

**OFFICE OF THE SUPERINTENDENT OF SCHOOLS**

**106 Hancock Road  
Peterborough, New Hampshire**

**CONTOOCOOK VALLEY SCHOOL BOARD**

**Tuesday, September 6, 2016**  
**SAU Office**

**Public Hearing on Policy EEAB**

Video and Audio Recording For Instructional and Professional Development Purposes  
**7:00 p.m.**

**School Board Meeting**

**Immediately Following Public Hearing**

- 1. Call to Order and Pledge of Allegiance**
- 2. Accept School Board Meeting Minutes (Board Vote Required)**
  - a. August 23, 2016 (pg. 1-3)**
- 3. Points of Pride**
- 4. Public Comment**
- 5. Consent Agenda**
  - a. Personnel**
  - b. September 1, 2016 Enrollment Update (pg. 4-5)**
  - c. Board Requests**
- 6. Superintendent's Report and Presentation of Business**
  - a. Monthly Events Calendar (pg. 6-7)**
  - b. Executive Summary**
- 7. Reports**
  - a. Teacher Representative – Patrick Cogan**
  - b. School Board Work Session – Pierce Rigrod**
  - c. Communication Committee – Stephan Morrissey**
- 8. Old Business**
  - a. Bond Discussion**
  - b. Report from Primex Facilitated Discussion (Board Vote Required) (pg. 8-9)**
  - c. 2<sup>nd</sup> Read Policy/Adoption (Board Vote Required) (pg. 10-11)**
    - EEAB – Video and Audio Recording for Instructional and Professional Development Purposes
- 9. New Business**
  - a. 1<sup>st</sup> Read Policy**
    - JBAA – Sexual Harassment – Students (pg. 12-15)
- 10. Public Comment**
- 11. Approval of Manifests (Board Vote Required)**
- 12. Non-Public Session: RSA 91-A:3,II (If Required)**
  - a. Negotiations**
  - b. Personnel**

**MISSION STATEMENT**

*The ConVal Regional School District, in partnership with its member communities, will inspire all learners to achieve academically, contribute to the global community, and thrive as independent and productive citizens.*

**OFFICE OF THE SUPERINTENDENT OF SCHOOLS**

**106 Hancock Road  
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**CONTOOCOOK VALLEY SCHOOL BOARD**

**School Board Meeting**

**Tuesday, August 23, 2016**

**SAU Office**

**7:00 p.m.**

**MINUTES**

**BOARD**

Rich Cahoon, Richard Dunning,  
Tom Kelly, David Martz (electronically),  
Stephan Morrissey, Kristen Reilly,  
Myron Steere

Lori Groleau, CVEA

**ADMINISTRATION**

Kimberly Saunders, Supt.  
Dr. Ann Allwarden, Asst. Supt.  
Marian Alese, B.A.  
Tim Markley, H.R.  
Dr. Rick Matte, Student Services  
Helena Bates, PES  
Nicky Fraley, FES  
Amy Janoch, HES  
Anne O'Bryant, SMS  
Brian Pickering, CVHS

**1. Call to Order and Pledge of Allegiance**

Myron Steere called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

**2. Accept School Board Meeting Minutes (Board Vote Required)**

**a. August 9, 2016**

Stephan Morrissey moved to accept the minutes of August 9, 2016. Rich Cahoon second.  
David Martz and Dick Dunning both abstained. Motion carried.

**3. Points of Pride**

Kimberly Saunders shared Points of Pride as reported to her from Administrators.

**4. Public Comment**

None.

**6. Consent Agenda**

**a. Personnel**

Tim Markley referenced a nomination for Sheree Hodgson, part-time school nurse.

Dick Dunning motioned to approve the nomination as shared. Stephan Morrissey second. Unanimous.

Tim Markley also reported that a retirement request came in for June 2018 for Lisbeth Frisbee.

Stephan Morrissey motioned to approve the retirement request for June 2018. Dick Dunning second. Unanimous.

**b. Board Requests**

Kimberly Saunders reported receiving one school board request that has come in.

**7. Superintendent's Report and Presentation of Business**

**a. Monthly Events Calendar**

A Public Hearing on Policy EEAB was scheduled on Tuesday, September 6<sup>th</sup> at 7:00 p.m. at the SAU.

**MISSION STATEMENT**

*The ConVal Regional School District, in partnership with its member communities, will inspire all learners to achieve academically, contribute to the global community, and thrive as independent and productive citizens.*

Education Committee will meet on Monday, September 26<sup>th</sup> at 5:30 p.m. at the SAU Office.

**b. Enrollment Update**

Mr. Markley reported that 122 Kindergarten students have enrolled to date.

**d. Executive Summary**

Kimberly Saunders referenced the Executive Summaries that she has been sending to the Board.

The Saturday, August 27<sup>th</sup>, School Board Retreat at the Harris Center in Hancock, NH agenda was outlined. Rich Cahoon asked for 20 minutes of Board Governance time to recommend that subcommittees have set meeting times regardless of who is able to attend.

**8. Reports**

**a. Student Representative – Maeve Newman**

Maeve Newman reported out as Student Representative on the Board.

**b. Teacher Representative – Patrick Cogan**

Lori Groleau, SMS Rep, reported that a CVEA summer retreat was held last week. New teachers were met with. CVEA will meet with teachers tomorrow as well as on "Welcome Back Day"  
Ms. Groleau noted the transition at the SAU offices and the many hours that went into it.

**c. Budget & Property – Dick Dunning**

Dick Dunning reported that the Trust accounts were discussed. The Attorney General will be connected with to clarify language. The Trustees are being very supportive of us.  
Marian Alese said that a resolution is hoped for by the end of the week; if not early next week.  
Summer projects work was reported out on.  
A potential Solar Energy project was discussed. Dick Dunning will seek information from companies to offset some of the costs. The district should have "zero" costs for capital investment because of changes in law.

**d. Strategic Plan Committee – Pierce Rigrod**

None.

**e. Education Committee – Crista Salmay**

None.

**9. Old Business**

**a. Second Read Policies**

- EEAA: Video Surveillance on School Property

Rich Cahoon referenced this policy for adoption.

**Rich Cahoon moved this policy for adoption. Stephan Morrissey second. Unanimous.**

- JIH: Student Searches and Their Property

Rich Cahoon referenced this policy for adoption.

**Rich Cahoon moved this policy for adoption. Stephan Morrissey second. Unanimous.**

**b. Memorandum of Understanding with Monadnock Community Hospital – finalized**

Kimberly Saunders referenced the agreement as outlined in the agenda.

**Stephan Morrissey moved to ratify the agreement. Dick Dunning second.**

**Dick Dunning asked if this individual is available to middle school students. Kimberly confirmed at times. David Martz abstained. Motion carried.**

**c. Report from Primex on Facilitated Discussion**

Kimberly Saunders referenced the Primex report included in tonight's packet.

**Stephan Morrissey moved to table further discussion until the retreat. Dick Dunning second. Unanimous.**

**10. New Business**

**a. Additional Personnel**

Kimberly Saunders referenced South Meadow School Numbers for Grade 6. We are asking for a .8 teacher which would be budget neutral by eliminating the 6<sup>th</sup> grade Para, who is a certified teacher.

The difference between a .8 and a full-time teacher is approximately \$8K. Dick Dunning would like it to become a full-time position to allow the additional resources in the school.

Dick Dunning moved to make the position a full-time and not a .8 position for ELA and Social Studies. Stephan Morrissey second.

Rich Cahoon asked for consideration that the decision be made at the school level.

Dick Dunning and Stephan Morrissey withdrew their motion and second.

Stephan Morrissey moved to modify that the position could go up to full-time. Second. Unanimous.

Kimberly Saunders added that a discussion about SMS numbers in terms of a long-term solution is needed.

**b. RFP Financial Analysis**

Marian referenced an RFP that has been revised. The content captures everything discussed at the Strategic Plan Committee meeting. It still requires formatting. Marian asked the board for a return by the end of September.

Stephan Morrissey moved to send out the RFP for Financial Analysis. Dick Dunning second to send it out.

Dave Martz abstained. All else in favor. Motion carried.

**c. Grant Support**

A letter of support has been requested for this grant writing. The goal is to increase skilled workers in specific areas.

Rich Cahoon moved to allow administrators to write a letter of support. Stephan Morrissey second. Unanimous.

**d. Board Retreat: 8/27/16, 8:30 – 3:00 (no later than) at The Harris Center in Hancock**

Reminder- board retreat at 8:30 in Hancock on Saturday, August 27th.

**e. Board Agendas 2016 – 2017**

Kimberly recommended that topics be put together for future agendas. Ms. Saunders asked if presentations should be incorporated into board agendas at specific points in time. Confirmed.

Dick Dunning asked that the presentation not be given at both a subcommittee and a board meeting; once is sufficient.

**11. Public Comment**

None.

**12. Approval of Manifests (Board Vote Required)**

Marian Alese certified that manifests listed totaling \$1,018,290.87 and Payroll 4, totaling \$221,304.37, have been reviewed by her and found to be proper charges against the Contoocook Valley School District for goods and/or services received and have been properly processed prior to their submittal to the School Board.

Stephan Morrissey moved to approve the manifests as read. Dick Dunning second. Unanimous.

**13. Non-Public Session: RSA 91-A:3,II (If Required)**

**a. Negotiations**

**b. Personnel**

None

Stephan Morrissey moved to adjourn at 7:38 p.m. Dick Dunning second. Unanimous.

Respectfully submitted,

Brenda Marschok

Grade	Total	9.1.16	62	127	150	138	159	166	802	FTE Teachers
SCHOOL										
AES	# of Students	Pre-School	Kindergarten	1st Grade	2nd Grade	3rd Grade	4th Grade	Total		
	# of Sections	29	27	24	24	34	25	163		
	Teacher	2	2	2	2	2	2			12
	Teacher	Teacher	Teacher	Teacher	Teacher	Teacher	Teacher			
	Ratio	14.5	13.5	12.0	12.0	17.0	12.5			
BES	# of Students	Pre-School	Kindergarten	1st Grade	2nd Grade	3rd Grade	4th Grade	67		
	# of Sections	2	13	11	15	14	14			5
	Teacher	1	1	1	1	1	1			
	Ratio	11.0	11.0	11.0	15.0	14.0	14.0			
DCS	# of Students	Kindergarten & 1st Grade	Kindergarten & 1st Grade	2nd Grade	3rd Grade	4th Grade	5th Grade	53		
	# of Sections	6 + 15 = 21	6 + 15 = 21	8	10	14	14			4
	Teacher	1	1	1	1	1	1			
	Para	1	1	1	1	1	1			
	Ratio	21.0	21.0	8.0	10.0	14.0	14.0			
FES	# of Students	Kindergarten & 1st Grade	Kindergarten & 1st Grade	2nd Grade	3rd Grade	4th Grade	5th Grade	67		
	# of Sections	8 + 12 = 20	8 + 12 = 20	9	21	17	17			4
	Teacher	1	1	1	1	1	1			
	Para	1	1	1	1	1	1			
	Ratio	20.0	20.0	9.0	21.0	17.0	17.0			
GES	# of Students	Pre-School	Kindergarten	1st Grade	2nd Grade	3rd Grade	4th Grade	81		
	# of Sections	10	13	15	10	15	18			6
	Teacher	1	1	1	1	1	1			
	Ratio	10.0	13.0	15.0	10.0	15.0	18.0			
HES	# of Students	Pre-School	Kindergarten	1st & 2nd Grade	3rd Grade	4th Grade	5th Grade	47		
	# of Sections	10	10	15 + 4 = 19	6	12	12			4
	Teacher	1	1	1	1	1	1			
	Ratio	10.0	10.0	19.0	6.0	12.0	12.0			
PES	# of Students	Pre-School	Kindergarten	1st Grade	2nd Grade	3rd Grade	4th Grade	281		
	# of Sections	23	40	51	62	52	53			16
	Teacher	1	3	3	3	3	3			
	Teacher	Teacher	Teacher	Teacher	Teacher	Teacher	Teacher			
	Ratio	23.0	13.3	17.0	20.7	17.3	17.7			
TES	# of Students	Pre-School	Kindergarten	1st & 2nd Grade	3rd & 4th Grade	5th Grade	6th Grade	43		
	# of Sections	23.0	10	7 + 6 = 13	7 + 13 = 20	1	1			3
	Teacher	1	1	1	1	1	1			
	Para	1	1	1	1	1	1			
	Ratio	23.0	10	13.0	20.0	20.0	20.0			
* Teaching Principal para										
Enrollment numbers may include tuitioned-in students										
Total Elem. Students K-4										802
Total Students Pre-K-5										740
Total Students Pre-K-5										54

	A	B	C	D	E	F	G	H
		9.1.16		Grade 6	Grade 7	Grade 8	Total	FTE Teachers
1								
2								
3								
4								
5								
6								
7	GBS	# of Students	56	51	65	74	246	12
8		# of Sections	3	3	3	3		
9		Teacher	Teacher	Teacher	Teacher	Teacher		
10		Teacher	Teacher	Teacher	Teacher	Teacher		
11		Teacher	Teacher	Teacher	Teacher	Teacher		
12		Ratio	18.7	17.0	21.7	24.7		
13								
14								
15	SMS	# of Students	90	113	107	105	415	18
16		# of Sections	4	5	4	5		
17		Teacher	Teacher	Teacher	Teacher	Teacher		
18		Teacher	Teacher	Teacher	Teacher	Teacher		
19		Teacher	Teacher	Teacher	Teacher	Teacher		
20		Teacher	Teacher	Teacher	Teacher	Teacher		
21		Ratio	22.5	22.6	26.8	21.0		
22								
23		Total Students	146	164	172	179	661	29
24								
25								
26								
27	CVHS	Grade	9	10	11	12		
28		Teachers	178	163	201	207	749	54
29			14	14	14	14		29
30						K to 4	740	56
31						5-8	661	29
32						9-12	749	56
33						Total 2016-17	2150	139.0
34						2015-16	2169	
35						2014-15	2239	
36						2013-14	2325	
37						2012-13	2342	
38						2011-12	2434	
39						2010-11	2534	
40						2009-10	2755	
41						2008-09	2855	
42						2007-08	2969	
43						2006-07	3104	

Enrollment numbers may include tuitioned-in students

# September 2016

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6 Policy Comm. @6:00 pm Public Hearing – Policy EEAB @ 7pm School Board Mtg. @ SAU following	7	8 Strategic Plan @ 6:30 pm @ SAU	9	10
11	12	13 Budget & Property @ SAU @ 7:00 pm	14	15	16	17
18	19	20 Policy Comm @ 6:00 pm School Board Mtg. @ SAU @ 7:00 pm	21	22	23	24
25	26 Education Comm. @ SAU @ 5:30 pm	27	28	29	30	

# October 2016

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4 Policy Comm. @6:00 pm School Board Mtg. @ SAU following	5	6 Strategic Plan @ 6:30 pm @ SAU	7	8
9	10	11 Budget & Property @ SAU @ 7:00 pm	12	13	14	15
16	17	18 Policy Committee @ 6:00 pm @ GBS School Board Mtg. @ GBS @ 7:00 pm	19	20	21	22
23	24 Education Comm. @ SAU @ 5:30 pm	25	26	27	28	29
30	31					



**Facilitated Discussion**

**July 12, 2016**

**Facilitator:** Jonathan Kipp, Primex<sup>3</sup> Operations Manager

**Participants:** School Board; Public

**Purpose:** As part of the District's Strategic Plan Goal #3, Action Item 3.4-1,  
*Develop . . . (a) list of criteria to be applied when considering school configuration and consolidation options.*

**Parameters Identified for Consideration (in order as identified by the Board):**

- 
- School size/# of students
- Maintain nine-town cooperative school district
- Equity – educational and financial
- Title I school vs. non-Title I school
- Overall financial considerations
- Education quality
- Proximity (of schools to students)
- Bussing considerations (as related to travel time to school for students)
- Space utilization
- Professional staff input
- Staff input
- Public input/acceptance
- Class size (minimum and maximum)
- Property values
- Co-curricular offerings
- Support services
- Impact on students
- Buildings/facilities, and their condition
- Town culture
- School closures

**Consensus:**

The following parameters/considerations were considered to be the most important by the Board:

1. Maintain nine-town cooperative school district
2. Equity – educational and financial
3. Education quality
4. Overall financial considerations

Through discussion the Board reached general agreement that several of the identified parameters are interrelated, and, as applicable, will become a part of the decision-making process.

**Other Considerations:**

The following are noted as having been raised during the discussion for further/future consideration.

- Perception of a financial “crisis”
- Size of school vs. education quality
- Include the public in the process (note that Public input/acceptance was identified as one of the parameters)

## **EEAB – Video and Audio Recording For Instructional and Professional Development Purposes**

The ConVal School District is committed to the use of technology to enhance the education of its students. The District acknowledges that video, digital video, and audio recording (“recording”) in the classroom may be useful for instructional and/or professional development purposes.

The decision whether or not to conduct video, digital video, or audio recording for educational purposes shall be made in the first instance by the classroom teacher and their request shall be documented in writing and placed on file with the building principal. All such recordings shall be deemed the copy written property of the ConVal School District and shall not be reproduced without the District’s express permission. Recordings shall not be sold. Recordings made for instructional use are intended to provide information for pedagogical and scholarly study. In the case of recording for educational purposes, only the student(s) or instructor, on whose behalf a request for recording is made, will be granted access to that recording. The building principal or an administrator may authorize others to view an existing recording on a case-by-case and as-needed basis.

The decision whether or not to conduct video, digital video, or audio recording for professional development purposes shall be documented in writing and approved by the building principal. All such recordings shall be deemed the copy written property of the ConVal School District and shall not be reproduced without the District’s express permission. Professional development recordings shall not be sold. Recordings made for professional developmental purposes shall, to the extent possible, be made in a manner that focuses upon the educator participating in the professional development activity and which minimizes any student privacy concerns. The recirculation of the recording shall be limited in scope to those individuals participating in the professional development process, and shall only occur with the prior permission of the building principal. To the extent students are included in the recording, steps shall be taken such as video editing and proper camera angles to preserve student privacy. When a recording is no longer necessary for professional development purposes, it shall be erased.

Student recording as an accommodation in their Individualized Education Plan or Section 504 Plan shall not be deemed a school recording. All recordings made as an accommodation, or for instructional recovery or academic study shall be erased at the end of the semester or when they are no longer needed, whichever is the latter event. If the classroom teacher wishes to preserve a recording for future instructional purposes, they shall seek permission from the building principal to preserve the recording.

The District may use audio or video recordings in connection with the instruction of teacher interns or student teachers, after providing written notification to the parent/legal guardian of each student in the class. The notice must include the purpose of, and privacy policy for, the recordings. The Superintendent or his/her designee is authorized to develop procedures and forms pertaining to the use of such recordings.

The District shall not record a school classroom for the purpose of teacher evaluations, as defined by the **ConVal Teacher Evaluation Plan**, without first obtaining the written consent of the teacher and each adult student or minor student's parent or legal guardian. To the extent instruction occurs in quasi-public areas, such as gymnasiums, cafeterias, libraries, hallways or elsewhere on school grounds, and such areas are equipped with surveillance cameras, for security and safety purposes, such recordings shall not be used by administrators in connection with the annual evaluation of teachers under the **ConVal Teacher Evaluation Plan**, but may be used for any other lawful purpose.

This policy was originally adopted on November 17, 2015 after a public hearing conducted by the ConVal School Board.

**Category: O**

**See Also:** EEAA Video Surveillance on School Property  
EEAE School Bus Safety Program

**Legal References:**

*RSA 189:68(IV)- (V)*  
*20 U.S.C. § 1232g, Family Education Rights and Privacy Act (FERPA)*  
*34 CFR Part 99, Family Education Rights and Privacy Act Regulations*

1st Read: August 9, 2016

2nd Read: September 6, 2016

Adopted:

## **JBAA – Sexual Harassment - Students**

### **I. PURPOSE**

The purpose of this policy is to maintain a learning environment for students that is free from sexual harassment or other improper or inappropriate behavior that may constitute harassment as defined below.

Sexual harassment is against the law and is against school board policy. Any form of sexual harassment is strictly prohibited.

It is a violation of this policy for any student to harass another student through conduct or communication of a sexual nature as defined by this policy.

The District will investigate all complaints, either formal or informal, verbal or written, of sexual harassment and will discipline any student who sexually harasses another student.

### **II. SEXUAL HARASSMENT/SEXUAL VIOLENCE DEFINED**

Sexual harassment of students shall include, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature when:

1. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits;
2. Submission to or rejection of the conduct or communication is used as the basis for educational decisions affecting a student;
3. The conduct or communication is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student's educational performance or opportunities; or creates an intimidating, offensive or hostile educational environment.

Relevant factors to be considered will include, but not be limited to: did the student view the environment as hostile; was it reasonable to view the environment as hostile; the nature of the conduct; how often the conduct occurred and how long it continued; age and sex of the complainant; whether the alleged harasser was in a position of power over the student subjected to the harassment; number of individuals involved; age of the alleged harasser; where the harassment occurred; and other incidents of sexual harassment at the school involving the same or other students.

Examples of sexual harassment may include, but not be limited to: physical touching of a sexual nature; displaying or distributing of sexually explicit drawings, pictures and written materials; sexual gestures, comments, or obscene jokes; touching oneself sexually or talking about one's sexuality in front of others; or spreading rumors about or rating other students or others as to appearance, sexual activity, or performance.

### **III. REPORTING PROCEDURES**

1. The Superintendent or his/her written designee is responsible for implementing all procedures of this policy. Additionally, the Superintendent may develop and implement additional administrative regulations in furtherance of this policy.

## **JBAA – Sexual Harassment – Students**, continued

2. Any student who believes he or she has been the victim of sexual harassment should report the alleged act(s) immediately to any District employee or the building Principal. If a student initially reports the alleged act to a District employee, that employee ~~teacher~~ shall immediately notify the building Principal, who shall then immediately notify the Superintendent.
3. The Board encourages all students and staff members to use the Report Form available from the Principal or Superintendent.
4. In each building, the Principal is the person responsible for receiving oral or written reports of sexual harassment. Upon receipt of a report, the Principal will notify the Superintendent immediately without screening or investigating the report. If the report was given verbally, the Principal shall reduce it to written form within 24 hours and then forward it to the Superintendent. Failure to forward any sexual harassment report or complaint as provided herein will result in disciplinary action. If the complaint involves the building Principal, the complaint shall be filed directly with the Superintendent.
5. The Board designates the Superintendent as the District Human Rights Officer to receive any report or complaint of sexual harassment. If the complaint involves the Superintendent, the complaint shall be filed directly with the School Board.
6. Submission of a complaint or report of sexual harassment will not affect the student's standing in school, grades, eligibility for extra-curricular activities or any other aspect of the student's educational program.
7. The use of formal Reporting Forms provided by the District is voluntary. The District will respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed as much as possible, consistent with the School District's legal obligations and the necessity to investigate allegations of sexual harassment and take disciplinary action when the conduct has occurred.

### **IV. INVESTIGATION AND RECOMMENDATION**

The Superintendent, or designated Human Rights Officer, will promptly initiate an investigation upon receipt of a report or complaint alleging sexual harassment. This investigation may be conducted by District officials or by a third-party designated by the School Board.

If District officials conduct the investigation, the investigation should consider the surrounding circumstances, the nature of the sexual advances, the relationship between the parties and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes sexual harassment requires a determination based on all the facts and surrounding circumstances.

The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist

## **JBAA – Sexual Harassment – Students**, continued

of any other methods and documents deemed pertinent by the investigator. Students who are interviewed may have a parent or other representative present.

In addition, the District may take immediate steps, at its discretion, to protect the complainant, students and employees pending completion of an investigation of alleged sexual harassment.

If the Board determines that a third-party designee should conduct the investigation, the District agrees to assent to that party's methods of investigation.

Upon completion of an investigation conducted by either District officials or a third-party, the Superintendent, and Board if appropriate, will be provided with a written factual report and recommended action.

### **V. SCHOOL DISTRICT ACTION**

If the investigating party determines that the alleged conduct constituted sexual harassment, the Superintendent or Principal may discipline the offending student. Such discipline may include, but is not limited to, detention, in-school suspension, out-of-school suspension, or expulsion. Discipline will be issued in accord with other applicable Board policies. Due to FERPA and other privacy-related laws, the victim will not be informed of what discipline was imposed.

If the investigating party determines that the alleged conduct did not constitute sexual harassment, both the complaining party and the accused will be informed of such. No disciplinary action will be taken.

Conduct which does not rise to the level of sexual harassment as defined by the policy, but is nonetheless inappropriate or is in violation of other Board policies, will be addressed on a case-by-case basis by the Superintendent or Principal, who may still impose discipline or order the offending student to engage in some remedial action.

### **VI. REPRISAL**

The School District will discipline any student who retaliates against any other student who reports alleged sexual harassment or who retaliates against any person who testifies, assists or participates in an investigation, proceeding or hearing relating to a sexual harassment or sexual violence complaint. Retaliation includes, but is not limited to, any form of intimidation, threats, reprisal or harassment.

### **VII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

These procedures do not deny the right of any student to pursue other avenues of recourse, which may include filing charges with the Commissioner of Education, or the Office of Civil Rights, initiating civil action or seeking redress under state criminal statutes and/or federal law.

## JBAA – Sexual Harassment – Students, continued

### VIII. SEXUAL HARASSMENT OR SEXUAL VIOLENCE AS SEXUAL ABUSE

Under certain circumstances, sexual harassment or sexual violence may constitute sexual abuse under New Hampshire law. In such situations, the District shall comply with all pertinent laws.

Nothing in this policy will prohibit the School District from taking immediate action to protect victims of alleged sexual abuse.

### IX. AGE-APPROPRIATE SEXUAL HARASSMENT POLICY

Per the requirements of Ed 303.01(j), the School Board is required to establish a policy on sexual harassment, written in age appropriate language and published and available in written form to all students. This policy is intended to apply to middle-school and high-school aged students.

The Superintendent and building Principal(s) are charged with establishing policies, rules, protocols and other necessary age-appropriate information or materials for the District's elementary schools.

**Category: P**

**See also: GBAA**

#### Legal References:

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

*Ed 306.04(a)(9), Sexual Harassment*

*Appendix: GBAA-R, BBA-R*

1<sup>st</sup> Read: August 18, 2015 September 6, 2016

2<sup>nd</sup> Read:

Adopted: