

Policy Committee

Agenda

March 7, 2017

6:00 PM at Great Brook School

Members	Rich Cahoon - Chair, Janine Lesser, Thomas Kelly, Kristen Reilly, Stephan Morrissey, Kimberly Saunders, Marian Alese Attendees:	
I.	Meeting call to order 1) Approval of January 3 Minutes	
2.	1) Transgender and Gender Non-Conforming Students Discussion	
3.	Future Business: 1) JLCD: Administering Medication to Students – after speak with Lise Lemieux, and indicating to her that the supplied draft was more procedural than policy, they have decided to rework JLCD to include a revised JLCD-R. These two documents should be available before our next February meeting. NHSBA Updated Policies – pending 1) ACE: Procedural Safeguards: Nondiscrimination on the Basis of Handicap/Disability (both versions) 2) GBCE: Background Investigation and Criminal Record Check 3) JCA: Change of School or Assignment (to legal counsel) 4) KB: Title I Family and Community Engagement Policy – Attached is our KB policy, as well as the revised NHSBA version. I've highlighted what appears to be new content in the NHSBA copy. 5) IHBA: Programs for Students with Disabilities – a lot of this language is very legal and specific. Do we want to send this to legal? Marian indicated there is a lot that no longer applies. Rich asked if Swift may have more changes? Kimberly will discuss with Legal. 6) JICHB: Substance Abuse – I've inquired as to the status of this policy. Below is our original list of Strategic Plan related policies from August 2016 with determination of committee ownership: a. Class size: IIB -- presented to Education Committee b. Communications: BHC, GBD; Communications Committee c. Assessment: IGA, IHBH, IK, ILBA, IMBC; presented to Education Committee d. Graduation Requirements: IKF; Education Committee (no changes as of yet) e. Community Partnerships: KCB; Communications	
4.	Non-Public: RSA 91-A:3,II (resumes after District Meeting)	
5.	Next Meeting: March 21, 2017 @ SAU	

Policy Committee

Minutes

January 3, 2017

6:00 PM at SAU Offices

Members	<p>Rich Cahoon - Chair, Janine Lesser, Thomas Kelly, Kristen Reilly, Stephan Morrissey, Kimberly Saunders, Marian Alese</p> <p>Attendees: Tom Kelly, Janine Lesser, Kristen Reilly, Stephan Morrissey, Rich Cahoon, Myron Steere, Marian Alese, Kimberly Saunders</p>	
1.	<p>Janine Lesser moved to open the meeting at 6:02 PM. Seconded.</p> <p>a. Approval of December 6, 2016 Minutes – Janine Lesser moved to approve the minutes, and Kristen Reilly seconded.</p>	
2.	<p>First Read Policies:</p> <p>The following policy going to the Board tonight for a 1st read:</p> <p>1) IKG: Awards</p>	
3.	<p>Old Business:</p> <p>1) Strategic Plan Goal 1 Policies: remaining policies not waived at a prior meeting:</p> <p>a. IFA: Instructional Needs of Students with Different Talents -- Kristen asked what the term "Talent" means. This is a case of good intentions becoming too inclusive. Kimberly will look at this. Why not use different language? Strike "with Different Talents" from the title...throughout document? Carol will pull reference policies (IF, IJO).</p> <p>b. IGA: Curriculum Development – this policy will remain as is.</p> <p>c. IHBA: Programs for Students with Disabilities – a lot of this language is very 'legal' and specific. Do we want to send this to legal? Marian indicated there is a lot that no longer applies. Rich asked if SWIFT may have more changes? Kimberly will discuss with Legal.</p> <p>Rich discussed a request that we look at grievances; the results of, and when do they become public? Kimberly will speak with Kathy Peahl for clarification.</p> <p>There are some decisions published with the State, but the reason behind the publications was unclear. Our process is defined by the contract. Rich believes the employee has the right to choose whether it can be public or nonpublic grievance.</p> <p>Stephan raised a concern that he was presented with: as a Board we are presented with sometimes limited information and because of that we could be biased in our decision in making a recommendation. Kimberly will also discuss this with Kathy Peahl. Is a Board member authorized to search deeper to learn more, if they choose to on their own time? The Superintendent will always seek legal counsel. Those people who hear only a portion of a testimony should not be voting on a decision.</p>	

	<p>2) Below is our original list of Strategic Plan related policies from August 2016 with committee determination of committee ownership:</p> <ul style="list-style-type: none"> a. Security: ECA – Marian thinks this does not need to change. This policy will remain the same and be removed from this list. b. Class size: IIB -- Education Committee - pending c. Communications: BHC, GBD; Communications Committee d. Assessment: IGA, IHBH, IK, ILBA, IMBC; all of these should go to Education Committee e. Graduation Requirements: IKF; Education Committee (no changes as of yet) f. Community Partnerships: KCB; Communications <p>3) JLIE: Student Automobile Use – Carol will send to Admin Council for review.</p>	
4	<p>New Business:</p> <p>1) JLCD: Administering Medication to Students – review nurses edits/additions prior to their attendance of the February 21st Policy meeting. Group will review.</p> <p>Right to Know Policy, Amendment 91-A - Rich asked that we look at this. Should we also look at the Record Retention policy?</p>	
5.	<p>Pending Business:</p> <p>For an unidentified future meeting:</p> <p>NHSBA Updated Policies – pending</p> <ul style="list-style-type: none"> 1) ACE: Procedural Safeguards: Nondiscrimination on the Basis of Handicap/Disability (both versions) 2) GBCD: Background Investigation and Criminal Record Check 3) JCA: Change of School or Assignment (to legal counsel) 4) KB: Title I Family and Community Engagement Policy --- changes to Title I pending DOE workshop on 11/8/16 5) Social Media 	
6.	<p>NonPublic: RSA 91-A:3,II (resumes after District Meeting)</p> <p>Motion to adjourn at 6:33 by Rich Cahoon, Seconded by Stephan Morrissey.</p>	
7.	Next Meeting: February 7, 2017	

JBAB - TRANSGENDER AND GENDER NON-CONFORMING STUDENTS

(Download policy)

Category: Optional

I. PURPOSE

District policy requires that all programs, activities, and employment practices be free from discrimination based on sex, sexual orientation, or gender identity. This policy is designed in keeping with these mandates to create a safe learning environment for all students and to ensure that every student has equal access to all school programs and activities.

This policy sets out guidelines for schools and district staff to address the needs of transgender and gender nonconforming students and clarifies how state law should be implemented in situations where questions may arise about how to protect the legal rights or safety of such students. This policy does not anticipate every situation that might occur with respect to transgender or gender nonconforming students, and the needs of each transgender or gender nonconforming student must be assessed on a case-by-case basis. In all cases, the goal is to ensure the safety, comfort, and healthy development of the transgender or gender nonconforming student while maximizing the student's social integration and minimizing stigmatization of the student.

II. DEFINITIONS

The definitions provided here are not intended to label students but rather are intended to assist in understanding this policy and the legal obligations of District staff. Students might or might not use these terms to describe themselves.

"Gender identity" is a person's deeply held sense or psychological knowledge of their own gender, regardless of the gender they were assigned at birth. Everyone has a gender identity.

"Transgender" describes people whose gender identity is different from their gender assigned at birth.

"Gender expression" refers to the way a person expresses gender, such as clothing, hairstyles, activities, or mannerisms.

"Gender nonconforming" describes people whose gender expression differs from stereotypical expectations, such as "feminine" boys, "masculine" girls, and those who are perceived as androgynous.

III. GUIDANCE

A. Privacy

The Board recognizes a student's right to keep private one's transgender status or gender nonconforming presentation at school. Information about a student's transgender status, legal name, or gender assigned at birth also may constitute confidential information. School personnel should not disclose information that may reveal a student's transgender status or gender nonconforming presentation to others, including parents and other school personnel,

unless legally required to do so or unless the student has authorized such disclosure. Transgender and gender nonconforming students have the right to discuss and express their gender identity and expression openly and to decide when, with whom, and how much to share private information.

When contacting the parent or guardian of a transgender or gender nonconforming student, school personnel should use the student's legal name and the pronoun corresponding to the student's gender assigned at birth unless the student, parent, or guardian has specified otherwise.

B. Official Records

The District is required to maintain a mandatory permanent pupil record ("official record") that includes a student's legal name and legal gender. However, the District is not required to use a student's legal name and gender on other school records or documents. The District will change a student's official record to reflect a change in legal name or legal gender upon receipt of documentation that such change has been made pursuant to a court order. In situations where school staff or administrators are required by law to use or to report a transgender student's legal name or gender, such as for purposes of standardized testing, school staff and administrators shall adopt practices to avoid the inadvertent disclosure of such confidential information.

C. Names/Pronouns

A student has the right to be addressed by a name and pronoun that corresponds to the student's gender identity. A court-ordered name or gender change is not required, and the student need not change his or her official records. The intentional or persistent refusal to respect a student's gender identity (for example, intentionally referring to the student by a name or pronoun that does not correspond to the student's gender identity) is a violation of this policy.

D. Gender-Segregated Activities

To the extent possible, schools should reduce or eliminate the practice of segregating students by gender. In situations where students are segregated by gender, such as for health education classes, students should be included in the group that corresponds to their gender identity.

E. Restroom Accessibility

Students shall have access to the restroom that corresponds to their gender identity consistently asserted at school. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided access to a single stall restroom, but no student shall be required to use such a restroom.

F. Locker Room Accessibility

The use of locker rooms by transgender students shall be assessed on a case-by-case basis with the goals of maximizing the student's social integration and equal opportunity to participate in physical education classes and sports, ensuring the student's safety and comfort, and minimizing stigmatization of the student. In most cases, transgender students should

have access to the locker room that corresponds to their gender identity consistently asserted at school. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided with a reasonable alternative changing area such as the use of a private area (e.g., a nearby restroom stall with a door, an area separated by a curtain, a P.E. instructor's office in the locker room, or a nearby health office restroom), or with a separate changing schedule (e.g., using the locker room that corresponds to their gender identity before or after other students). Any alternative arrangement should be provided in a way that protects the student's ability to keep his or her transgender status confidential. In no case shall a transgender student be required to use a locker room that conflicts with the student's gender identity.

G. Physical Education Classes & Intramural Sports

Transgender and gender nonconforming students shall be permitted to participate in physical education classes and intramural sports in a manner consistent with their gender identity.

H. Interscholastic Competitive Sports Teams

Transgender and gender nonconforming students shall be permitted to participate in interscholastic athletics in a manner consistent with their gender identity.

I. Dress Codes

Transgender and gender nonconforming students have the right to dress in a manner consistent with their gender identity or gender expression. In general, schools may not adopt dress codes that restrict students' clothing or appearance on the basis of gender.

J. Discrimination/Harassment

It is the responsibility of each school and the District to ensure that transgender and gender nonconforming students have a safe school environment. This includes ensuring that any incident of discrimination, harassment, or violence is given immediate attention, including investigating the incident, taking appropriate corrective action, and providing students and staff with appropriate resources. Complaints alleging discrimination or harassment based on a person's actual or perceived transgender status or gender nonconformity are to be handled in the same manner as other discrimination or harassment complaints.

New Sample Policy: April 2015

NHSBA Note, April 2015: This new sample policy has been developed in response to NHSBA member inquiry and request.

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KEENE SCHOOL DISTRICT JBAB - TRANSGENDER AND GENDER NON-CONFORMING STUDENTS

Category: Optional

I. PURPOSE

~~District policy requires that all~~ The programs, activities, and employment practices of a School District must be free from discrimination based on sex, sexual orientation, or gender identity. Accordingly, ~~t~~This policy is intended ~~designed in keeping with these mandates~~ to create a safe learning environment for all students and to ensure that every student has equal access to all school programs and activities.

This policy sets out guidelines for schools and district staff to address the needs of transgender and gender nonconforming students and ~~attempts to clarify~~ies how state and federal law should be implemented ~~in situations where questions may arise about how~~ to protect the legal rights ~~or~~ and safety of such all students. This policy ~~does~~ can not anticipate every situation that might occur with respect to transgender or gender nonconforming students, and the ~~needs~~ circumstances of each transgender or gender nonconforming student ~~must~~ should be ~~addressed~~ on a case-by-case basis. In all cases, the goal is to ensure the safety, comfort, and healthy development of the transgender or gender nonconforming student while maximizing the student's social integration and minimizing stigmatization of the student.

II. DEFINITIONS

The definitions provided here are not intended to label students but rather are intended to assist in understanding this policy and the legal obligations of District staff. Students might or might not use these terms ~~to describe themselves~~.

"Gender identity" is a person's deeply held sense or psychological knowledge of their person's own gender, regardless of the gender ~~they were~~

assigned at birth. Everyone has a gender identity.

"Transgender" describes ~~people~~ a person whose gender identity is different from their gender assigned at birth.

"Gender expression" refers to the way a person expresses gender, such as clothing, hairstyles, activities, or mannerisms.

"Gender nonconforming" describes people whose gender expression differs from stereotypical expectations, such as "feminine" boys, "masculine" girls, and those who are perceived as androgynous.

III. GUIDANCE

A. Privacy

The Board recognizes a student's right to keep private one's transgender status or gender nonconforming presentation at school. Information about a student's transgender status, legal name, or gender assigned at birth also may constitute confidential information. School personnel should not disclose information that may reveal a student's transgender status or gender nonconforming presentation to others, including parents and other school personnel, unless legally required to do so or unless the student has authorized such disclosure. Transgender and gender nonconforming students have the right to discuss and express their gender identity and expression openly and to decide when, with whom, and how much to share private information.

When contacting the parent or guardian of a transgender or gender nonconforming student, school personnel should use the student's legal name and the pronoun corresponding to the student's gender assigned at birth unless the student, parent, or guardian has specified otherwise.

BIV. Official Records

The District is required to maintain a mandatory permanent pupil record ("official record") that includes a student's legal name and legal gender assigned at

birth. However, the District is not required to use a student's legal name and gender assigned at birth on other school records or documents. The District will change a student's official record to reflect a change in legal name or legal gender upon receipt of proper documentation that such change has been made pursuant to a court order. In situations where school staff or administrators are required by law to use or to report a transgender student's legal name or gender assigned at birth, such as a requirement for purposes of standardized testing, school staff and administrators shall adopt practices to avoid the inadvertent disclosure of such confidential information.

CV. Names/Pronouns

A student has the right to be addressed by a name and pronoun that corresponds to the student's gender identity. A court-ordered name or gender change is not required, and the student need not change his or her official records. The intentional or persistent refusal to respect a student's gender identity consistently asserted at school (for example, intentionally referring to the student by a name or pronoun that does not correspond to the student's gender identity) is a violation of this policy, and the offender shall be referred for appropriate counseling and/or discipline.

DVI. Gender-Segregated Activities

~~To the extent possible, schools should reduce or eliminate the practice of segregating students by gender.~~ In situations where students are segregated by gender, such as for health education classes, a student should be included in the group that corresponds to their the student's gender identity consistently asserted at school.

EVII. Restroom Accessibility

Restroom accessibility shall be addressed on a case-by-case basis with the transgender student. A student shall have the right to access to the restroom that

corresponds to their ~~student's~~ gender identity consistently asserted at school. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided access to a single stall restroom, but no student shall be required to use such a restroom.

~~FVIII.~~ Locker Room Accessibility

The use of locker rooms by transgender students shall ~~also~~ be assessed on a case-by-case basis ~~with the goals of maximizing the student's social integration and equal opportunity to participate in physical education classes and sports, ensuring the student's safety and comfort, and minimizing stigmatization of the student.~~ It is intended to maximize the transgender student's social integration, safety and comfort, and minimize stigmatization, while providing an equal opportunity to participate in physical education classes and sports.

In most cases, transgender students should have access to the locker room that corresponds to their ~~student's~~ gender identity consistently asserted at school. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided with a reasonable alternative changing area such as the use of a private area (e.g., a nearby restroom stall with a door, an area separated by a curtain, a P.E. instructor's office in the locker room, or a nearby health office restroom), or with a separate changing schedule (e.g., using the locker room that corresponds to their ~~student's~~ gender identity before or after other students). Any alternative arrangement should be provided in a way that protects the student's ability to keep his or her ~~the student's~~ transgender status confidential. ~~In no case shall a~~ A transgender student shall not be required to use a locker room that conflicts with the student's gender identity.

~~GIX.~~ Physical Education Classes & Intramural Sports

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consistent with their student's gender identity consistently asserted at school.

~~H~~X. Interscholastic Competitive Sports Teams

A Transgender and gender nonconforming students shall be permitted to participate in interscholastic athletics in a manner consistent with their student's gender identity consistently asserted at school.

~~X~~I. Dress Codes Clothing

A Transgender and/or gender nonconforming students have the right to dress in a manner consistent with their student's gender identity or gender expression. In general, schools may not adopt dress codes that restrict students' clothing or appearance on the basis of gender.

~~J~~XII. Discrimination/Harassment

It is the responsibility of each school and the District to ensure that transgender and gender nonconforming students have a safe school environment. This includes ensuring that any incident of discrimination, harassment, or violence is given immediate attention, including investigating the incident, taking appropriate corrective action, and providing students and staff with appropriate resources. Complaints alleging discrimination or harassment based on a person's actual or perceived transgender status or gender nonconformity are to be handled in the same manner as other discrimination or harassment complaints.

Policy review: 11/28/16

1st Rdg: 12/13/16

CONVAL SCHOOL DISTRICT WARRANT – VOTING DAY- MARCH 14TH IN INDIVIDUAL TOWNS

AC – Non-Discrimination

The School Board, in accordance with the requirements of the federal and state laws, and the regulations which implement those laws, hereby declares formally that it is the policy of the Board, in its actions and those of its employees and students, that there shall be no discrimination on the basis of age, sex, race, creed, color, marital status, physical or mental disability, national origin, sexual orientation, **or any other categories protected by law** for employment in, participation in, admission/access to, or operation and administration of any educational program or activity in the School District.

Inquiries, complaints, and other communications relative to this policy and to the applicable laws and regulations concerned with non-discrimination shall be received by the Superintendent or his/her designee.

This policy of non-discrimination is applicable to all persons employed or served by the District. Any complaints or alleged infractions of the policy, law or applicable regulations will be processed through the non-discrimination grievance procedure. This policy implements PL 94-142, Section 504 of the Rehabilitation Act of 1973, Title II of the American with Disabilities Act, Title VI or VII of the Civil Rights act of 1964, Title IX of the Education Amendments of 1972, and the laws of New Hampshire pertaining to non-discrimination.

Legal Reference:

RSA 354-A:6, Opportunity for Employment without Discrimination a Civil Right

RSA 354-A:7, Unlawful Discriminatory Practices

The Age Discrimination in Employment Act of 1967

Title I of The Americans with Disabilities Act of 1990

Title VII of The Civil Rights Act of 1964 (15 or more employees)

Appendix: AC-R

1st Reading: February 19, 2008

2nd Reading: April 15, 2008

Adopted: April 15, 2008

Amended: September 2, 2008

Amended: February 5, 2013

< AA - School District Legal Status

ACE - Procedural Safeguards Nondiscrimination on the Basis of Disability (<http://schoolboard.convalsd.net/district-policies/a-foundations-and-basic-commitments/ace-procedural-safeguards-nondiscrimination-on-the-basis-of-disability/>)