglect Reporting

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

School Board: 10/23/18; F&F: 11/1/18, 1.2.19

1st Reading: 1/8/19; 2nd Reading & Adopted: 1/22/19

GBEBB – EMPLOYEE-STUDENT RELATIONS

Category: Priority/Required by Law

Mascoma Valley Regional School District staff members are expected to maintain courteous and professional relationships with students, maintain an atmosphere conducive to learning, through consistently and fairly applied discipline and established professional boundaries.

For purposes of this policy, "staff member" and "staff" includes every person identified as a "covered individual" under Board policy GBCD, i.e., employee, stipend position (e.g., coach, trainer, drama coach, etc.), designated volunteer (whether direct or through a volunteer organization), or any contractor or person working on behalf of a contractor when the contractor provide services directly to students of the District.

A. Prohibited Interactions.

The Board understands that Staff may interact with and have activities, friendships or natural relationships with students or the families of students outside of school. This Policy is not intended to prohibit such interactions, provided that appropriate limits are maintained.

The below types of interactions with District students are prohibited unless necessary to serve an educational or health-related purpose. Note that many of the interactions listed are also prohibited under other policies or laws (harassment, abuse/neglect, Code of Conduct for NH Educators, etc.), and this policy in no way limits the application of those policies or laws, including any reporting requirements.

1. Staff members shall not make derogatory comments to students regarding the school and/or its staff.
2. The exchange of purchased gifts between staff members and students is discouraged and prohibited when the gift is of more than de minimis value or is directed to an individual student.
3. Staff members shall not fraternize, written or verbally, with students except on matters that pertain to school-related issues.
4. Staff members shall not associate with students in any situation or activity which could be considered sexually suggestive or involve the presence or use of tobacco, alcohol or drugs.
5. Dating between staff members and students is prohibited.

6. Staff members shall not use insults or sarcasm against students as a method of forcing compliance with requirements or expectations.
7. Staff members shall maintain a reasonable standard of care for the supervision, control and protection of students commensurate with their assigned duties and responsibilities.
8. Staff members shall not send students on personal errands.
9. Staff members shall, pursuant to law and Board policy, immediately report any suspected signs of child abuse or neglect.
10. Staff members shall not attempt to counsel, assess, diagnose or treat a student's personal problem relating to sexual behavior, substance abuse, mental or physical health and/or family relationships but, instead, should refer the student to the appropriate individual or agency for assistance.
11. Staff members shall not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but is not limited to, information concerning assessments, ability scores, grades, behavior, mental or physical health and/or family background.
12. Staff members shall not be alone in a room with a door closed, a locked door, or with the lights off.
13. Staff members are strongly discouraged from socializing with students outside of school on social networking websites, consistent with the provisions of Policy GBEED.
14. Unless following a published District emergency health or medical emergency protocol or policy, staff shall not accompany or transport a minor to any medical appointment, mental health appointment or visit that includes any type of mental health evaluation, treatment, or counseling, or any other health-related appointment or visit, without the knowledge and approval of the minor's parent or guardian.

B. Violations and Reporting Violations.

Staff members who violate this policy may face disciplinary measures, up to and including termination, consistent with state law and applicable provisions of a collective bargaining agreement.

Any employee who witnesses or learns of any of the above behaviors shall report it to the building Principal or Superintendent immediately.

Additionally, if the alleged violation of the above would also constitute a violation of the Code of Conduct for New Hampshire Educators, and the reporting employee is also a Credential Holder, then the Credential Holder must also make such reports as are required by the Code of Conduct and Board policy GBEAB.

Additional reporting is required if the conduct constitutes abuse or neglect prohibited by RSA 169-C (see Board policy JLF), or is required under some other Board policy, statute or regulation.

C. Dissemination of Policy.

The Superintendent shall ensure that all staff members are provided a copy of this policy each year by way of handbooks, or other appropriate means.

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.*

Cross References

Code	Description
GBEA	Staff Ethics
GBEAB	Mandatory Code of Conduct Reporting - All Employees
GBEB	Staff Conduct
GBEBD	Employee Use of Social Networking Websites
JLC	Student Health Services & School Nurses
JLCDA	Medical Treatment - Parental Consent
JLIA	Supervision of Students
JLP	Parental Notification of and Involvement in Student Welfare

Adopted: 6/8/10

Revised: 12/28/10

Reviewed: 11/20/19; 1st Reading: 1/28/20; 2nd Reading/Adopted: 2/11/20

Reviewed/1st Reading: 12/9/25; 2nd Reading/Adopted: 1/13/26

GBEC/ADB - DRUG-FREE WORKPLACE & DRUG-FREE SCHOOLS

Category: Priority-Required by Law

Identical Policy: ADB

Related Policy: JICH

A. Drug-Free Workplace

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

information about available drug and alcohol counseling, rehabilitation, reentry, or other employee-assistance programs.

B. District Action Upon Violation of Policy

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

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

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

C. Drug-Free School Zone

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

D. Implementation and Review

- a. The Superintendent is directed to promulgate administrative procedures and rules necessary and appropriate to implement the provisions of this policy.
- b. In order to maintain a drug-free workplace, the Superintendent will perform a biennial review of the implementation of this policy. The results will be submitted to the board. The review shall be designed to:
 - i. determine and assure compliance with the notification requirements of section A.5.a, b and c;

- ii. determine the effectiveness of programs established under paragraph A.5.c above;
- iii. ensure that disciplinary sanctions are consistently and fairly enforced; and (iv) and identify any changes required, if any.

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.*

NH Statutes

RSA 318-B

RSA Chapter 193-B

NH Dept of Ed Regulation

N.H. Code of Admin. Rules Section Ed
316

Federal Regulations

21 USC § 812

Federal Statutes

41 U.S.C. §101, et. seq.

Description

[Controlled Drug Act](#)

[Drug Free School Zones](#)

Description

[Procedure to mark drug-free school zones](#)

Description

[Schedules of Controlled Substances](#)

Description

[Drug-free workplace requirements for Federal contractors, and Federal grant recipients](#)

Adopted: 5/9/95

SB Review: 12/4/18; EIC: 1/17/19; 1st Reading: 2/12/19; 2nd Reading & Adopted: 2/26/19

Policy Review/1st Reading: 7/23/24; 2nd Reading/Adopted: 8/13/24

IGDJ - INTERSCHOLASTIC AND INTRAMURAL SPORTS

The School Board believes individual students will benefit from a variety of opportunities to grow physically and intellectually. Accordingly, the Board supports an interscholastic and intramural sport program, allowing students to participate on the basis of personal interest, academic and conduct standards, and physical health. Program offerings should primarily consider student interest as well as the resources available for program support.

The Board believes that interscholastic and intramural athletic activities should be an outgrowth of the school's physical education and health curriculum, with skills and demands appropriate for the grade level of students involved. The Board supports an emphasis on participation in lifelong athletic activities, proper physical conditioning, good sportsmanship, and personal health.

It is recognized that a well planned and well conducted athletic program contributes to a positive school culture and the morale of the student body as well as an important element in school-community relations. The athletic program is an integral part of a comprehensive education as sports teach self-discipline, contribution to a team, healthy living, and development of self-esteem. Participation in interscholastic and intramural athletic programs is a privilege. For this reason, standards for academics and conduct/citizenship will determine eligibility. Students participating in district programs should be aware that during participation they represent their school and district and thus are subject to the policies and regulations of the Mascoma Valley Regional School District and state, local, and federal laws. A high standard of behavior is expected of team members.

New interscholastic athletic program offerings are subject to the approval of the Board, as are new memberships in any league, association, or conference, and eligibility guidelines for student participation.

The Mascoma Valley Regional High School is a member of the New Hampshire Interscholastic Athletic Association (NHIAA) and in all athletic matters will at least meet and comply with the rules, regulations, and philosophy of that body. The Board reserves the right to adopt a higher standard than that of the NHIAA.

Reviewed by the MVRSD Policy Committee: August 6, 1998

Approved by School Board 8/6/98; Reviewed EIC: 02/16/17

IKE - PROMOTION AND RETENTION OF STUDENTS

Category: Priority/Required by Law

The Mascoma Valley Regional School District Superintendent and the building principals shall develop rules for the promotion and retention of students. The rules will be approved by the Board. These rules shall be published in the Parent-Student Handbook.

Criteria to be considered regarding the promotion of students should include, but is not limited to, a student's mastery of course level competencies, grades, teacher recommendations, and the student's social growth and readiness.

Legal References:

Ed 306.14(b)(3), Promoting Students (until July 1, 2015)

Ed 306.141(a)(3), Promoting Students (after July 1, 2015)

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.

1st Reading: 3/25/03; 2nd Reading: 4/8/03; Adopted: 4/22/03
Reviewed/1st Reading: 1/26/21; 2nd Reading/Adopted: 2/9/21

JH - ATTENDANCE, ABSENTEEISM AND TRUANCY

Category: Priority/Required by Law

Absences

The Mascoma Valley Regional School Board requires that school-aged children enrolled in the District attend school in accordance with all applicable state laws and Board policies. The educational program offered by the District is predicated upon the presence of the student and requires continuity of instruction and classroom participation in order for students to achieve academic standards and consistent educational progress.

Attendance shall be required of all students enrolled in the District during the days and hours that school is in session, except that the Principal may excuse a student for temporary absences when receiving satisfactory evidence of conditions or reasons that may reasonably cause the student's absence.

The Board considers the following to be excused absences:

1. Illness
2. Recovery from an accident
3. Required court attendance
4. Medical and dental appointments
5. Death in the immediate family
6. Observation or celebration of a bona fide religious holiday
7. Such other good cause as may be acceptable to the Principal or permitted by law

Any absence that has not been excused for any of these reasons will be considered an unexcused absence.

In the event of an illness, parents must call the school and inform the Mascoma Valley Regional School District of the student's illness and absence. For other absences, parents must provide written notice or a written excuse that states one of these reasons for non-attendance. The Principal may require parents to provide additional documentation in support of their written notice, including but not limited to doctor's notes, court documents, obituaries, or other documents supporting the claimed reason for non-attendance.

If parents wish for their child to be absent for a reason not listed above, the parent must provide a written explanation of the reason for such absence, including why the student will be absent and

for how long the student will be absent. The Principal will make a determination as to whether the stated reason for the student's absence constitutes good cause and will notify the parents via telephone and writing of his/her decision. If the Principal determines that good cause does not exist, the parents may request a conference with the Principal to again explain the reasons for non-attendance. The Principal may then reconsider his/her initial determination. However, at this juncture, the Principal's decision shall be final.

Family Vacations/Educational Opportunities

Generally, absences other than for illness during the school year are discouraged. The school principal or his/her designee may, however, grant special approval of absence for family vacations, provided written approval is given in advance. Parents are asked to write a note to their child's teacher at least two weeks before the trip. This advance planning will allow the teacher enough time to work with parents and the student regarding homework completion.

Truancy

Truancy is defined as any unexcused absence from class or school. Any absence that has not been excused for any of the reasons listed above will be considered an unexcused absence.

Ten half-days of unexcused absence during a school year constitutes habitual truancy.

A half-day absence is defined as a student missing more two hours of instructional time and less than three and one-half hours of instructional time.

Any absence of more than three and one-half hours of instructional time shall be considered a full-day absence.

The Principal or Truant Officer is hereby designated as the Mascoma Valley Regional School District employee responsible for overseeing truancy issues.

Intervention Process to Address Truancy

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

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

1. Investigation of the cause(s) of the student's truant behavior;
2. Consideration of the modification of the student's educational program to meet needs that may be causing the truancy;
3. Involvement of the family or guardian(s) in the development of a plan to reduce or eliminate the truancy;

4. Determination as to whether MVRSD's record keeping and parental notification procedures in accordance with policy JH have had a positive effect on the student's attendance; and
5. Consideration of the alteration of/or elimination of disciplinary measures for truancy.

Parental Involvement in Truancy Intervention

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

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

Developing and Coordinating Strategies for Truancy Reduction

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

1. Coordination of truancy prevention strategies for all school sites. Strategies will be based on early interventions, such as prompt notifications to families or guardians when attendance issues appear.
2. Provision of assistance (strategies, resources, referral procedures, etc.) to school staff as they design site-based attendance plans.
3. Adoption of district wide or site-based attendance incentive programs.

Parental Notification of Truancy Policy

Prior to adopting this policy, the Mascoma Valley Regional School Board will place the item on the agenda of a public school board meeting and will allow two weeks for public input as to the policy's provisions. Any public input shall be advisory only and final adoption as to the policy's provisions will remain solely with the Mascoma Valley Regional School Board.

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

Legal References:

RSA 189:34, Appointment

RSA 189:35-a, Truancy Defined

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

RSA 193:7 Penalty

RSA 193:8, Notice Requirements
RSA 193:16 Bylaws as to Nonattendance
NH Code of Administrative Rules, Section Ed 306.04 (a)(1), Attendance and Absenteeism
NH Code of Administrative Rules, Section Ed 306.04 (c), Policy Relative to Attendance and Absenteeism

***Note: RSA's are subject to change. See the NH Government website for the most current RSA information.*

Board Adopted: 10/12/10

Reviewed EIC: 10/18/18; First Reading: 11/13/18; Second Reading/Adopted: 12/4/18

JH-R2 - MASCOMA VALLEY REGIONAL SCHOOL DISTRICT

ATTENDANCE CONTRACT

Date: _____

Student: _____

Parent/Guardian: _____

* * * * *

THE STUDENT SHALL

- Attend school and all assigned classes on time each day that school is in session except for major illness, injury, etc., excused by the parent **AND** school principal or designee.
- Obey all school rules/directions given by the school staff, to the best of his/her ability.
- Complete and turn in on time all assignments/homework, to the best of his/her ability.
- _____
- _____

THE PARENT/GUARDIAN SHALL

5. Assist the child in getting to school and to the first class of the day on time each day that school is in session except for major illness, injury, etc., excused by the parent **AND** school principal or designee.
6. When the child is to be absent:
 - Contact the school the same day of the absence to explain the absence. You may also choose to bring the child to the School Nurse to have the Nurse verify that the child is unable to attend.
 - When the child returns to school, send a note with the child stating the reason for the absence. Have the child take the note to the main office.
 - When taking the child to see a doctor, get a written note from the doctor stating the child was seen and the number of days to be excused from school. Have the child take the note to the main office.

- _____
- _____

THE SCHOOL SHALL

- _____
- _____
- _____

As child/parent/guardian, we understand and agree to the terms and conditions of the Attendance Contract and as parent/guardian I agree to support my/our child in this plan. I/we further understand that failure to comply with the Attendance Contract may result in a Truancy Filing in Family Court. In the event this should occur, both child and parent/guardian may be held responsible by the court for failure to comply with the Attendance Contract.

_____ Student Signature	_____ Parent/Guardian Signature
_____ School Official	_____ Parent/Guardian Signature

Board Adopted: 10/12/10; Reviewed by EIC: 11/15/18

JI - STUDENT RIGHTS AND RESPONSIBILITIES

Category: Priority/Required by Law

Related Policies: JIC & JICD

Mascoma Valley Regional School District student rights and responsibilities shall be published annually in the applicable student handbook, and will be made available in another language or presented orally upon request. Student disciplinary procedures will be implemented pursuant to Board Policies JIC and JICD.

Legal References:

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

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First Reading: 7/28/15

Second Reading and Approval: 8/11/15

Reviewed/1st Reading: 4/6/21; 2nd Reading/Adopted: 4/27/21

Review/1st Reading: 10/8/24; 2nd Reading/Adopted: 10/22/24

JIC - STUDENT CONDUCT

Category: Priority/Required by Law

A. General Policy.

The Mascoma Valley Regional School Board is committed to promoting a safe, healthy, orderly and supportive school and learning environment. To achieve that for all, it is important for students to conduct themselves in a manner fitting to their age level and maturity, and with respect and consideration of other students, District personnel and other members of the community. Students are expected and required to maintain appropriate behavior that allows teachers and staff to perform their professional duties effectively and without disruption while on School District property or on property within the jurisdiction of the School District (including vehicles); and/or while attending or engaged in school activities.

Expectations for student conduct and standards of behavior shall be communicated through written Board policies, as well as District and/or school rules. Those policies and rules should be included in a Code of Conduct for each school.

Student conduct that causes material or substantial disruption to the school environment, interferes with the rights of others, presents a threat to the health and safety of students, employees, or visitors, and/or violates the Code of Conduct, or classroom rules is prohibited. Response to violations of the Code of Conduct, however, should be designed to maximize student academic, emotional and social success, while at the same time assuring safety of all students, staff and school visitors. With this objective, the Board endorses adoption of a Multi-Tiered System of Support for Behavioral Health and Wellness (“MTSS-B”) as the framework for the Code of Conduct. District personnel who interact with students are expected to utilize progressive disciplinary measures, and to place emphasis on educating students so they may grow in self-discipline. Suspensions and expulsions shall be administered consistent with the applicable Code of Conduct and Board policy JICD.

B. Student Code of Conduct

The School Board delegates to the Superintendent, in consultation with the appropriate building Principal and counselors, the responsibility of adopting and implementing a [Student Code of Conduct] with such age-appropriate rules and regulations for each school as he/she deems necessary to implement the objectives of this policy, and reflects the three-tiered support prevention of framework of MTSS-B: school-wide approaches; targeted supports for at-risk

students; and individualized services for highest-needs students.

The Code of Conduct for each school shall be submitted to the School Board for review each year, either separately or with the applicable student handbook. Consistent with the Board's statutory authority, and other Board policies regarding review of administrative rules, regulations and procedures, the School Board retains the authority to modify, supersede, or suspend any provision of the Code of Conduct.

The Code of Conduct shall include:

1. a graduated and age-appropriate system of supports and intervention strategies, such as:
 - parent conferences,
 - counseling,
 - peer mediation,
 - instruction in conflict resolution and anger management,
 - parent counseling and training,
 - community service, and
 - rearranging class schedules;
2. graduated and age-appropriate disciplinary consequences such as:
 - restriction from extra-curricular activities,
 - temporary (same day) removal from class or activity,
 - detention,
 - temporary reassignment/in-school suspension,
 - out-of-school suspension, and
 - expulsion;
3. provisions describing how and when short term suspensions of up to 5 days, short-term suspensions up to 10 days, long-term suspensions up to 20 days, and/or expulsion should be imposed. These standards shall make reference to and reflect:
 - the nature and degree of disruption caused to the school environment;
 - the threat to the health and safety of pupils and school personnel, volunteers or visitors;
 - whether the conduct or behavior is isolated or repeated;
 - that all temporary (same day) removal from classrooms or activities, restriction from activities, detentions, suspensions and expulsions shall comport with applicable laws, regulations and Board policy JICD; and
4. information regarding RSA 193:13, 193-D, this policy, Board policy JICD, and other Board policies or District/school rules regulating student conduct on and off-campus.

C. Implementation and Notice.

The Superintendent shall assure that the Code of Conduct, complete with the information set out in section B.4, above, shall be printed in full in each student handbook, made available to parents at the beginning of the school year, publicly available on the school, District and, if different, the SAU district websites. The online publications of the Code(s) of Conduct shall be ADA compliant (see also Board policy KEE). Additionally, Building Principals shall ensure that verbal

recitation of the applicable Code of Conduct is available as needed.

Except where the complete text of a statute, regulation or policy is required, the Code of Conduct should include age-appropriate language. E.g., summaries for elementary grade levels.

Additionally, building Principal(s) shall assure student awareness of the Code of Conduct and other District policies and building rules through print, postings and periodic announcements.

The Superintendent should also designate personnel to explore the availability of and pursue any State or Federal grants, technical assistance and professional development opportunities available to facilitate implementation of MTSS-B per RSA 135-F:5, I(c) and (d).

D. Parental Notification of Simple Assaults.

Pursuant to RSA 193-D:4, I (b), the Superintendent is directed to adopt and implement procedures requiring parents/guardians of each student involved in a simple assault (victim and perpetrator) occurring during the school day, when such assault causes: any form of bodily injury, including bruising or discoloration, or would otherwise constitute a disciplinable offense under the Code of Conduct. For purposes of this policy, "simple assault" shall have the same meaning as that provided in RSA 631:2-a (a simple assault occurs when one purposefully or knowingly causes bodily injury or unprivileged physical contact with another; or recklessly causes bodily injury to another or negligently causes bodily injury to another by means of a deadly weapon).

E. Disciplinary Removal of Students with Disabilities.

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

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NH Statutes

RSA 135-F:5

Description

[System of Care for Children/Duties of Commissioner of Dept. of Education](#)

RSA 193-D:4	Written Report Required (Safe School Zones)
RSA 193:13	Suspension and Expulsion of Pupils
RSA 631:2-a	Simple Assault
NH Dept of Ed Regulation	Description
N.H. Code Admin. Rules Ed 306.04(b)(3)(e)	Student Discipline
N.H. Code Admin. Rules Ed 306.06	Culture and Climate
N.H. Code Admin. Rules Ed 317.04(b)	Disciplinary Procedures

Cross References

Code	Description
ACN	Accommodation of Nursing Mothers
EEAA	Video and Audio Surveillance on School Property
JI	Student Rights and Responsibilities
JICA	Student Dress Code
JICC	Student Conduct on School Buses
JICC-R(1)	Student Conduct on School Buses - School Bus Conduct Rules
JICD	Student Discipline and Due Process
JICD-R(1)	Student Discipline and Due Process - Memorandum of Understanding
JICDD	Student Discipline/Out-of-School Actions
JICI	Weapons on School Property
JICK	Pupil Safety and Violence Prevention
JICK-R(1)	Pupil Safety and Violence Prevention - Report Form
JICK-R(2)	Pupil Safety and Violence Prevention - Bullying Report Form
JICK-R(3)	Pupil Safety and Violence Prevention - School Board Notification of Bullying Report
JIJ	Student Protests, Demonstrations and Strikes
JLDBA	Behavior Management & Intervention
KEE	Website Accessibility and Grievance
KFA	Conduct on School Property
KFA-R(1)	Conduct on School Property - Assaults

First Reading: 8/11/15; Second Reading: 8/25/15

Reviewed by EIC: 1/17/19; 1st Reading: 2/12/19; 2nd Reading & Adopted: 2/26/19

Reviewed/1st Reading: 4/6/21; 2nd Reading/Adopted: 4/27/21

Review/1st Reading: 7/22/25; 2nd Reading/Adopted: 8/12/25

JICA - STUDENT DRESS CODE

The Mascoma Valley Regional School Board recognizes that student individual dress is primarily a parental responsibility that should reflect concern for health and safety of students, staff and others. When the dress of an individual student constitutes a health problem, is unsuitable for school wear, is a danger to any person, or causes a substantial and material disruption or substantial disturbance, the principal shall take appropriate action to correct the situation.

The dress code within each school shall be administered fairly, consistently, and equally to all students. The dress code shall not be enforced in a manner that discriminates against a particular viewpoint or results in a disproportionate application of the dress code relative to students' gender, gender identity, sexuality, race, ethnicity, household income, or body type or size.

Enforcement must accommodate clothing worn by students as an expression of religious beliefs (e.g., head scarves) and worn by students with disabilities (e.g., protective helmets). Enforcement shall not indirectly discriminate against students based on hair texture and or hairstyles, including, but not limited to, braids, locks, and twists.

District Standards:

A. Students must wear:

1. A Shirt/dress (with fabric in front, back, under the arms, with straps/sleeves and covering the mid-section);
2. Pants, skirt, leggings, shorts, etc.; and
3. Shoes.

B. Students must not wear:

1. Tops that do not completely cover the mid-section;
2. Caps, hats, and other head gear;
3. Clothing depicting hate speech, offensive, vulgar, or racist language or pictures;
4. And clothing that glorifies, encourages or promotes the use of alcohol or drugs.

Building Principals shall assure that any District or School standards are included in the Student Handbook and otherwise communicated to students annually.

Notwithstanding District or School standards, some courses and school activities may require adjustments to attire and hairstyle or may require specific attire to ensure safety during academic activities (e.g., science labs or PE).

Students who violate this policy will be given an opportunity to correct the situation by either changing the clothing, removing the clothing (if appropriate), wearing it inside-out, or other means as determined by the principal so the student is in compliance with this policy. Students who

repeatedly violate this policy may face more severe punishment, including detention, in-school suspension, or out-of-school suspension.

School staff shall not confront students on dress-code violations in a manner that unnecessarily disciplines or publicly shames the student. When a school staff member or school administrator discusses a dress code violation with a student, it is recommended that another adult should be present and at least one of the two adults should be the same sex as the student.

Legal References:

U.S. Constitution, 1st Amendment
RSA 189:15, Regulations
RSA 193:38, Discrimination in Public Schools

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Reviewed by EIC: 4/19/18; 1st Reading: 5/8/18; 2nd Reading: 5/22/18; Adopted 5/22/18

Reviewed by EIC: 9/20/18; 1st Reading: 10/9/18; Second Reading 10/23/18; Adopted: 10/23/18

Reviewed/1st Reading: 2/28/23; 2nd Reading/Adopted: 3/21/23

JICC - STUDENT CONDUCT ON SCHOOL BUSES

Category: Recommended

***Related Policies: EEA, JIC & JICD
Related Administrative Procedures: JICC-R***

Students using school buses and other Mascoma Valley Regional School District transportation are under the jurisdiction of the School from the time they board the bus until they exit the bus. Additionally, Board Policy JICDD applies to “out-of-school” student conduct, including, but not limited to, conduct at or near school bus stops.

The Superintendent or his/her designee will develop rules and regulations for conduct on buses. See District administrative School Bus Conduct Rules JICC-R and these shall be printed in the Parent-Student Handbook, made available on the District and/or school website, and provided in other languages as needed.

Failure to abide by the School Bus Conduct Rules Continued, disorderly conduct or persistent refusal to submit to the authority of the driver may result in a student to be denied or suspended from the privilege of transportation in accordance with the RSA 189:9-a, and applicable District

rules and procedures. See JICC-R. Additionally, conduct on District transportation is subject to additional interventions, supports or consequences as provided in the Student Code of Conduct.

If a student is to lose the privilege of riding the bus (“transportation suspension”), advance warning will be given, except for misconduct that threatens or the health, safety or welfare of other students, staff or any other person. Parents/guardians of students who have had bus privileges suspended have a right to appeal the suspension within 10 calendar days to the person who issued the original suspension. Transportation suspensions exceeding 20 days must be approved by the Board. Transportation suspensions shall not begin until the next school day following the day written notification of suspension is sent to the pupil’s parent/guardian. The Superintendent shall include such appeal and review procedures in the School Bus Conduct Rules referenced in the preceding paragraph. Transportation suspensions may extend to all District transportation according to the Student Bus Conduct Rules.

Students transported in a school bus shall be under the authority of the District and under control of the bus driver. The driver of the bus, along with the bus monitor, if applicable, is responsible for the orderly conduct of the students transported. Each driver and monitor has the support of the Board in maintaining good conduct on the bus.

Legal References:

RSA 189:6-a, School Bus Safety

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

NH Code of Administrative Rules, Section Ed. 306.04(d)(1), School Safety

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

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Review/1st Reading: 2/8/22; 2nd Reading/Adopted: 2/22/22

JICC-R -SCHOOL BUS CONDUCT RULES

Category: Recommended

Related Policies: EEA & JICC

In order to ensure the safety of all students riding Mascoma Valley Regional School District provided school buses, appropriate behavior is required for all students. Transportation to and from school is an extension of the classroom and should be considered part of the school day. The issue of safety requires students to be on their best behavior while on school buses or vehicles.

The Student Code of Conduct applies to students at all times when being transported on school buses or other District provided transportation to and from school or school activities. Thus, while students may lose the privilege to ride the bus or other District transportation due to students' failure to maintain the behavioral expectations, students may also be subject to interventions and/or disciplinary consequences for the same behaviors according to the Student Code of Conduct.

A. Behavioral Expectations & Rules for School Buses and Other District Provided Transportation

1. Students should arrive at the bus stop at least five (5) minutes before the bus is scheduled to arrive. The bus cannot wait for those who are not on time. If a student misses the bus, it is the parent/guardian's responsibility to transport the student to school.
2. Students shall wait in a safe place, clear of traffic until the bus stops, door is open, red flashing lights are on, and the driver has directed students to get on the bus.
3. Students shall wait in an orderly line.
4. Students may cross the road or street only in front of the bus only after the bus has come to a complete stop and upon direction of the driver (10-foot minimum crossing distance).
5. Students shall go directly to an available or assigned seat when entering the bus and move in toward the window.
6. Students shall remain seated until they have reached their designated stop and the bus has come to a complete stop. Aisles and exits must be kept clear at all times and emergency door will be used for emergencies only.
7. Students shall observe normal classroom conduct and obey the driver promptly and respectfully. The driver is in complete charge of the bus and his/her decisions and requests must be followed.
8. Students shall not engage in verbal abuse and/or use abusive language to others.
9. Students may carry only objects that can be held safely on his/her own lap. Musical instruments, athletic equipment bags and the like must be placed in the area designated by the driver.
10. Students shall refrain from throwing or passing objects on, from or into buses.
11. Students shall refrain from eating and drinking on the bus.
12. Students shall respect the rights and safety of others.
13. Students may ride only the bus that they have been assigned, and students may only board or exit at their assigned stops. (Exceptions will only be made with a note from a Principal or Principal's designee.)
14. Students are prohibited from extending head, arms or objects out of the bus windows, and are not allowed to open windows without permission of the driver.

15. Only authorized riders are permitted on the bus.
16. When necessary, students will be expected to sit three passengers to a seat.
17. Students are strictly prohibited from possessing or using tobacco, alcohol, drugs, or any controlled substance. In addition to any interventions or consequences pursuant to these rules or the Student Code of Conduct. The police will be notified whenever a student is involved with the possession and/or use of alcohol, drugs, or any illegal substances.
18. Students shall not use profane language or obscene gestures, and shall make any excessive noises while on the bus.
19. Fighting, wrestling or acts of physical aggression are strictly prohibited.
20. Students shall not deface or otherwise damage the bus, the driver's or any other students belongings while on the bus. Students/Parents will be held responsible for any and all damages to the bus caused by the student by way of vandalism or other intentional or reckless conduct.
21. Students shall not carry hazardous material, nuisance items or animals onto the bus.
22. Students are prohibited from hitching rides via bumper or other parts of the bus.

B. Response and Consequences for Misconduct on School Buses

Students not adhering to the above expectations may receive consequences as described below. Any disciplinary action is at the discretion of the building principal or designee. However, **when a student engages in any conduct that threatens or impacts the health or safety of students, staff or others, the Principal or Superintendent may impose more significant and immediate consequences including lengthier transportation suspensions.**

The following will generally apply to violations of expectations 2 through 16:

First Referral: will result in a letter of warning with a copy sent to the student's parents/guardians, and a copy kept on file in the School Administrator's Office and the Business Administrator.

Second Referral: will result in one (1) hour after school detention. Parents/guardians must be notified prior to the implementation of the detention. It becomes the parents/guardians' responsibility to transport or arrange other transportation for their children home after a detention.

Third Referral: will result in an immediate five (5) day suspension from District transportation to and from school.

The following will generally apply to violations of expectations 17 through 22:

First Referral: will be an immediate five (5) day from all District transportation.

Second Referral: will be an immediate ten (10) day from all District transportation.

Third Referral: will result in the immediate suspension from all District transportation.
“RSA 189:9 – Pupils prohibited for Disciplinary Reasons.

C. General Provisions Relating to Transportation/Bus Suspensions

All transportation suspensions are measured by school days, not calendar days. Repeat transportation suspensions or suspensions over five (5) days will apply to all District transportation, including to and from school, as well as any school sponsored activity or program (e.g., field trips, athletic competitions, etc.).

Transportation suspensions shall not begin until the next school day following the day written notification of suspension is sent to the pupil’s parent/guardian.

Any suspension to beyond twenty (20) school days must be approved by the school board.

If a pupils transportation privileges have been suspended for violations of the behavior rules or other disciplinary reasons, the parent or guardian of that pupil has right of appeal within ten (10) days of suspension to the authority who issued the suspension.

The Board should consult with counsel regarding the procedures to apply at any Board review or appeal regarding suspension of an individual’s transportation privileges.

Until any appeal is heard, or if the suspension of pupil’s privileges to ride the school bus is upheld, it shall be the parents’ or guardians’ responsibility to provide transportation to and from school for that pupil for the period of the suspension.

D. Audio and Video Surveillance on School Buses

Video cameras may be used on school buses to monitor student behavior. Audio recordings in conjunction with video recordings may also be captured on school buses, in accordance with the provisions of RSA 570-A:2. See Board Policy ECAF – Audio & Video Surveillance on School Buses.

E. Students with Disabilities:

Students with disabilities will be discipline in accordance with federal state law including the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act, as set forth in the procedures developed by the administration.

Legal References:

RSA 189:6-a, School Bus Safety
RSA 189:9-a, Pupils Prohibited for Disciplinary Reasons
RSA 193:13, Suspension and Expulsion of Students

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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.

Review/1st Reading: 2/8/22; 2nd Reading/Adopted: 2/22/22

Review/1st Reading: 12/13/22; 2nd Reading Waived/Adopted: 12/13/22

JICD - STUDENT DISCIPLINE AND DUE PROCESS

Category: *Priority/Required by Law*

Related Policies: *J1, J1C, J1C1 & J1C2*
See also Appendix JICD-R

A. Policy Statement.

This Mascoma Valley Regional School District policy establishes the substantive parameters, procedures, and due process that shall apply before a student may be subject to temporary (same day) removal from classrooms or activities, restriction from activities, detentions, suspensions, and/or expulsion. Pursuant to Board policy J1C, response to misconduct, including disciplinary measures and consequences, should be designed to maximize student academic, emotional, and social success, while at the same time assuring the safety of all students, staff, and school visitors. Administration of any of the consequences described in this policy shall be consistent with the system of supports and graduated sanctions established pursuant to Policy J1C and the applicable Code of Conduct.

B. Standards and Procedures Relative to Disciplinary Consequences.

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

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

Removals under this policy are not appealable.

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

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

Restrictions under this policy are not appealable.

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

Students may be assigned classroom detention at the classroom teacher's discretion, and building detention at the Principal's discretion, if the student refuses to obey the teacher's/employee's directives, becomes disruptive, fails to abide by printed classroom, school, or District rules, or the Code of Conduct, or otherwise impedes the educational purpose of the class. Before ordering the detention, the staff member ordering the detention shall warn the student of the infraction and allow the student to respond. Parents/guardians shall be notified at least 24 hours prior to a student serving detention.

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

Detentions are not appealable.

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

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

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

building principal is authorized to place a student on probation for any of the reasons stated in paragraph 4, above.

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

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

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

A short-term suspension may be imposed only for:

- i. Behavior that is detrimental to the health, safety, or welfare of pupils or school personnel (including, but not limited to, an act of theft, destruction or violence, as defined in RSA 193-D:1); or
- ii. Repeated and willful disregard of the reasonable rules of the school that is not remediated through imposition of the district's graduated sanctions described in JIC and the Code of Conduct.

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

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

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

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

A long-term suspension may only be imposed for:

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

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

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

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

- c. Educational Assignments. As required by RSA 193:13, V, educational assignments shall be made available to students during both short- and long-term suspensions.
- d. Alternative Educational Services. The school shall provide alternative educational services to a suspended pupil whenever the pupil is suspended **in excess of 20 cumulative days** within any school year. The alternative educational services shall be designed to enable the pupil to advance from grade to grade.
- e. Re-entry Meetings and Intervention Plans. Prior to returning to regular classes, a suspended student and parent/guardian (when available) shall meet with the building Principal or his/her designee to assist the student in smoothly returning to the school setting.

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

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

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

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

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

1. The pupil's age.
 2. The pupil's disciplinary history.
 3. Whether the pupil is a student with a disability.
 4. The seriousness of the violation or behavior committed by the pupil.
 5. Whether the school district or chartered public school has implemented positive behavioral interventions under paragraph B.6.b.ii, above.
 6. Whether a lesser intervention would properly address the violation or behavior committed by the pupil.
- b. Due Process to Be Afforded Prior to Expulsion. Prior to any expulsion, the District will ensure that the **due process standards set forth in Ed 317.04(f) through 317.04(j)**¹⁰ are followed.
- c. Duration of Expulsion. An expulsion will run for the duration stated in the written decision or until the School Board or Superintendent restores the student's permission to attend school as provided in this policy. An expulsion relating to a firearm in a safe school zone per B.7.a.v, shall be for a period of not less than 12 months.

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

C. Modification or Reinstatement After Suspension or Expulsion.

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

1. **Modification by Superintendent.** Subject to all other applicable laws, regulations, and Board policies, and paragraph C.3, below (relating to firearms), the Superintendent is authorized to reinstate any student who has been suspended or expelled from a school in this District, and/or enroll a student suspended or expelled from another school or district, on a case-by-case basis.
2. **Review and Reinstatement by Board.** A student may request the School Board (of the district of attendance) to review an expulsion decision prior to the start of each school year by filing a written request with the Superintendent detailing the basis of the request. The Board will determine whether and in what manner it will consider any such request after consultation with the Superintendent.
3. **Modification of Expulsion for Firearms.** A student who has been expelled from this District or any other public or private school for bringing or possessing a firearm in a safe school zone as prohibited under RSA 193-D:1, or under the Gun Free Schools Act, may only be reinstated or enrolled if the Superintendent first determines: possession of the firearm was inadvertent and unknowing; the firearm was for sporting purposes, unloaded and the student did not intend to display the firearm to any other person while within the safe schools zone; the student is/was in the fifth or lower grade when the incident occurred; or the Superintendent determines that the firearm was not loaded, that no ammunition was reasonably available, and that the pupil had no intention to display the firearm to other students.

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

D. Appeals to State Board of Education. Any decision by the Board (i) to expel a student, (ii) not to reinstate a student upon request, or (iii) enroll a student from another state who had been

expelled for a violation of the Gun Free Schools Act, may be appealed to the State Board of Education at any time that the expulsion remains in effect, subject to the rules of the State Board of Education.

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

F. Superintendent and Principal Designees.

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

G. Disciplinary Removal of Students with Disabilities.

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

H. Notice and Dissemination.

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

I. Conflict in Law or State Regulation.

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

***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.*

NH Case Law
162 N.H. 38, 27 A.3d 689 (2011)
NH Statutes

Description
[In re Keelin B.](#)
Description

RSA 159:26	Firearms, Ammunition, and Knives; Authority of the State
RSA 186-C	Special Education
RSA 189:15	Regulations
RSA 193-D	Safe School Zones
RSA 193:13	Suspension and Expulsion of Pupils
RSA 631:4	Criminal Threatening
RSA 651:5, XIII	“Act of Violence”
NH Dept of Ed Regulation	Description
N.H. Code Admin. Rules Ed 1100	Chapter Ed 1100 Standards for the Education of Children with Disabilities
N.H. Dept. of Ed. Admin. Rule – Ed. 1102.01(t)	N.H. Dept. of Ed. Admin. Rule – Ed. 1102.01(t)
N.H. Dept. of Ed. Admin. Rule – Ed. 1124.01	N.H. Dept. of Ed. Admin. Rule – Ed. 1124.01
NH Code of Admin. Rules, Sect. Ed 317.04	Suspension and Expulsion of Pupils Assuring Due Process
NH Code of Admin. Rules, Sect. Ed. 306.04(g)	Disciplinary Procedures
NH Code of Admin., Sect. Ed 306.04(a)(3)	Suspension & Expulsion
NH Code of Admin., Sect. Ed 306.04(f)	Student Discipline
Federal Statutes	Description
18 U.S.C. 921 et seq.	Firearms
20 U.S.C. § 1400-1417	Individuals with Disabilities Education Act (IDEA)
20 U.S.C. § 7151	Gun-Free Schools Act
29 U.S.C. 794	Rehabilitation Act of 1973 (Section 504)
42 U.S.C. 12101, et seq.	Title II of The Americans with Disabilities Act of 1990
Cross References	
Code	Description
ECAC	Vandalism
EEAA	Video and Audio Surveillance on School Property
IHBA	Programs for Pupils with Disabilities
IHBA-R(1)	Programs for Pupils with Disabilities - Section 504 - Notice of Parent & Student Rights
IHBAM	District Special Education Policy and Procedures Manual
IKL	Academic Honesty and Integrity
JI	Student Rights and Responsibilities
JIC	Student Conduct
JICC	Student Conduct on School Buses
JICC-R(1)	Student Conduct on School Buses - School Bus Conduct Rules

JICI	Weapons on School Property
JICK	Pupil Safety and Violence Prevention
JICK-R(1)	Pupil Safety and Violence Prevention - Report Form
JICK-R(2)	Pupil Safety and Violence Prevention - Bullying Report Form
JICK-R(3)	Pupil Safety and Violence Prevention - School Board Notification of Bullying Report
JIJ	Student Protests, Demonstrations and Strikes
JLDBA	Behavior Management & Intervention

Approved: September 24, 2013

Reviewed by EIC: 1/17/19; 1st Reading: 2/12/19; 2nd Reading & Adopted: 2/26/19

1st Reading: 10/13/20; 2nd Reading/Adopted: 10/27/20

Reviewed/1st Reading: 4/6/21; 2nd Reading/Adopted: 4/27/21

Reviewed/1st Reading: 10/12/21; 2nd Reading/Adopted: 10/26/21

Reviewed/1st Reading: 10/22/24; 2nd Reading/Adopted: 11/12/24

JICD-R MEMORANDUM OF UNDERSTANDING

for administering the Provisions of RSA 193-D

Safe School Zones

1. General Principles

The Mascoma Valley Regional School Board and the Canaan, Enfield, Grafton and NH State Police Departments agree to work in a cooperative effort to provide a safe and healthy school environment for students, staffs and visitors. In furtherance of that effort, this Memorandum of Understanding is intended to comply with the provisions of RSA 193-D Safe School Zones. The Board and the Police Department further agree to respond effectively to incidents of school delinquency or criminal behavior in school, on school grounds, and at school sponsored events.

This memorandum deals with the law enforcement response to any incident involving the possession, use, sale or distribution of alcohol and other drugs in a school setting or during any school sponsored activity. This memorandum also addresses the efforts by- the school and police to respond to incidents of violence; weapons possession; or acts of theft, violence or destruction, on school property and at school functions, under the provisions of and in concert with the implementation of the Safe Schools Act, RSA 193-D. This Memorandum applies to reportable behavior of adults, as well as, children.

The School Board and the Police Department agree to coordinate these efforts with the local prosecuting Attorney's Office and the New Hampshire Department of Education.

The School Board recognizes that in cases of an emergency situation or imminent danger to students, staff or the community, the Police Department and the School District may act without regard to the Memorandum of Understanding. Nothing contained in this Memorandum is intended

to limit the events that may be reported to the Police Department or limit school employees from requesting police assistance on matters not referred to in this Memorandum.

In the event either the School Board or the Police Department desires to amend this Memorandum, the agency seeking changes will arrange for meeting with the other.

2. Definitions

The following terms, as defined in RSA 193:D-1 apply to this Memorandum:

"Safe School Zone" means an area inclusive to any school property or school buses.

"School" means any public or private elementary, secondary or secondary vocational-technical school in New Hampshire. It shall not include home schools.

"School Employee" means any school administrator, teacher, or other employee of any public or private school, school district, school department, or school administrative unit, or any person providing, or perforating continuing contract services for any public or private school, school districts school department or school administrative unit.

"School property" means all real property, physical plan and equipment used for school purposes, including but not limited to school playgrounds and buses, whether public or private.

"School purposes" means school-sponsored programs, including but not limited to educational or extra-curricular activities.

3. School/Police Liaisons

In order to facilitate prompt and clear communication of incidents School Board and the Police Department will designate individuals to serve as primary contact liaisons. The Superintendent of Schools shall designate the Principal at each school as that school's Reporting Official. He/she shall be responsible for handling all reportable incidents of: (1) drug/alcohol use, possession, sale and/or distribution; (2) assault or violence; (3) possession of weapons; and/or (4) theft or destruction of property. The School District liaison will communicate information on such incidents to the Police Department.

The Chief of Police shall designate a police officer(s) who shall be responsible for handling all reportable incidents brought to the attention of the Police Department by the school's Reporting Officials. In addition to communication between the Reporting Official and the Police Officer on the specific incidents mentioned above, it is recommended that Official and Officer meet regularly to discuss the scope of these problems, and to identify strategies aimed at reducing them.

4. Reportable Acts

A. School Reports to Police Department

1. Mandatory: Notwithstanding the provisions of RSA 193-D, the Safe School Zone Act, the following incidents must be reported to the Police Department by the designated school employee:

a. Possession of alcohol by a minor or if it appears that a student is under the influence

of alcohol or drugs on school property, or at school functions;

b. Possession, selling or distribution of any controlled substance (including drug paraphernalia) as defined in NH RSA 318-B, by an individual on school property, or at school functions;

c. Any incident in which any individual who is responsible for, suspected of, or determined to be selling or distributing drugs or alcohol on school property, or at school functions,;

d. Unlawful possession, sale, or use of firearms or other dangerous or prohibited weapons, fireworks and explosives, as defined in NH RSA's 208, 644 and 159, on school property, or at school functions;

e. Arson under RSA 634:1 any person who knowingly starts any fire or causes any explosion which results in injury, damage to property of another, or is done with intentional disregard for the safety of others;

f. Burglary under RSA 635: any person who enters a building to separately secured section of a building, with a purpose to commit a crime;

g. Robbery under RSA 636: including any theft that is accomplished by the physical force or the threat of imminent use of force;

h. Thefts of property where the value is more than \$50.00, repeated occurrences of theft by one student, (thefts by students who are in the eighth grade or lower are generally not reported to the Police);

i. Homicides under RSA 630: any death shall immediately be reported to the Police Department, regardless of suspected cause;

j. Any first or second degree assault under RSA 63 1, whereby an injury occurs to a person, requiring medical treatment beyond basic first aid or requiring outside medical follow up, caused by another person. Investigation may reveal that not all if these incidents constitute an actual crime. Reporting will allow an investigation to be conducted;

k. Any sexual assault under RSA 632-A will be reported;

l. Criminal Mischief under RSA 634:2, purposely or recklessly damaging the property of another, resulting in a value of \$50 or more of damage. This includes vandalism to school property;

m. Threatening behavior under RSA 631:4 which purposely places or attempts to place another in fear of imminent bodily injury or physical contact.

2. Discretionary Reporting Events are up to the Discretion of the Building Principal.

a. Refusal or neglect to conform to reasonable rules of the school or to clear non-injurious directions given by staff member.

b . Simple assault incidents (which don't meet the criteria as stated in j. above), depending upon the nature of the incident, as determined by the school administration.

c. Theft, under RSA 637, of property under \$49.

d. Criminal Mischief under RSA 634:2, purposely or recklessly damaging the property of another, resulting in a value of \$49 or less of damage. This includes vandalism to school property.

B . Police Department Reports to School

1 . The following information shall be reported by the Police Department to the School Principal:

a. An arrest made by the Police Department of a student, when such information is relevant to the safety of that student, or of other students in the school, where the law allows.

2 . The following information may be shared with school Administration by the Police Department, subject to applicable statutes and regulations governing confidentiality:

a. The arrest and filing of a delinquency complaint against any student under the age of 17 years.

b . Other non-criminal activity that the Police Department deems pertinent to the student's well-being, including but not limited to threatening to attempt suicide; victimization of the student by a parent, caretaker or other individual).

5. Procedures for Reporting

A. It is agreed that every school employee who has witnessed, or has information from the victim of an act of theft, destruction, or violence in a safe school zone shall report such act immediately to a supervisor. A supervisor receiving such report shall immediately forward such information to the school Principal. The Principal shall then contact the Police Department by telephone and report the incident. The Principal shall also provide the Police Department with a written report within 48 hours of the incident.

B. The report required shall include:

1. Identification of the act of theft, destruction, or violence that was alleged.

2. The name and address of witnesses to the alleged act.

3. The name and home address of any person suspected of committing the act.

C. The written report required above shall be waived when there is a law enforcement response at the time of the incident which results a written police report.

D. School Response

1 . A teacher or other school employee who has reasonable grounds to believe that a student has committed a reportable act shall:

a. Confront the student with the nature of the offense;

b. Take the student to the Principal's office;

c. Retrieve and turn over any physical evidence to the Principal.

2. For Mandatory Reportable acts, the Principal shall:

- a. Notify the police and student's parent/guardian, and inform them of the nature of the incident;
- b. Turn over any physical evidence seized and a written fact summary to the Police Department;
- c. Initiate disciplinary action in accordance with Board policies.

3. For Discretionary Reportable Acts, the Principal shall:

- a. Determine if the police and parent/guardian should be notified and, if so, make the calls as soon as reasonably possible. Any incident reported to the Police shall also be reported to the student's parent/ guardian;
- b. Initiate disciplinary action in accordance with Board policies.

E . Police Response

- (1) The Police Officer will make contact with the school as soon as possible after receiving a report from the Principal to investigate the incident, or take any other appropriate action.
- (2) During the investigation, the Police Officer may meet with the Principal, the student, the student's parent/guardian and appropriate persons with knowledge of pertinent facts, if required.
- (3) If at the conclusion of the investigation, the student is found to have committed the alleged offense, the Police Officer may initiate the formal complaint process.
- (4) When the Police Officer is called to the school in response to offenses involving the sale and/or distribution of drugs or alcohol, violent behavior, or the possession of a weapon, and when probable cause exists for arrest, the Officer shall take the appropriate action to initiate the formal complaint process.
- (5) To the extent possible, precautions will be taken by both Police and school officials at all times to ensure the education process is not disrupted.

For the Canaan Elementary School: _____ Date: _____
Principal

For the Enfield Elementary School: _____ Date: _____
Principal

For the Indian River School: _____ Date: _____
Principal

For the Mascoma Valley Regional High School: _____ Date: _____
Principal

For the Mascoma Valley Regional School District: _____ Date: _____
Superintendent

For the Mascoma Valley Regional School Board: _____ Date: _____
MVRSB Chairperson

For the Enfield Police Department: _____ Date: _____
Chief of Police

For the Canaan Police Department: _____ Date: _____
Chief of Police

For the Grafton Police Department: _____ Date: _____
Chief of Police

For the New Hampshire State Police Department: _____ Date: _____
NH State Police PD

Presented to the Board on: 10/22/97

Adopted by the Board on: 1/7/97

Reviewed/1st Reading: 4/6/21; 2nd Reading/Adopted: 4/27/21

JICDD - STUDENT DISCIPLINE/OUT-OF-SCHOOL ACTIONS

Category: Recommended

See Also JIA, JIC, JICK

The Mascoma Valley Regional School Board recognizes that out-of-school and off-campus student conduct is not normally the concern of the Board. However, the Board also recognizes that some out-of-school and off-campus conduct may have an adverse effect upon the school, school property, or school staff.

Therefore, it shall be the policy of this Board that the Board or school administrators may impose disciplinary measures against students for some out-of-school or off-campus conduct.

Discipline may be imposed if such out-of-school conduct causes a significant disruption or substantial interference with the school's educational mission, purpose, or objectives. Additionally, any off-campus or out-of-school behavior that has a strong potential to disrupt normal school operations may also be met with appropriate disciplinary actions.

Out-of-school and off-campus student conduct that may subject a student to discipline includes, but is not limited to:

1. Damaging school property;
2. Violence at or near the school's bus stop, either before or after the school day;
3. Drinking alcohol, using tobacco products, or using illegal drugs at or near the school bus

stop, either before or after the school day;

4. Damaging the private property of school staff or employees; or

5. Any other activity the Board or administration determines impedes the general welfare of scholastic activities.

Cyber-Bullying and Internet Threats

Reports and/or allegations of cyberbullying will be addressed in accordance with the provisions of Board policy JICK.

Consistent with applicable law, the Mascoma Valley Regional School District will not require or request that a student disclose or provide to the District the student's user name, password or other authenticating information to a student's personal social media account.

However, the District may request to a student or a student's parent/guardian that the student voluntarily share printed copies of specific information from a student's personal social media account if such information is relevant to an ongoing District investigation.

Legal References:

RSA 189:70, Educational Institution Policies on Social Media

Revised: September 2015

Revised: May 2006, August 2007, August 2008, September 2010

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: 8/11/15; 2nd Reading: 8/25/15

Review/First Reading: 10/27/20; 2nd Reading/Adopted: 11/10/20

JICFA - HAZING

Category: Priority/Required by Law

It is the policy of the Mascoma Valley Regional School District that no student or employee of the District shall participate in or be a member of any secret fraternity or secret organization that is in any degree related to the school or to a school activity. No student organization or any person associated with any organization sanctioned by the Board of Education shall engage or participate in hazing. This District does not permit or condone student hazing.

For the purposes of this policy, hazing is defined as any act directed toward a student, or any coercion or intimidation of a student to act or to participate in or submit to any act, when: (1) Such act is likely or would be perceived by a reasonable person as likely to cause physical or

psychological injury to any person; and (2) Such act is a condition of initiation into, admission into, continued membership in or association with any organization. Hazing includes but is not limited to an activity which recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization sanctioned or authorized by the Board of Education.

"Endanger the physical health" shall include, but is not limited to, any brutality of a physical nature, such as whipping; beating; branding; forced calisthenics; exposure to the elements; forced consumption of any food, alcoholic beverage, drug or controlled dangerous substance; or any forced physical activity which could adversely affect the physical health or safety of the individual.

"Endanger the mental health" shall include any activity, except those activities authorized by law, which would subject the individual to extreme mental stress, such as prolonged sleep deprivation, forced prolonged exclusion from social contact which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual.

Any hazing activity upon which the initiation or admission into or affiliation with an organization sanctioned or authorized by the Board of Education is conditioned, directly or indirectly, shall be presumed to be a forced activity, even if the student willingly participates in such activity.

This policy is not intended to deprive School District authorities from taking necessary and appropriate disciplinary action toward any student or employee. Students or employees who violate this policy will be subject to disciplinary action which may include expulsion for students and employment termination for employees.

The Superintendent shall take reasonable measures within the scope of the District's authority to prevent student hazing. All hazing reported to the District or which any District staff member has knowledge of shall be promptly reported to law enforcement, as required by RSA 631:7, Student Hazing.

A copy of this policy will be furnished to each student and teacher in the School District, including being printed in the student handbook.

Legal Reference:

RSA 631:7, Student Hazing

New Hampshire Code of Administrative Rules, Section Ed 306.04(a)(7), Student Hazing

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.*

Revised: July 1998, November 1999

Reviewed: October 2004

Revised: November 2007

Adopted: 10/14/08

Reviewed/1st Reading: 1/26/21; 2nd Reading/ Adopted: 2/9/21

JICH - DRUG AND ALCOHOL USE BY STUDENTS

The Mascoma Valley Regional School Board is concerned with the health, welfare and safety of its students. Therefore, the use, sale, transfer, distribution, possession or being under the influence of unauthorized prescription drugs, alcohol, narcotics, unauthorized inhalants, controlled substances, illegal drugs is prohibited on any school district property, in any district-owned vehicle, or in any other district-approved vehicle used to transport students to and from school or district activities. This prohibition also applies to any district-sponsored or district-approved activity, event or function. The use, sale, transfer or possession of drug-related paraphernalia is also prohibited.

For the purposes of this policy, a controlled substance shall include any controlled substance as defined in the Controlled Substances Act, 21 U.S.C. § 812(c), or RSA 318-B, Controlled Drug Act.

Students may only be in possession of medication as detailed in Mascoma Valley Regional School Board Policy JLCD. Searches of persons reasonably suspected to be in violation of this policy will be conducted in accordance with Mascoma Valley Regional School Board Policy JIH.

Any student who is found by the administration to be in violation of this policy shall be referred for prosecution and subject to disciplinary action up to and including suspension, expulsion or other discipline in accordance with the district's disciplinary policy. Strict compliance is mandatory. The school principal shall immediately report all incidents involving a controlled substance to the appropriate local law enforcement agency and the superintendent. All controlled substances shall be turned over to local law enforcement.

Students with disabilities who violate this policy will be disciplined in accordance with the student's Individual Education Program (IEP).

Reviewed by EIC: 04/25/19; 1st Reading: 5/14/19; 2nd Reading & Adopted: 5/28/19

JICI - WEAPONS ON SCHOOL PROPERTY

Weapons are not permitted on Mascoma Valley Regional School District property, in school vehicles or at school-sponsored activities. This policy applies to students and members of the public alike. Student violations of this policy will result in the weapon being confiscated, law enforcement authorities will be notified and appropriate disciplinary action will be taken by the administration. Members of the public who violate this policy will be asked to immediately leave and remove the weapon from school property. Violations will be reported to local law enforcement authorities.

The term “weapons” includes, but is not limited to, firearms (rifles, pistols, revolvers, pellet guns, BB guns, etc.) knives, slingshots, metallic knuckles, firecrackers, billy-clubs, stilettos, switchblade

knives, swords, canes, pistol canes, black jacks, daggers, dirk knives, explosives, incendiaries, martial arts weapons or self-defense weapons (as defined by RSA 159:24 and RSA 159:20 respectively), or any other object or substance which, in the manner it is used or threatened to be used, is known to be capable of producing death or bodily injury.

In addition, any student who is determined to have brought a firearm (as defined by 18 U.S.C. §921) to school will be expelled for not less than one year (365 days). This expulsion may be modified by the Superintendent upon review of the specific case in accordance with other applicable law.

Pursuant to the provisions of 20 U.S.C. § 7151, Gun-Free Schools Act, the Mascoma Valley Regional School Board requires the Superintendent to contact local law enforcement authorities and/or the Division of Children and Youth Services and notify them of any student who brings a firearm or weapon on school property.

Weapons under control of law enforcement personnel are permitted.

All students will receive written notice of this policy at least once each year.

Adopted by the Board on: 1/11/93

Revision adopted by the Board on: 11/22/94

Revision recommended and adopted on: 3/7/00

Revised to comply with 1995 statutory revision: 3/7/00

Revision sent to the Board on: 3/24/15

Sent back to EIC on: 4/16/15

Revision sent to Board on: 4/28/15

Second Reading and Approval: 5/12/15

JICJ - UNAUTHORIZED COMMUNICATION DEVICES

A. Purpose

The Mascoma Valley Regional School District is committed to providing students with a learning environment free from disruptions. Use of personal communication devices (cell phones, tablets, laptops, other communication devices, smartwatches, etc.) for nonacademic means often leads to disruptions in the learning environment for both individual students and the classroom.

For the purposes of this policy, a personal communication device is defined as any non-district provided internet/ cellular-capable device that can support voice or video calls, texts, emails, or instant messages. Personal communication devices include, but are not limited to: cellphones, tablets, laptops, and smartwatches. For ease of reference, devices provided by the district for instructional use shall be referred to as "district-owned" or district-provided" devices.

B. Restrictions

Student use of personal communication devices is **strictly prohibited** from when the first bell rings to start instructional time until the dismissal bell rings to end the academic school day (referred to as “the school day”). The school day includes lunch periods, passing time, and recesses.

Students participating in extracurricular activities, co-curricular activities, field trips or other activities outside of the school day shall abide by the rules and consequences established for personal communication devices set by the coach, instructor, sponsor or other designated supervisor for the activity. However, **in no event** shall personal communication devices (or any other device with photographic or recording capabilities) be used in locker rooms, bathrooms, or any other location where such use could violate another person’s reasonable expectation of privacy.

If digital devices are used to enhance learning in the classroom, the District is responsible for providing District-owned devices. ***Personal communication devices may be used during the school day ONLY when no district-provided devices are available for all students, and use of the personal communication device may ONLY be used for approved academic and instructional purposes. In accordance with this policy, no personal communication device be used during the school day for personal communication.***

While it is best practice that these devices are not brought to school, if these devices are brought to school, they shall be kept with the power turned off in a student's assigned locker, backpack, or handbag. The District will not be responsible for loss, damage or theft of any electronic communication device brought to the school.

C. Exceptions

Students with medical needs, such as insulin pumps and glucose sensors, or disabilities that require a device to support their learning as identified by their individualized education program (IEP) or plan developed under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. section 794, or a multilingual student with appropriate language access programs and services pursuant to Title VI of the Civil Rights Act of 1964 shall be exempt from this policy. Additionally, the superintendent or their designee may approve additional exceptions on a case-by-case basis or through an administrative decision recorded in the student handbook, with respect to student medical, disability, or language proficiency needs.

D. Consequences and Violations

Students are not permitted to use any electronic device to record audio or video media or take pictures of any student or staff member without their permission. The distribution of any unauthorized media may result in disciplinary action. The school reserves the right to monitor, inspect, copy, and review a student's personal electronic device subject to the limitations of RSA 189:70, if there is reasonable suspicion to believe that a student has violated board policies, regulations, school rules, or has engaged in other misconduct while using their personal electronic

device.

Consequences for violations of this policy will be pursuant to the personal electronic communication devices procedures.

E. **Review**

The Superintendent shall annually review policy in collaboration with parents and teachers with a report and recommendations for policy changes to be delivered to the Board no later than April 1 of each school year.

F. **Dissemination**

The Superintendent shall ensure that information regarding the prohibition against using personal communication devices during the school day is included in all student handbooks, and included in "beginning of school year" materials provided to parents/guardians.

***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.*

NH Statutes

RSA 189:68

RSA 189:68-a

RSA 189:70

RSA 644:21

Cross References

Code

EHAB

EHAG

JIC

JICL

JICL-R(1)

Description

[Student Privacy](#)

[Student Online Personal Information](#)

[Educational Institution Policies on Social Media](#)

[Searches of Portable Electronic Devices](#)

Description

[Data Governance and Security](#)

[Use of Generative Artificial Intelligence](#)

[Student Conduct](#)

[School District Internet Access for Students](#)

[School District Internet Access for Students - Acceptable Internet Use Procedures - Students](#)

Revised: 1/28/14; 1st Reading: 2/11/14; Adopted: 3/4/14

JICK - BULLYING PREVENTION - PUPIL SAFETY AND VIOLENCE PREVENTION

Category: Priority/Required by Law

A. **Purpose and Intent.** The Mascoma Valley Regional School District is committed to providing a safe and respectful learning environment for all students. Through education, prevention, and consistent enforcement, we aim to eliminate bullying and promote positive peer relationships for all of our students.

1. **Prohibition of Bullying or Cyberbullying of a Student** - RSA 193-F:4, II(a). This policy is intended to comply with and implement RSA 193-F. Bullying, in any form—whether physical, verbal, social, or cyber—is strictly prohibited and will not be tolerated. This policy defines bullying and related conduct, and establishes clear procedures for reporting, investigating, and responding to incidents.
2. **Protection of all School Aged Children** - RSA 193-F:4, II(c). This policy shall apply to all students and school-aged persons on school district grounds and participating in school district functions, whether or not such school-aged person is a student within the District and regardless of status.
3. **Prohibition of Retaliation and False Accusations** - RSA 193-F:4, II(b). This policy prohibits retaliation or false threats against a victim, witness, or anyone else who, in good faith, provides information about an act of bullying or cyberbullying.

B. **Definitions** - (RSA 193-F:3).

1. **"Bullying"** means a single significant incident or a pattern of incidents involving a written, verbal, or electronic communication, or a physical act or gesture, or any combination thereof, directed at any student which:

Bullying shall also mean and include actions motivated by an imbalance of power based on a student's actual or perceived personal characteristics, behaviors, or beliefs, or motivated by the student's association with another person and based on the other person's characteristics, behaviors, or beliefs.

As used throughout this or other Board policies, and unless the context indicates otherwise, the term **"bullying"** as used in this policy will include **cyberbullying**.

Bullying prohibited and covered by this policy includes any action or communication described above that

- a. Physically harms a student or damages the student's property;

- b. Causes emotional distress to a student;
 - c. Interferes with a student's educational opportunities;
 - d. Creates a hostile educational environment; or
 - e. Substantially disrupts the orderly operation of the school.
 - f. occurs on, is delivered to, school property or a school-sponsored activity or event on or off school property; or
 - g. Occurs off of school property or outside a school-sponsored activity or event, if the conduct interferes with a student's educational opportunities or substantially disrupts the orderly operations of the school or any school-sponsored activity or event.
2. "Cyberbullying" means conduct defined above as bullying committed or undertaken through the use of electronic devices. Unless the context indicates otherwise, the term "bullying" as used in this policy will include acts of cyberbullying.
 3. "Electronic devices" includes, but is not limited to, telephones, cellular or smartphones, computers, pagers, or any other device which is used for or can transmit: voice calls or messages; electronic mail; text/instant or other verbal messaging; images or videos; and websites.
 4. "Parent" means a person who has legal custody of a minor child as a natural or adoptive parent, as a legal guardian, or who is functioning in a parental role if the actual parent or guardian is absent from the child's daily life. Additionally, "parent" may include students who have been emancipated, either by age or legal process. The term "parent", shall not, however, include a parent as to whom the parent-child relationship has been terminated by judicial decree or voluntary relinquishment.
 5. "Perpetrator" means a student who engages in bullying or cyberbullying.
 6. "Principal" shall mean and include the building Principal or other senior building administrator of a school, as well as any qualified person appointed by the Principal to carry out all or some Principal functions as described in this policy.
 7. "Retaliation" means and includes such conduct as intimidation, threats, coercion, harassment, or discrimination in response to (or an effort to prevent) a victim, witness or other person, who in good faith provides information about an act or conduct that the person providing the information believes is bullying or cyberbullying.
 8. "School property" means all real property and all physical plant and equipment used for school purposes, including public or private school buses or vans.
 9. "Staff" means and includes all district, school or SAU employees, designated volunteers (as defined in Board policy GBCD), or other volunteers who are regularly on school property, or who have significant contact with students, and any

employees of a company under contract to the District or SAU and who have significant contact with students.

10. "Student" shall have the same meaning as "pupil" as used in RSA 193-F and this or any other Board policy.
11. "Superintendent" means the Superintendent (Senior Education Official) or other person designated by the Superintendent to carry out all or some Superintendent functions as described in this policy.
12. "Victim" means a student against whom bullying or cyberbullying has been perpetrated.

- C. **Retaliation** - RSA 193-F:4, II(b). Retaliation or false accusations related to bullying or cyberbullying shall be deemed a violation of this policy. Upon receiving any report of bullying or cyberbullying, the Principal will immediately assess the need to develop a plan or take steps to protect the alleged victim or any witnesses against retaliation. The same assessment shall be made at any point upon a report of retaliation or false accusations made during or after a bullying/cyberbullying investigation.

Reports of retaliation or false accusations relating to a bullying/cyberbullying report may be made in the same manner as for reports of bullying/cyberbullying as provided in this policy.

Investigations, and responses (i.e., interventions, supportive measures, disciplinary consequences) to reports of retaliation or false accusations may be made as provided in the same manner as provided in Sections E - H for reports or incidents of bullying/cyberbullying, or in accordance with procedures and provisions set forth in the Student Handbook.

- D. **Procedures for Reporting Bullying, Cyberbullying, Retaliation or False Accusations** - RSA 193-F:4, II(f). At each school, the Principal is responsible for receiving reports or complaints of bullying or cyberbullying.

1. **Student Reporting**. Any student who believes he or she has been the victim of bullying/cyberbullying, retaliation, or false accusations should report the alleged acts immediately to the Principal, or to a school district employee or volunteer that the student feels more comfortable making the report.
2. **Staff Reporting**. Any school employee or volunteer who receives a report of, witnesses, or has knowledge or belief that bullying/cyberbullying or retaliation may have occurred, shall inform the Principal as soon as possible, but no later than the end of that school day.
3. **Parent Reporting**. Parents and other adults are also encouraged to report any concerns about possible bullying/cyberbullying or retaliation of students to the Principal.

4. **Report Forms.** The administration may develop student reporting forms to assist students and staff in filing such reports. An investigation shall still proceed even if a student is reluctant to fill out the designated form and chooses not to do so.
5. **Anonymous Reports.** The Principal may develop a system or method for receiving anonymous reports of bullying within the building. Although students, parents, volunteers and visitors may report anonymously, an investigation based upon such reports may by necessity be incomplete. More significantly, formal disciplinary action may not be based solely on an anonymous report, and, likewise, other remedial or supportive measures may require some form of evidentiary verification.

E. Actions Upon Receipt of Report of Bullying or Cyberbullying.

1. **Receipt of Report.** Upon receipt of a report of bullying, the Principal shall commence an investigation consistent with the provisions of Section F of this policy, shall assess
 - a. the need for a plan to protect students against retaliation,
 - b. whether the conduct may be construed as illegal discrimination or harassment related to a protected class as set forth in Board policy AC (if so, the Principal shall confer with the District staff member(s) charged with handling such discrimination or harassment to determine how to proceed (e.g., parallel or combined investigations); and
 - c. whether such conduct constitutes a safe schools violation requiring a report pursuant to RSA 193-D:4 and Ed 317.05.
2. **Parental Notice of Bullying Report** — RSA 193-F:4, II(h). Within 48 hours of receiving a report of bullying, the Principal will notify the parents of any student reported as a victim of bullying, as well as the parents of any student who has been reported as a perpetrator of bullying. Such notification may be made by telephone, writing or personal conference. The date, time, method, and location (if applicable) of such notification and communication shall be included in the investigative report. Notifications shall be consistent with the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA) relative to the student privacy rights of each student indicated in the report.

The Principal may request of the Superintendent designee a waiver of the parental notification requirement, which may be granted only if the Superintendent deems such a waiver to be in the best interest of either the alleged victim or alleged perpetrator. Details of any request for a waiver and any grant of such request will be included in the investigative report.

B. Investigative Procedures - RSA 193-F:4, II(j).

1. Upon receipt of a report of bullying, the Principal shall, within 5 school days, initiate an investigation into the alleged act. If the Principal is directly and personally involved with a complaint or is closely related to a party to the complaint, then the Superintendent shall direct another district employee to conduct the investigation.
2. The investigation should include documented interviews with the alleged victim, alleged perpetrator and any witnesses. All interviews shall be conducted privately, and shall be confidential to the extent permitted by law. Each individual will be interviewed separately and at no time will the alleged victim and perpetrator be interviewed together during the investigation.
3. The investigation should include review of any available surveillance recordings subject to the provisions of Board policies EEAA.
4. If the alleged bullying was in whole or in part cyberbullying, the Principal may ask students and/or parents to provide the District with printed copies of e-mails, text messages, website pages, or other similar electronic communications, consistent with Board policy JIH and RSA 189:6. The Principal may not, however, require or request a student to disclose or to provide access to a personal social media account through the student's user credentials.
5. Factors the Principal or other investigator may consider all relevant facts and circumstances during the course of the investigation, including but not limited to:
 - a. Description of incident, including the nature of the behavior;
 - b. How often the conduct occurred;
 - c. Whether there were past incidents or past continuing patterns of behavior;
 - d. The characteristics of parties involved, (name, grade, age, etc.);
 - e. The identity and number of individuals who participated in bullying behavior;
 - f. Where the alleged incident(s) occurred;
 - g. Whether the conduct adversely affected any student's education or educational environment;
 - h. Whether the alleged victim felt or perceived an imbalance or power as a result of the reported incident;
 - i. Whether the conduct violated any District or school policies or rules; and

- j. The date, time and method by which parents or legal guardians of all parties involved were first contacted.
2. The Principal shall complete the investigation within 10 school days of receiving the initial report. If the Principal needs more than 10 school days to complete the investigation, the Superintendent may grant an extension of up to 7 school days. In the event such extension is granted, the Principal shall notify in writing all parties involved of the granting of the extension.

Without limiting what might constitute sufficient cause for an extension under this paragraph, the Superintendent may consider the interests of the victim or alleged perpetrator related to any investigation into some or all of the same alleged conduct which other investigation includes procedures and timelines mandated by a regulation or statute other than RSA 193-F (e.g., Title IX, criminal investigations, etc.). Before waiving the time requirement on account of such other investigation, the Superintendent should confer with counsel and or the District's Human Rights Officer.

B. Completion of Investigation and Report.

1. Investigative Determination and Report. Whether a particular action or incident constitutes bullying/cyberbullying, retaliation or other violation of this policy – requires review and consideration of available evidence of all facts and surrounding circumstances. The investigative determination along with a summary of the investigation, shall be included in a comprehensive report. If the determination is that the bullying allegation is substantiated, the report shall include provisions describing any disciplinary consequences, interventions, supportive measures or other assistance for the victim or perpetrator, and, when indicated, any steps appropriate to protect all students from retaliation of any kind. The report may also include policy, training or other recommendations for preventing future bullying conduct within the school.
2. Communication with Students and Parents Upon Completion of Investigation - RSA 193-F:4, II(m).
 - a. The Principal will meet promptly with each student directly involved in the incident(s) and communicate the general investigative determination as to whether the allegations of bullying/cyberbullying were substantiated, and any initial consequences or interventions appropriate to the determination.
 - b. Within 10 school days, the Principal will notify the parents of the alleged victim and of the alleged perpetrator regarding the school's remedies and assistance, within the boundaries of applicable state and federal law. The initial communication may be in writing, in person or by telephone, but if verbally, the Principal will also send a letter confirming earlier determination to the parents within 2 school days confirming the earlier notification.

- c. If the parents request, the Principal shall schedule a meeting with them to further explain the investigative determination.
 - d. In accordance with the Family Educational Rights and Privacy Act and other laws concerning student privacy, the District will not disclose educational records of students, including the discipline and remedial action assigned to those students and the parents of other students involved in a bullying incident.
- 2. Appeals. A parent aggrieved by the investigative determination of the Principal may appeal the determination in accordance with the standards and procedures set forth for Level II and Level III appeals in Board policy ACA.
- 3. Additional Reporting Requirements.
 - a. Reporting Substantiated Incidents - RSA 193-F:4, II(l). The Principal shall forward all substantiated reports of bullying to the Superintendent upon completion of the Principal's investigation.
 - b. Department of Education Reports - RSA 193-F:4, II(g). The Principal shall be responsible for completing such reports/forms as required by the New Hampshire Department of Education (NHED) for all substantiated incidents of bullying. Irrespective of the time/date a form/report is due to be filed with NHED, the report/form or the information required for the report/form shall be completed/compiled within 10 school days following an investigative finding of a substantiated bullying/cyberbullying report. The Principal or designee shall retain a copy and shall forward one copy to the Superintendent. Hard copies are not necessary if the digital form/data is retained and accessible to both the building administration and SAU.
 - c. Reporting to NH Department of Education - RSA 193-F:6, I. The Superintendent shall annually report the District's substantiated incidents of bullying to the New Hampshire Department of Education. Pursuant to FERPA, such reports shall not contain any personally identifiable information pertaining to any student.

B. Substantiated Instances of Bullying or Retaliation: Interventions, Remedial Measures and Disciplinary Consequences — RSA 193-F:4, II(k).

While students who have been found to have committed an act of bullying/cyberbullying can face disciplinary consequences, the Board encourages the administration and school district staff to explore alternative or additional measures and interventions to address the substantiated instances of bullying/cyberbullying, and prevent their reoccurrence.

- 1. Interventions and Other Remedial Measures. Examples of interventions and remedial measures include, but are not limited to:

- a. Restitution,
- b. Parent conferences,
- c. Student counseling,
- d. Behavior assessment,
- e. Corrective instruction or other relevant learning experience,
- f. Peer support group, and
- g. Mediation (but only after the investigation has been completed).

Interventions and other remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim, and take corrective action for documented systematic problems related to bullying.

2. **Disciplinary Consequences** - RSA 193-F:4, II(d). Disciplinary consequences for students shall be consistent with the Student Handbook for the conduct that constituted bullying/cyberbullying. Disciplinary consequences should be varied according to specific circumstances such as: the nature of the behavior, the developmental age of the student, the student's prior disciplinary history, performance. Students will be afforded any due process applicable to the level of consequences as provided in Board policy JICD, RSA 193:13 and Ed 317.

Consequences and appropriate remedial actions for a staff member who commits one or more acts of bullying/cyberbullying or retaliation may range from up to and including dismissal from employment for staff members, with additional reports, if appropriate, in accordance with the Code of Conduct for New Hampshire Educators.

- I. **Dissemination of Policy and Bullying Prevention Education** - RSA 193-F:4, II(e) and 193-F:5.

1. **Staff and Volunteers**. All staff will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (employee handbook, hard copy, website, workshops, etc.). The Superintendent will ensure that all school employees and volunteers receive **annual** training on bullying and related Board policies, consistent with RSA 193-F:5.
2. **Students**. All students will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (student handbook, mailing, hard copy, website, etc.).

Each year, all students will participate in programming that includes anti-bullying/cyberbullying materials presented in age-appropriate language. The materials and information should, among other things, describe expectations for student behavior, emphasize an understanding of what

bullying/cyberbullying, harassment and intimidation is and looks like, the District's prohibition of such conduct and the reasons why the conduct is destructive, unacceptable, and how and when the conduct can lead to disciplinary consequences.

The Superintendent, in consultation with staff, will, to the extent reasonably possible, integrate student anti-bullying training and education into the district's curriculum, behavior programs and other violence prevention efforts.

3. Parents. The Superintendent will ensure that all parents are annually provided with a copy of this policy or informed in writing where a copy of the policy may be located on the District and/or school's website. Student/family handbooks will include information of the District/school's anti-bullying program, as well as the means for students to report bullying acts either experienced or witnessed, and how parents, themselves, may inform/report to the school when they believe their child is being bullied or is bullying other students and encourage their children to report bullying when it occurs.
4. Additional Notice and School District Programs. The Board may, from time to time, host or schedule public forums in which it will address this anti-bullying policy, discuss bullying in the schools, and consult with a variety of individuals, including teachers, administrators, guidance counselors, school psychologists and other interested persons.

J. **Summary of School Officials' Duties to Implement Policy** - RSA 193-F:4, II(n).

The Superintendent, as the person charged with supervision of all employees of the District, is responsible for the implementation of this policy and the provisions of RSA 193-F. The School Principal(s) are expected and required by statute to implement this policy within their respective school buildings and ensure the procedures are followed.

Consistent with this Policy, the Principal(s) shall receive reports of alleged bullying or retaliation, investigate the alleged conduct, and communicate with the parties involved (including their parents) consistent with privacy laws, and communicate/report to the Superintendent. The Superintendent shall oversee the Principal(s) in their duties relative to this policy and shall ensure each school is compliant with this policy. Additionally, the Superintendent, will receive reports of substantiated incidents, review waivers and time extension requests, and communicate with the Principal(s), the School Board, and the NH Department of Education, all as provided in this policy.

K. **Immunity and Liability** – RSA 193-F:7 & 9.

Under 193-F:7, employees, volunteers, students, parents and any other person covered by this policy will be immune from civil liability for **good faith** conduct arising from or pertaining to the reporting, investigation, findings, recommended response, or implementation of a recommended response under this policy or RSA 193-F. (Note – civil liability could arise, (including for attorneys fees) in the event of gross negligence or willful misconduct for violations of this policy.)

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.*

NH Statutes	Description
RSA 189:70	Educational Institution Policies on Social Media
RSA 193-D:4	Written Report Required (Safe School Zones)
RSA 193-F	Pupil Safety and Violence Prevention
RSA 193-F:3	Definitions (Pupil Safety and Violence Prevention)
RSA 193-F:4	Policy Requirements (Pupil Safety and Violence Prevention)
RSA 193-F:7	Immunity (Pupil Safety and Violence Prevention)
RSA 570-A:2	Capture of Audio Recordings on School Buses Allowed
NH Dept of Ed Regulation	Description
N.H. Code Admin Rules Ed 317.05	Reporting Procedures for Acts of Theft, Violence, or Destruction
N.H. Code Admin. Rules Ed 204.01	Board Hearings
N.H. Code Admin. Rules Ed 306.04(b)(7)	Student Harassment
N.H. Code Admin. Rules Ed 317	Standards and Procedures for Suspension and Expulsion of Pupils Including Procedures Assuring Due Process
N.H. Code Admin. Rules Ed 317.04	Suspension and Expulsion of Pupils Assuring Due Process
	Disciplinary Procedures
Cross References	
Code	Description
AC	Nondiscrimination, Equal Opportunity Employment, and Anti-Discrimination Plan
AC-R(2)	Nondiscrimination, Equal Opportunity Employment, and Anti-Discrimination Plan - Annual Notice of Contact Information
ACAC	Prohibition of Sexual Harassment: Policy and Grievance Procedures
EBCA	Crisis Prevention and Emergency Response Plans
ECAF	Audio and Video Surveillance on School Buses
EHAG	Use of Generative Artificial Intelligence
GBEAB	Mandatory Code of Conduct Reporting - All Employees
IHBA	Programs for Pupils with Disabilities
IHBA-R(1)	Programs for Pupils with Disabilities - Section 504 - Notice of Parent & Student Rights
JIC	Student Conduct

JICD	Student Discipline and Due Process
JICD-R(1)	Student Discipline and Due Process - Memorandum of Understanding
JICDD	Student Discipline/Out-of-School Actions
JLF	Reporting Child Abuse or Neglect
JLF-F(1)	Reporting Child Abuse or Neglect - Report Form
KFA	Conduct on School Property
KFA-R(1)	Conduct on School Property - Assaults

Adopted: 12/28/10

Reviewed/First Reading: 10/27/20; 2nd Reading/Adopted: 11/10/20

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JKAA - USE OF RESTRAINTS AND SECLUSION

Category: Priority/Required by Law

- A. **Policy Statement.** This policy is designed to help ensure the safety and dignity of all students by limiting and regulating the use of restraint and seclusion only as crisis or emergency responses. Restraint and seclusion of students is prohibited in the District except as described below.
- B. **Definitions.** For the purposes of this policy,
 1. **"Restraint"** means bodily physical restriction, mechanical devices, or any device that immobilizes a person or restricts the freedom of movement of the torso, head, arms, or legs. It includes mechanical restraint, physical restraint, and medication restraint used to control behavior in an emergency or any involuntary medication. It is limited to actions taken by persons who are school or facility staff members, contractors, or otherwise under the control or direction of a school or facility.
 - a. **"Medication restraint"** occurs when a child is given medication involuntarily for the purpose of immediate control of the child's behavior.
 - b. **"Mechanical restraint"** occurs when a physical device or devices are used to restrict the movement of a child or the movement or normal function of a portion of his or her body.
 - c. **"Physical restraint"** occurs when a manual method is used to restrict a child's freedom of movement or normal access to his or her body.
 - d. **"Prone restraint"** is a prohibited physical restraint technique which occurs when a child is intentionally placed face-down on the floor or another surface, and the child's physical movement is limited to keep the child in a prone position. For the purpose of this definition, physical restraint that involves the temporary controlling of an

individual in a prone position while transitioning to an alternative, safer form of restraint is not considered to be a prohibited form of physical restraint.

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

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

- a. Prone restraint, or any other physical restraint or containment technique that:
- i. Obstructs a child's respiratory airway or impairs the child's breathing or respiratory capacity or restricts the movement required for normal breathing;
 - ii. Places pressure or weight on, or causes the compression of, the chest, lungs, sternum, diaphragm, back, or abdomen of a child;
 - iii. Obstructs the circulation of blood;
 - iv. Involves pushing on or into the child's mouth, nose, eyes, or any part of the face or involves covering the face or body with anything, including soft objects such as pillows, blankets, or washcloths; or

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

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

4. **"Child"** means a person who has not reached the age of 18 years and who is not under adult criminal prosecution or sentence of actual incarceration resulting therefrom, either due to having reached the age of 17 years or due to the completion of proceedings for transfer to the adult criminal justice system under RSA 169-B:24, RSA 169-B:25, or RSA 169-B:26. "Child" also includes a person in actual attendance at a school who is less than 22 years of age and who has not received a high school diploma.
- C. **Training Required.** Under RSA 126-U:5, II, the restraint may only be used/implemented by trained school staff, while 126-U:5-a, II applies the same limitation to the use of seclusion. The Superintendent shall ensure that:

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

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

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

1. Authorized Use of Restraint.

a. General.

- i. Restraint may only be used by trained personnel using extreme caution when *all other interventions have failed or have been deemed inappropriate.*
- ii. The determination of whether the use of restraint is justified in a specific instance must be made with consideration of all relevant circumstances, including whether continued acts of violence by a child to inflict damage to property will create a substantial risk of serious bodily harm to the child or others.
- iii. Restraint may only be used to ensure the immediate physical safety of any person when there is a substantial and imminent risk of serious bodily harm to the student or others.
- iv. Restraint shall never be used either explicitly or implicitly as punishment for the behavior of a child.

- v. Restraint will not be imposed for longer than is necessary to protect the student or others from the substantial and imminent risk of serious bodily harm.
 - vi. Restraint will be *discontinued immediately* if a child demonstrates signs of one or more of the following: difficulty breathing; choking; vomiting; bleeding; fainting; unconsciousness; discoloration; swelling at points of restraint; cold extremities, or similar manifestations.
- b. Restraint Periods Exceeding 15 Minutes. Pursuant to RSA 126-U:11, no period of restraint of a student may exceed 15 minutes without the approval of a supervisory employee designated by the Superintendent or Principal to provide such approval.

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

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

2. **Prohibition of Certain Forms of Restraint.** The use of any dangerous restraint technique as defined in Section A, above, is prohibited. Additionally, medical and mechanical restraints are prohibited except that limited mechanical restraint may be used in transportation as described in and subject to the conditions set forth in paragraph 3, of this Section.
3. **Limited Use of Mechanical Restraints During Transportation.** Pursuant to RSA 126-U:6, the use of Mechanical Restraints is generally prohibited. However, RSA 126-U:12 allows the use of mechanical restraint during transportation when case-specific circumstances dictate that such methods are necessary.

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

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

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

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

3. **Use of Seclusion.**

a. **Circumstances in Which - and Conditions by Which - Seclusion May and May Not Be Used.**

- i. Seclusion may only be used by personnel trained in the proper use of seclusion as provided in Section C, above.
- ii. Seclusion may only be used when a student's behavior poses a substantial and imminent risk of physical harm to the student or others and may only continue until that danger has dissipated.
- iii. Seclusion shall only be used after other approaches to the control of behavior have been attempted and been unsuccessful or are reasonably concluded to be unlikely to succeed based on the history of actual attempts to control the behavior of a particular child.
- iv. Seclusion will not be used explicitly or implicitly as a form of punishment or discipline for the behavior of a student.
- v. Seclusion shall not be used in a manner that unnecessarily subjects the child to the risk of ridicule, humiliation, or emotional or physical harm.

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

- i. it may only be imposed in rooms which:
 1. Are of a size which is appropriate for the chronological and developmental age, size, and behavior of the children placed in them.
 2. Have a ceiling height that is comparable to the ceiling height of the other rooms in the building in which they are located.
 3. Are equipped with heating, cooling, ventilation, and lighting systems that are comparable to the systems that are in use in the other rooms of the building in which they are located.
 4. Are free of any object that poses a danger to the children being placed in the rooms.
 5. Have doors which are either not equipped with locks or are equipped with devices that automatically disengage the lock in case of an

emergency. For the purposes of this subparagraph, an "emergency" includes, but is not limited to:

- a. The need to provide direct and immediate medical attention to a child;
 - b. Fire;
 - c. The need to remove a child to a safe location during a building lockdown; or
 - d. Other critical situations that may require immediate removal of a child from seclusion to a safe location.
 - ii. Each use of seclusion shall be directly and continuously visually and auditorily monitored by a person trained in the safe use of seclusion (e.g., in person, window with accommodation for sound, video with audio feed).
 - c. **Required Use of Co-Regulators.** When seclusion is used, the Principal, or when he or she is not immediately available, her/his designee or the then supervising employee, shall designate a co-regulator to monitor the child and develop a plan to help the child manage their state of regulation and their return to a less restrictive setting. The co-regulator shall check the child at regular intervals not to exceed 30 minutes between any one interval. The co-regulator shall be selected and designated in the following order of preference:
 - i. A trusted adult selected by the child.
 - ii. A clinician or counselor trained in trauma informed practices.
 - iii. A staff member known to have a positive relationship with the child.
 - iv. A staff member who was **NOT** involved in the incident that led to seclusion.
 - d. **Reporting and notification.** Any occurrence or incident in which seclusion is used shall be documented and followed with reports and notification as described in Section G, below. Multiple incidents of seclusion/restraint may be present within a single occurrence, and should be individually described within the reports and notifications.
1. **Reporting, Notification and Record Keeping Requirements.**
 2. **Restraint and Seclusion.** Whenever restraint or seclusion has been used on a child, the following shall apply:
 - a. Immediate verbal report to Principal, designee or then current supervising employee: Immediately after the occurrence of seclusion or restraint and any threat to safety is no longer imminent, the employee who uses seclusion or restraint shall provide verbal notice to the Principal, principal's designee or other supervising employee on duty.

- b. Initial Notification to Parent/Guardian: Upon receipt of a report of the use of seclusion or restraint, and unless prohibited by court order, the Principal, principal's designee or other supervising employee who received the immediate verbal report described in Paragraph G.1.a, s/he shall make reasonable efforts to contact the child's parent or guardian as soon as is practicable, but in *no later than the time of the return of the child to the parent/guardian or the end of the business day, whichever is earlier*. The form of notice shall be in the manner calculated to give the parent/guardian actual notice of the incident at the earliest possible time.
- c. Written Notification to Superintendent: Within five business days of the use of seclusion or restraint, the employee who used seclusion or restraint on a child, will, with the assistance of the Principal or other employee who received the immediate verbal report (or if the employee is not available, the Principal or other recipient of the immediate report) will submit written notification on the form provided by the New Hampshire Departments of Education and Health and Human Services (the "DOE/DHHS form made available 1/17/24") to the Superintendent. In the absence of the availability of the DOE/DHHS form, the submission shall nonetheless be in writing and include all of the information required under RSA 126-U:7, II. The DOE/DHHS form or other writing used will be referred to as the Written Notification.

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

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

- 3. **Additional Reporting Required for Injury or Death of a Child Subject to Restraint or Seclusion.** In cases involving serious injury or death to a child subject to restraint or seclusion in a school, the Principal/Superintendent designee shall, in addition to the reports and notifications described above, and in accordance with the provisions of RSA 126-U:7, notify the Commissioner of the Department of Education, the New Hampshire Attorney General, general, and the New Hampshire Disability Rights Center using the contact information provided by the Department

of Education. Such notice shall include the Official/Written Notification required in Section G.c, above.

4. **Additional Documentation Regarding Use of Mechanical Restraint.** Whenever a child is transported using mechanical restraints, the person(s) completing the Official Report Form/written notification described in G.1.c, above, shall include the reasons for the use of mechanical restraints. Such documentation shall be treated and retained as a notification of restraint under RSA 126-U:7.
5. **Documentation for Other Intentional Physical Contact Between Employee and Student.** The following shall apply whenever there is an instance where a school employee or designated volunteer has intentional physical contact with a student in response to a student's aggressive misconduct or disruptive behavior.

- a. Notice to parents: the Principal, designee or other supervising employee will make reasonable efforts to promptly notify the student's parent or guardian. *Such notification shall be made no later the time of the return of the child to the parent/guardian or the end of the business day, whichever is earlier.* The form of notice shall be in the manner calculated to give the parent/guardian actual notice of the incident at the earliest possible time.
- b. Physical Contact Written Description: Unless the incident is subject to the notice and reporting requirements of Section G.1 above, the Principal shall prepare a written description of the incident ("Physical Contact Written Description") of the incident within five (5) business days of the occurrence/incident. The Physical Contact Written Description will include:
 - i. The date and time of the incident.
 - ii. A brief description of the actions of the child before, during, and after the occurrence.
 - iii. The names of the persons involved in the occurrence.
 - iv. A brief description of the actions of the facility or school employees involved before, during, and after the occurrence.
 - v. A description of any injuries sustained by, and any medical care administered to, the child, employees, or others before, during, or after the incident.

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

- a. When a child is escorted from an area by way of holding of the hand, wrist, arm, shoulder, or back to induce the child to walk to a safe location. If, however, the child is actively combative, assaultive, or causes self-injury

while being escorted, then the notification requirements described above are applicable.

- b. When actions are taken such as separating children from each other, inducing a child to stand, or otherwise physically preparing a child to be escorted.
- c. When the contact with the child is incidental or minor, such as for the purpose of gaining a misbehaving child's attention. However, blocking of a blow, forcible release from a grasp, or other significant and intentional physical contact with a disruptive or assaultive child shall be subject to the notification and reporting requirements described above.

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

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

H. **Mandatory Reporting of Violations by Others.** Any school employee who has reason to believe that the action of another may constitute a violation of this policy, or the provisions of RSA 126-U, must report the suspected violation to the Principal or Superintendent in accordance with the reporting procedures of Board policy GBEAB. The conduct giving rise to the suspected violation may well likely require reporting under Board policies JLF – Reporting Child Abuse or Neglect.

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

- 1. **Complaint Contents.** The written complaint or complaint summary should include:
 - a. The complainant's name, unless the complaint refuses;
 - b. The date or approximate date of the alleged incident;
 - c. The location of the alleged incident;
 - d. The name of the child or children subject to the alleged restraint or seclusion, if known;
 - e. The name of the school personnel alleged to have restrained or secluded the child, if known;

- f. A description of the alleged restraint or seclusion; and
 - g. The date of complaint.
2. **Investigation and Resolution of Complaint.** The complaint or grievance will be investigated by the Superintendent, or another person designated by the Superintendent. The Complainant should be contacted no later than 5 business days (excluding school year vacations) following the date of the complaint.

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

A written investigative report of the findings and conclusions (whether the complaint is founded or unfounded) should be completed within five days of completion of the investigation. In addition to findings and conclusions, the investigative report must include the documentation of the evidence (or summary of oral evidence) relied upon.

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

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

Any further review of the original complaint or investigative report will be in accordance with other established processes, e.g., grievance processes within applicable collective bargaining agreements.

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

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

If there have been multiple instances of restraint or seclusion of a child with a disability

since the last IEP/504 plan review, an additional review shall occur at the request of the parent or guardian of the child.

- K. **Prohibition Against Retaliation or Harassment.** No person shall subject any individual to harassment or retaliation for filing, in good faith, a report under this policy, RSA 126-U, or Department of Education Rules Ed 1200. **Dissemination of Policy.** A copy of this policy shall be provided to the parent, guardian, or legal representative of each full or part-time student upon enrollment, and annually thereafter printed in each student handbook. Additionally, the policy will be included on each school's website and/or the online School Board Policy Manual available to the general public.
- L. **Dissemination of Policy.** A copy of this policy shall be provided to the parent, guardian, or legal representative of each full or part-time student upon enrollment, and annually thereafter printed in each student handbook. Additionally, the policy will be included on each school's website and/or the online School Board Policy Manual available to the general public.

***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.*

NH Statutes

RSA 126-U

RSA 169-C:29-39

RSA 186-C

NH Dept of Ed Regulation

N.H. Code of Admin. Rules Chapter 1200

Federal Statutes

Section 504, 29 U.S.C. 701, et. seq.

Cross References

Code

EBB

EHB

EHB-R(1)

GBEAB

JLF

JRA

JRA-R(1)

Description

[Limiting the Use of Child Restraint Practices](#)

[Reporting Law](#)

[Special Education](#)

Description

[Restraint and Seclusion for Children](#)

Description

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

Description

[School Safety](#)

[Data/Records Retention](#)

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

[Mandatory Code of Conduct Reporting - All Employees](#)

[Reporting Child Abuse or Neglect](#)

[Student Records and Access \(FERPA\)](#)

[Student Records and Access \(FERPA\)](#)

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JLCF - WELLNESS

Category: Priority/Required by Law

The Mascoma Valley Regional School Board recognizes the importance of proper nutrition and developmentally appropriate physical activity as ways of promoting healthy lifestyles, minimizing childhood obesity, and preventing other diet-related chronic diseases. The Board also recognizes that health and student success are inter-related. It is, therefore, the goal of the Board that the learning environment positively influences a student's understanding, beliefs, and habits as they relate to good nutrition and physical activity.

This policy outlines the District's approach to ensuring environments and opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. This policy applies to all students, staff and schools in the District.

I. DISTRICT WELLNESS COMMITTEE.

The Superintendent, in consultation with the Director of Food Services, will facilitate development of updates to the District Wellness Policy, subject to School Board approval, and will oversee compliance with the policy. In addition, the Superintendent shall designate a Building Wellness Coordinator for each school to help ensure compliance with this policy at the building level. Additionally, the Wellness Committee is charged with making recommendations relative to the objectives and requirements of Board policy IMAH, Daily Physical Activity.

The Superintendent shall convene a representative "District Wellness Committee" (or "Wellness Committee"), whose functions will include review and recommendations regarding implementation of and updates to this policy, and establishment of specific goals for nutrition promotion, education and physical activity.

The Superintendent or his/her designee shall serve as the Chairperson of the District Wellness Committee, and shall maintain an updated roster of Building Wellness Coordinators and other persons serving on the Committee.

The District Wellness Committee shall meet no less than three times per school year.

The District Wellness Committee should represent each school and the diversity of the community, and to the extent feasible include the Superintendent or her/his designee, the Food Services

Director, each Building Wellness Coordinator, parents, students, physical education teachers, health education teachers, school counselors, school administrators, a school board member, outside health professionals, individual school building representatives, and members of the public.

Staff appointments to the Wellness Committee will be made by the Superintendent. The School Board Chair shall appoint the School Board member. Remaining members, other than those who are ex officio, shall be appointed and approved by the Wellness Committee.

As a statutory committee, the Wellness Committee shall comply with the requirements of RSA 91-A regarding meetings.

II. WELLNESS POLICY IMPLEMENTATION, MONITORING, ACCOUNTABILITY AND COMMUNITY ENGAGEMENT.

A. Implementation Plan.

Each Building Wellness Coordinator, with the assistance of the Wellness Committee, will conduct a school-level assessment based on the Centers for Disease Control and Prevention's School Health Index, using tools available through such programs as the Alliance for a [Healthier Generation America's Healthiest Schools program](#) (*link verified May 28, 2025*), and to create an action plan and generate an annual progress report. The school-level assessment/report should be completed by September 30th of each school year and provided to the Superintendent.

B. Annual Notification of Policy.

The District will annually inform families and the public of basic information about this policy, including its content, any updates to the policy, and implementation status. The District will make this information available via the district website. This information will include the contact information of the District official(s) chairing the Wellness Committee (i.e., the Superintendent or his/her designee) and any Building Wellness Coordinator(s), in addition to how the public can get involved with the District Wellness Committee.

C. Triennial Progress Assessments.

Every three years, the Food Services Director will assess:

- The extent to which each of the District's schools are in compliance with the wellness policy;
- The extent to which the District Wellness Policy compares to model wellness policies; and
- A description of the progress made in attaining the goals of the District's Wellness Policy.

The Wellness Committee will make recommendations to update the District Wellness Policy based on the results of the annual School Health Index and triennial assessments

and/or as District priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. The recommendations should include those relating to the provisions of Board policy IMAH, Daily Physical Activity. The Board will review and act upon such assessments as required or as the Board deems appropriate.

D. Recordkeeping.

The Superintendent will retain records related to this Policy, to include at least the following:

- The District Wellness Policy;
- The most recent assessment on the implementation of the local school wellness policy;
- Documentation on how the District Wellness Policy and Policy assessments are/were made available to the public;
- Documentation confirming annual compliance with the requirement that District Wellness Policy, including updates, and the most recent assessment on the implementation of the Policy have been made available to the public; and
- Documentation of efforts to review and update the District Wellness Policy; including who is/was involved in each update and methods the District uses to make stakeholders aware of opportunities to participate on the District Wellness Committee.

E. Community Involvement, Outreach and Communications.

The District will communicate ways in which representatives of DWC and others can participate in the development, implementation and periodic review and update of the wellness policy through a variety of means appropriate for that district. The District will also inform parents/guardians of the improvements that have been made to school meals and compliance with school meal standards, availability of child nutrition programs and how to apply, and a description of and compliance with Smart Snacks in School nutrition standards.

III. NUTRITION.

A. School Meals.

All schools within the District participate in USDA child nutrition programs, including the National School Lunch Program (NSLP) and the School Breakfast Program (SBP. District schools are committed to offering school meals that:

- Are accessible to all students;
- Are appealing and attractive to children;
- Are served in clean and pleasant settings;
- Promote healthy food and beverage choices; and

- Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations. The District offers reimbursable school meals that meet USDA nutrition standards, which may be found at:

<https://www.fns.usda.gov/schoolmeals/nutrition-standards> (link verified May 29, 2025)

B. Staff Qualifications and Professional Development.

All school nutrition program directors, managers and staff will meet or exceed hiring and annual continuing education/training requirements in the USDA professional standards for school nutrition professionals, which may be found at:

www.fns.usda.gov/school-meals/professional-standards (link verified May 28, 2025)

C. Water.

To promote hydration, free, safe, unflavored drinking water will be available to all students at every school throughout the school day, including mealtimes.

Students shall be permitted to bring water bottles to school that:

School Principals may discipline students for the misuse of water bottles, consistent with Board policy JICD.

1. Are made of material that is not easily breakable;
2. Have lids to prevent spills; and
3. Are filled exclusively with water

B. Competitive Foods and Beverages and Marketing of Same in Schools.

“Competitive foods and beverages” (i.e., foods and beverages sold and served or marketed during the school day, but outside of the school meal programs) must meet the USDA Smart Snacks in School nutrition standards, which may be accessed at:

www.fns.usda.gov/tn/guide-smart-snacks-school (link verified May 28, 2025)

These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias and vending machines.

Except as may be provided elsewhere in this Policy, any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the USDA Smart Snacks in School nutrition standards. Food and beverage marketing is defined as advertising and other promotions in schools, including, but is not limited to:

Corporate brand names, logos, and trademarks for companies that market products that comply with the USDA Smart Snacks in School nutrition standards will not be prohibited because they offer some non-compliant food or beverage items in their product line.

Likewise, the marketing restrictions do not apply to clothing or other examples of expression which include brand information for non-compliant food or beverage items.

As the District, school athletic department, and parent teacher associations review existing contracts and consider new contracts, equipment and product purchasing (and replacement) decisions should reflect the applicable marketing guidelines established by the District wellness policy.

1. Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container.
2. Displays, such as on vending machine exteriors.
3. Corporate brand, logo, name or trademark on school equipment, such as marquees, message boards, scoreboards or backboards (*note*: immediate replacement of these items are not required; however, districts will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is in financially possible over time so that items are in compliance with the marketing policy.).
4. Corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, pupil assignment books or school supplies displayed, distributed, offered or sold by the District.
5. Advertisements in school publications or school mailings.
6. Free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

B. Celebrations and Rewards.

All foods offered during the school day on the school campus will meet or exceed the USDA Smart Snacks in School nutrition standards. Foods and beverages will not be used as a reward or withheld as punishment for any reason. The District's School Nutrition Services will make available a list of healthy party ideas to parents and teachers, including non-food celebration ideas, and a list of foods and beverages which meet Smart Snack nutrition standards.

C. Food Sale Fundraising.

Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus during the school day. Fundraising groups are encouraged to choose non-food fundraisers, and to consider healthy fundraising ideas. Notwithstanding this provision, each school may allow up to nine bake sales or other fundraising food sales of non-compliant foods (i.e., that do not meet Smart Snack standards), which are no more than one day in duration each.

D. Nutrition Promotion.

The District will promote healthy food and beverage choices for all students throughout the

school campus, as well as encourage participation in school meal programs. This promotion will include.

1. Implementation of at least one or more evidence-based healthy food promotion techniques in the school meal programs using methods such as those included in the Smarter Lunchroom Movement's publication: [*How to Build a Smarter Lunchroom*](#) (*link verified May 30, 2025*)
2. Ensuring 100% of foods and beverages promoted to students during the school day meet the USDA Smart Snacks in School nutrition standards. Additional promotion techniques that the District and individual schools may use are available through the Smart Food Planner of the Alliance for a Healthier Generation, available at:

<https://foodplanner.healthiergeneration.org/> (*link verified May 28, 2025*)

E. Nutrition Education.

The District will teach, model, encourage and support healthy eating by all students. Schools should provide additional nutrition education that:

1. Nutrition education shall be included in the health curriculum so that instruction is sequential and standards-based and provides students with the knowledge, attitudes, and skills necessary to lead healthy lives.
2. Nutrition education posters will be displayed in each school cafeteria **or** each room in which students regularly eat their lunches.
3. Consistent nutrition messages shall be disseminated throughout the school.
4. Is designed to provide students with the knowledge and skills necessary to promote and protect their health;
5. To the extent practicable is integrated into other classroom instruction through subjects such as math, science, language arts, social sciences and elective subjects;
6. May include enjoyable, developmentally-appropriate, culturally-relevant and participatory activities, such as cooking demonstrations or lessons, promotions, taste-testing, farm visits and school gardens;
7. Promotes fruits, vegetables, whole-grain products, low-fat and fat-free dairy products and healthy food preparation methods;
8. Emphasizes caloric balance between food intake and energy expenditure (promotes physical activity/exercise);
9. Links with school meal programs, cafeteria nutrition promotion activities, school gardens, Farm to School programs, other school foods and nutrition-related community services;
10. Teaches media literacy with an emphasis on food and beverage marketing; and
11. Includes nutrition education training for teachers and other staff.

IV. PHYSICAL ACTIVITY.

The District will provide physical education consistent with national and state standards. In addition, the District will promote developmentally appropriate physical activity as provided in Board policy IMAH, Daily Physical Activity Without limiting the scope of that policy, this Wellness Policy requires [see endnote 8, the following are intended only as *examples* of possible measurable activities]

A. **Classroom Physical Activity Breaks.**

In addition to any recess periods provided in the ordinary daily schedule, students will be offered **periodic opportunities** to be active or to stretch throughout the day in addition to any recess periods provided in the ordinary daily schedule. The Board recommends teachers provide short (3-5-minute) physical activity breaks to students during and between classroom time at least three days per week. These physical activity breaks will complement, not substitute, for physical education class, recess, and class transition periods.

B. **Before and After School Activities.**

The District offers opportunities for students to participate in physical activity after school through interscholastic and intramural sports and clubs.

C. **Walking and Biking to School.**

The District will support walking or biking to school by students or faculty only if determined safe by the building principal.

Physical activity during the school day (including but not limited to recess, classroom physical activity breaks or physical education) **will not be withheld** as punishment for any reason.

V. OTHER ACTIVITIES TO PROMOTE STUDENT WELLNESS.

The District will endeavor to integrate wellness activities across the entire school setting, not just in the cafeteria or physical education and athletic facilities. In furtherance of this objective, each school in the District will participate in one of the following activities: Jump Rope for Heart, Jog-a-thon, Wellness Fair, Finding Our Stride, Field Days, Walking Field Trips, each school year.

VI. PROFESSIONAL LEARNING.

When feasible, the District will offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom and school (e.g., increasing the use of kinesthetic teaching approaches or incorporating nutrition lessons into math class).

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NH Statutes

RSA 189:11-a

NH Dept of Ed Regulation

N.H. Code Admin. Rules Ed

306.04(b)(15)

N.H. Code Admin. Rules Ed 306.10(d-g) [Food and Nutrition Services](#)N.H. Code Admin. Rules Ed 306.31 [Health and Wellness Education Program](#)N.H. Code Admin. Rules Ed 310 [Daily Physical Activity](#)**Federal Regulations**

7 C.F.R 210

7 C.F.R 220

7 CFR 210.31

Federal Statutes

42 U.S.C. 1751 et seq.

42 U.S.C. 1771

Section 204 of Public Law 108-265

The Healthy Hunger-Free Kids Act of 2010

Description[Food and Nutrition Programs](#)**Description**[Behavior Management and Intervention for Students](#)**Description**[National School Lunch Program](#)[School Breakfast Program](#)[Local school wellness policy](#)**Description**[National School Lunch Act](#)[Child Nutrition Act of 1966](#)[Child Nutrition and WIC Reauthorization Act of 2004](#)[The Healthy Hunger-Free Kids Act of 2010](#)**Cross References****Code**

DFGA

EF

EFAA

EFE

IMAH

JLC

JLCI

JLCK

Description[Crowdfunding](#)[Food Service Management](#)[Meal Charging](#)[Vending Machines](#)[Daily Physical Activity](#)[Student Health Services & School Nurses](#)[Coordinated School Health Program](#)[Physical and Emotional Well-Being of Students](#)

Adopted: 8/11/09

Revised: 5/16/14

Board Approved: 11/25/14

Revised: 5/2/17; 1st Reading 5/9/17; 2nd Reading/Adopted 5/23/17Reviewed/Revised Wellness: 3/3/20; 1st Reading: 4/28/20; 2nd Reading: 5/12/20Reviewed/1st Reading: 11/24/20; 2nd Reading/Adopted: 12/8/20Wellness Review: 2/1/23; 1st Reading: 2/14/23; 2nd Reading/Adopted: 2/28/23Wellness Review: 11/8/23; 1st Reading: 11/28/23, 12/12/23; 2nd Reading/Adopted: 1/9/24Review Wellness: 9/22/25; 1st Reading: 10/14/25; 2nd Reading/Adopted: 10/28/25**JLCJ - CONCUSSIONS AND HEAD INJURIES**

The Mascoma Valley Regional School District is committed to ensuring the safety of students while at school and when participating in any school-sponsored events. The Board is aware that head injuries, including concussions, can happen to any student, not just an athlete, and that the risk of catastrophic injuries or death is significant when a concussion or other head injury is not properly evaluated and managed.

Section A of this policy applies to all students of the District who experience or are suspected to have experienced a concussion or other traumatic brain injury, whether in school or out, while Section B pertains to student-athletes, and other students participating in school sports or other district athletic activities.

A. Provisions relating to all Students Who have Experienced a Concussion or Traumatic Brain Injury.

1. **Definitions:** For purposes of this policy, the terms below will have the ascribed meanings.

"Head injury" means injuries to the scalp, skull, or brain caused by trauma, and shall include a concussion which is the most common type of sports-related brain injury.

"Health care provider" means a person who is licensed, certified, or otherwise statutorily authorized by the state to provide medical treatment (physician, advanced registered nurse practitioner, licensed physician's assistant, or dentist).

"Student-athlete" means a student involved in any intramural sports program conducted outside the regular teaching day or competitive student sports program between schools in grades 4 through 12.

"Sports" means intramural sports programs conducted outside the regular teaching day for students in grades 4 through 12 or competitive athletic programs between schools for students in grades 4 through 12, including, without limitation, all NHIAA sanctioned activities, including cheer/dance squads, or any other district-sponsored sports or activities as determined by the board or administration.

2. **Duty to Report.** All District employees shall report any accident or incident which involves a student head injury. The report should be filed in the same manner provided under Board Policy EBBB as for that of any accident requiring first aid. Additionally, Teachers should report to the school nurse (or administrator in charge if the nurse is unavailable) if the student appears to have any difficulty with academic tasks that the teacher believes may be related to concussion. The school nurse will notify the student's parents of guardians and treating health care provider.
3. **Return to Learning Protocols.** After a student has suffered a concussion, whether in school or not, before full resumption of academic work, the building principal or his/her designee will work with the school nurse, a student's parent/guardian, medical provider, teacher(s) and other appropriate district staff, to establish a graduated learning reentry plan. The plan will support the student's full return to academic activities, and ease the stress of making up past work while engaged in present work. The plan must include:
 - Step-by-step instructions and details for students, parents/guardians and school personnel;

- Time frames for physical and cognitive rest within first few days post-injury and throughout the recovery as needed;
- Guidance on graduated return to extracurricular athletic activities and classroom studies, including classroom accommodations or modifications;
- Frequency of assessments by the school nurse, school physician if applicable, neuropsychologist or athletic trainer until full return to the classroom and extracurricular athletic activities are authorized;
- Any provisions relative to “return-to-play” for student-athletes;
- A plan for communication and coordination among school personnel and with the parents/caregivers and the student’s medical provider.

Section 504 or other such accommodations or modifications when appropriate will be developed in accordance with applicable law and Board policies.

4. Concussion Awareness and Education. To the extent possible, the District will implement concussion awareness and education into physical education and/or health education curriculum.

B. Provisions relating to Students Participating in Sports and Athletic Programs.

Consistent with the National Federation of High School (NFHS) and the New Hampshire Interscholastic Athletic Association (NHIAA), the District will utilize recommended guidelines, procedures and other pertinent information to inform and educate coaches, youth athletes, and parents/guardians of the nature and risk of concussions or head injuries, including the dangers associated with continuing to play after a concussion or head injury.

1. Compliance with NHIAA Procedures and Protocols. All coaches, officials or licensed athletic trainers will comply with NHIAA recommended procedures for the management of head injuries and concussions.
2. Immediate Removal from Play and other NHIAA Protocols. Any coach, official, licensed athletic trainer, or health care provider who suspects that a student-athlete has sustained a concussion or head injury in a practice (including tryouts or trainings) or during a competition shall immediately remove the student-athlete from all physical activity.
3. “Return to Play”. A student-athlete who has been removed from play shall not return to play on the same day, nor until (a) a Return to Learning Plan has been established consistent with paragraph A.3 of this policy, (b) he/she is evaluated by a health care provider and receives medical clearance and written authorization from that health care provider stating the student-athlete is symptom free and may return to play, and (c) the student-athlete’s parent/guardian provides written permission for the student-athlete to return to play.

The District shall limit a student-athlete's participation as determined by the student's treating health care provider, unless, based upon the judgement of the coach or licensed athletic trainer greater limitations are appropriate.

If symptoms of a concussion recur, or if concussion signs and/or behaviors are observed at any time during the return-to-activity program, the coach must immediately remove the student-athlete from play. Depending on previous instructions, the athlete may need to be re-evaluated by the health-care provider, or may have to return to the previous step of the return-to-activity program.

4. Parent Information Sheet. On a yearly basis, the Athletic Director shall assure that a concussion and head injury information sheet is distributed to each student-athlete and the athlete's parent/guardian prior to the student-athlete's initial practice (including try-out) or competition. This information sheet shall be incorporated into the parent permission sheet that allows students to participate in extracurricular athletics.
5. Coach Training. All coaches, including volunteer coaches, will complete training in head injury and concussion management as recommended and/or provided by NHIAA, New Hampshire Department of Education and/or other pertinent organizations. The Athletic Directors shall be responsible for making sure this training occurs.
6. Annual Review of NHIAA Concussion Protocols by Athletic Director. No less than annually, the Athletic Director or his/her designee shall review any changes that have been made in procedures required for concussion and head injury management or other serious injury by consulting with the NHIAA [and the District's on-call physician]. The Athletic Director shall take steps to implement the then current procedures and protocols as soon as possible.

Legal References:

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

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Adopted: May 28, 2013

Reviewed/First Reading: 1/12/21; 2nd Reading/Adopted: 1/26/21

JLDBB - SUICIDE PREVENTION AND RESPONSE

Category: Priority/Required by Law

The Mascoma Valley Regional 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.

A. District Suicide Prevention Plan and Biennial Review. The District shall maintain 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.

1. Specific Requirements for Plan Terms: The District Suicide Prevention Plan shall include terms relating to:
 - a. Suicide prevention (risk factors, warning signs, protective factors, referrals);
 - b. Response to in-or-out-of-school student suicides or suicide attempts (postvention, suicide contagion);
 - c. Student education regarding safe and healthy choices, coping strategies, recognition of risk factors and warning signs of mental disorders and suicide; and help seeking strategies;
 - d. Training of staff, designated volunteers, and contracted personnel on the issues of youth suicide risk factors, warning signs, protective factors, response procedures, referrals, post-intervention and resources available within the school and community;
 - e. Confidentiality considerations;
 - f. Designation of any personnel, in addition to the District Suicide Prevention Coordinator and Building Suicide Prevention Liaisons, to act as points of contact when students are believed to be at an elevated risk of suicide;
 - g. Information regarding state and community resources for referral, crisis intervention, and other related information;
 - h. Dissemination of the Plan or information about the Plan to students, parents, faculty, staff, and school volunteers;
 - i. Promotion of cooperative efforts between the District and its schools and community suicide prevention program personnel;
 - j. Such include such other provisions deemed appropriate to meet the objectives of this Policy (e.g., student handbook language, reporting processes, "postvention" strategies, memorial parameters, etc.).
2. Biennial Review: No less than once every two years, the Superintendent, in consultation with the District Suicide Prevention Coordinator and Building Suicide Prevention Liaisons and 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.

B. Suicide Prevention Coordinator and Liaisons.

1. District Suicide Prevention Coordinator. District Suicide Prevention Coordinator, who, under the direction of the Superintendent shall be responsible for:
 - a. developing and maintaining cooperative relationships with and coordination efforts between the District and community suicide prevention programs and personnel;
 - b. 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;
 - c. developing - or assisting individual teachers with the development of age appropriate student educational programming, 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;
 - d. developing or assisting in the development of the annual staff training required under Section C of this policy;
 - e. Such other duties as referenced in this Policy or as assigned by the Superintendent.
2. Building Suicide Prevention Liaison. The District Social Worker or, in his/her absence, the building Principal, 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.

C. Annual Staff Training. The Superintendent shall assure that beginning with the 2020-21 school year, 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.

D. 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.

E. Student Identification Cards. The 988 Suicide and Crisis Lifeline shall be labeled on student identification cards for grades 6-12 and read: "**Suicide and Crisis Lifeline: Call 988**" Prior to the start of each school year, the Superintendent shall certify that the contact information for the 988 Suicide and Crisis Lifeline is accurate and up to date. **Note:** Beginning August 13, 2024, RSA 193-K:1 requires that all new or replacement student identification cards for grades 6-12 shall also include the telephone number for the National Alliance for Eating Disorders - 866-**662-1235**.

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NH Statutes	Description
RSA 193-J	Suicide Prevention Education
RSA 193-J:2-a	Suicide Prevention: Public School Identification Cards
Cross References	
Code	Description
JLD	School Guidance and Counseling Program

New Policy/Reviewed: 1/30/20; 1st Reading: 6/9/20; 2nd Reading/Adopted: 6/23/20
Review/1st Reading: 11/8/22; 2nd Reading/Adopted: 11/22/22
Review/1st Reading: 9/24/24; 2nd Reading/Adopted: 10/8/24

JLDBB-R – SUICIDE PREVENTION PROCEDURES (10/21/24) – See Website

JLRF - REPORTING CHILD ABUSE OR NEGLECT

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

A. Statutorily Mandated Reporting – All Persons.

Under New Hampshire law (RSA 169-C:29), every person who has “reason to suspect” that a child has been abused or neglected is required to report that suspicion to DCYF (Division of Children, Youth and Families of the New Hampshire Department of Health and Human Services) or directly to the police. Under RSA 169-C:30, the initial report “shall be made immediately via telephone or otherwise.”

The requirement to report is not dependent on whether there is proof of the abuse or neglect, nor is it dependent upon whether the information suggests the abuse or neglect is continuing or happened

in the past. Any doubt regarding whether to report should be resolved in favor of reporting. Failure to report may be subject to criminal prosecution and potential personal liability, while a report made in good faith is entitled to both civil and criminal immunity. Additionally, a “credential holder”, as defined in New Hampshire Department of Education Rule 501.02(h), who fails to report suspected abuse or neglect risk having action taken by the New Hampshire Department of Education against his/her credential. See N.H. Code of Conduct for Educators, Ed. 510.05 (e).

To report child abuse or neglect to **DCYF**, call **24/7 (800) 894-5533** (in-state) or (603) 271-6562. **In cases of current emergency or imminent danger, call 911.**

1. The initial report should contain to the extent known:

- a. the name and address of the child suspected of being abused or neglected,
- b. the person responsible for the child's welfare,
- c. the specific information indicating neglect/abuse or the nature and extent of the child's injuries (including any evidence of previous injuries),
- d. the identity of the person or persons suspected of being responsible for such neglect or abuse; and
- e. any other information that might be helpful in establishing neglect or abuse.

2. Modes of Reporting. When making a report to DCYF Central Intake, there are 3 modes of reporting that the Central Intake Service Provider will inform you about before you proceed to the actual report. The modes of reporting are:

- a. Disclosure Allowed – The Caller/Reporter provides all their identifying information to DCYF, and it may be provided to the child’s family upon request.
- b. Disclosure NOT Allowed – The Caller/Reporter provides all their identifying information to DCYF; however, information is redacted in official paperwork provided to the child’s family unless the case goes on to prosecution. At prosecution, identifying information in all reports become public record.
- c. Anonymous – The Caller/Reporter calls the (603) 271-6562 number, blocks their “Caller ID” when calling DCYF, and does not provide any of their identifying information (personal or organizational). If calling anonymously, be sure to get the “Report Number” from Central Intake

for your call and document it on the <School/Org. Name> Reporting Form. It is the only proof the caller/reporter made the report to DCYF.

2. **Required reporting mode for school employees, volunteers and contracted service providers.** Notwithstanding that state law allows an anonymous mode of reporting to DCYF, it is the policy of the District that employees, volunteers and contracted service providers who are making a report to DCYF regarding a child/family involved with the District make such report using the "Disclosure Allowed" or as "Disclosure NOT Allowed" modes. This will help ensure there is a legal record of the report being made on behalf of the District. If there are concerns about these reporting modes due to potential retaliation from the family or others, consult the Principal for support.

B. Additional provisions relating to school employees, volunteers and contracted service providers.

Each Mascoma Valley Regional School District school employee, designated volunteer or contracted service provider having reason to suspect that a child is being or has been abused or neglected must also immediately report his/her suspicions to the building Principal or other building supervisor. This initial report may be made orally, but must be supplemented with an original completed form JLF-F(1) "Child Abuse and/or Neglect Reporting Form" as soon as practicable after the initial report, but in no event longer than one calendar day.

1. Request for Assistance in Making Initial Report.

The initial report to the Principal/building supervisor may be made prior to the report to DCYF/law enforcement, but only if:

When receiving a request for assistance in making a report, the Principal or other person receiving the request is without authority to assess whether the report should be made, nor shall he/she attempt in any way to dissuade the person from making the legally mandated report. Once the Principal/building supervisor receives the information, the law would impose a reporting requirement upon both the original reporter and the Principal.

- a. the initial report is made for the purpose of seeking assistance in making the mandated report to DCYF/law enforcement, **and**
- b. reporting to the Principal, etc. will not cause any undue delay (measured in minutes) of the required report to DCYF/law enforcement.

2. Principal's Action upon Receiving Report or Information of Report.

Upon receiving the report/request from the employee, volunteer or any other person, the Principal/building supervisor shall immediately assure that DCYF/law enforcement is or has been notified, and then notify the Superintendent that such a report to DCYF has been made.

The Principal shall forward the original completed form JLF-F(1) to the Superintendent

within twenty-four (24) hours if it is available. If the completed form is not yet available, then the Principal shall forward a written report including the relevant information, such as:

- the identity(ies) of the child(ren) and other persons directly involved in the report (suspected responsible parents or others);
- the identities of siblings or other children in the household of the child(ren) who is the subject of the report;
- information relating to the fact that a report was made to DCYF (e.g. the date, the mode, the person who made the report and **the DCYF report number**); and
- any other information requested by the Superintendent, law enforcement or DCYF.

The Principal will follow that initial report with the completed, original JLF-F(1) as soon as it is available from the original reporter. **Such reports shall be maintained permanently in a separate file within the SAU office and not as part of any involved student's file.**

3. Personal Notes of Reports.

Each person with knowledge of a report to DCYF (e.g., the original reporter, the Principal, the Superintendent, etc.)is encouraged to create and maintain **personal notes** reflecting the information they have relative to the nature of the report, as well as information pertaining to the fact of the report (e.g., the date, time, person making, and mode of the report), and the DCYF report number.

4. Additional Reporting Requirements.

Employees/contract providers are also reminded of the requirements to report any act of “theft, destruction, or violence” as defined under RSA 193-D:4, I (a), incidents of “bullying” per Board Policy JICK, and hazing under RSA 671:7. See also Board Policy GBEAB. A single act may simultaneously constitute abuse, bullying, hazing, and/or an act of theft, destruction or violence.

D. Signage, Notification and District Reporting Form.

The Superintendent is directed to assure that the Principal or administrator of each school shall post a sign within the school that is readily visible to students, in the form provided by the Division for Children, Youth, and Families or available from the Granite State Children's Alliance, that contains instructions on how to report child abuse or neglect, including the phone number for filing reports and information on accessing the Division's website. Additionally, information pertaining to the requirements of section A of this policy shall be included in each student handbook or placed on the district's website. Finally, the Superintendent shall ensure that Form JLF-E is readily available to all staff members, either in hard copy form, or through the District's or school websites.

E. Training Required.

The Superintendent shall assure that all District employees, designated volunteers and contracted service providers receive training (in-person or online) upon beginning service with the District, with biennial renewal training thereafter, on the mandatory reporting requirements, this policy, and the materials described in Board policy GBCE and RSA 189:13-a, XII..

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NH Statutes	Description
RSA 169-C	<u>Child Protection Act</u>
RSA 169-C:29-39	<u>Reporting Law</u>
RSA 189:13-a	<u>School Employee and Designated School Volunteer Criminal History Records Check</u>
RSA 189:72	<u>Child Abuse or Neglect Information</u>
RSA 193-D:4	<u>Safe School Zones, Written Report Required</u>
NH Dept of Ed Regulation	Description
NH Code of Admin. Rules, Ed 510.05(e)	<u>Code of Conduct for NH Educators, Duty to Report</u>
NH Code of Administrative Rules, Ed 306.04(a)(10)	<u>Reporting of Suspected Abuse or Neglect</u>
Cross References	
Code	Description
ACAC	<u>Title IX Prohibition of Sex Discrimination and Sex-Based Harassment: Policy and Grievance Procedure</u>
GBCE	<u>Training and Information Relative to Child Sexual Abuse Prevention</u>
GBEAB	<u>Mandatory Code of Conduct Reporting - All Employees</u>
IJOC	<u>Volunteers</u>
IJOC-R(1)	<u>Volunteers - Confidentiality Agreement</u>
JICK	<u>Pupil Safety and Violence Prevention</u>
JICK-R(1)	<u>Pupil Safety and Violence Prevention - Report Form</u>
JICK-R(2)	<u>Pupil Safety and Violence Prevention - Bullying Report Form</u>
JICK-R(3)	<u>Pupil Safety and Violence Prevention - School Board Notification of Bullying Report</u>
JHHD	<u>Student Interviews and Interrogations</u>
JKAA	<u>Use of Restraints and Seclusion</u>

Adopted: 10/14/08

Reviewed: 11/20/19; 1st Reading: 1/28/20; 2nd Reading: 2/11/20

1st Reading: 10/13/20; 2nd Reading/Adopted: 10/27/20

Reviewed/1st Reading: 11/12/24; 2nd Reading/Adopted: 12/10/24

JRA - STUDENT RECORDS AND ACCESS - FERPA

Category: Recommended

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

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

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

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

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

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

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

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

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

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

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

document/form stating the date the records were changed and that the parent/eligible student is satisfied with the correction.

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

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

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

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

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

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

3. **Third-level decision.** If the parents or eligible student are not satisfied with the Superintendent's decision, they may submit a written request for a hearing before the School Board. The parents/eligible student shall submit the request for a hearing with the Superintendent within ten (10) business days of the date of the

Superintendent's written decision in Section H.2, above. The Superintendent will inform the School Board of the request for a hearing and will work with the School Board to schedule a hearing within forty five (45) days of receipt of the request. Once the meeting is scheduled, the Superintendent will inform the parents/eligible student in writing of the date, time, and place of the hearing.

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

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

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

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

4. **Parent/Eligible Student Explanation to be Included in Record.** Notwithstanding the resolution of any request to correct a student's record(s), in accordance with section (a)(2) of FERPA, a parent or eligible student may insert into that student's educational record a written explanation regarding the content of the record.
 - I. **Disclosure of Student Records and Student Information.** In addition to directory information, the District may disclose student records and student information without consent to the following parties on the condition that the recipient agrees not to permit any other party to have access to the released information without the written consent of the parents of the student, and under the conditions specified.
 1. *School officials with a legitimate educational interest.* A school official may only access student records when the school official has a legitimate educational interest.
 - a. *"School officials"* means persons employed or used by the District to perform institutional services and functions, and includes such persons as teachers, instructional aides, administrators, including health or medical staff, school resource officers, and third parties such as contractors, attorneys, consultants, and volunteers. Such third party school officials may access student records provided such persons are:

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

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

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

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

The record includes:

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

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

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

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.*

NH Statutes

RSA 189:1-e

RSA 189:66

RSA 91-A:5,III

Federal Regulations

34 CFR. Part 99

Federal Statutes

20 U.S.C. §1232g

Cross References**Description**[Directory Information](#)[Data Inventory and Policies Publication](#)[Exemptions, Pupil Records](#)**Description**[Family Educational Rights and Privacy Act Regulations](#)**Description**[Family Educational Rights and Privacy Act \(FERPA\)](#)**Code**

DAF

DFGA

ECAAF

EEAA

EH

EH-R(1)

EH-F(1)

EH-F(2)

EHB

EHB-R(1)

GBJA

GBJA-R(1)

ILD

ILD-R(1)

JKAA

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