

Policy Committee

Agenda

June 5, 2018

6:00 PM, SAU Offices

Members	Rich Cahoon - Chair, Janine Lesser, Kristen Reilly, Stephan Morrissey, Crista Salamy, Jerry Wilson, Kimberly Saunders, Ann Forrest Attendees:
1.	Meeting call to order: ❖ Approval of May 1, 2018 Minutes
2.	Policies to the Board: ❖ JEB: Entrance Age (for discussion) Second Read: ❖ GBCE: Background Investigation and Criminal Record Check
3.	Policies for Review: ❖ JLCL: Life Threatening Allergies – this is a new policy. ❖ AFB/CB/CBI-R: School Superintendent/Evaluation of the Superintendent and Goal Setting – update required.
4.	Pending Policies: from NHSBA Spring 2017 Spring Policy Update: The following policies are in the queue for further discussion pending feedback from Legal, Ed. Committee, and/or NHSBA. ❖ EEAG: Use of Private Vehicles on School Business – status report ❖ IHAMA: Teaching about Alcohol, Drugs, and Tobacco – status report Linda Q. ❖ IMBD: High School Credits for 7 th /8 th Grade Coursework --- we do not have this policy. Going to Education Committee for future agenda. This is a priority policy. ❖ JKAA: Use of Restraint, Seclusion, and Physical Contact – status report ❖ ILBAA: High School Graduation Competencies --- our 2008 policy was never assigned a Category. This is a Priority policy. Not discussed at last meeting. Refer both versions to Education Committee for future agenda item and copy to Gib West. Not in this packet. ❖ ILDA: Non-Educational Questionnaires, Surveys, and Research. Sending back to Legal/Administration for review – status report ❖ JICI: Dangerous Weapons on School Property (legal version) – status report ❖ JIHB: Searches of Student Automobiles on School Property – provided to CVHS administration for review. Also included is JIHB-R. Not in this packet. Status report

5.	<p>Strategic Plan Related Policies: Not in packet</p> <p>Below is our original list of Strategic Plan related policies from August 2016 with determination of committee ownership: Status Report?</p> <ul style="list-style-type: none"> ❖ Class size: IIB -- presented to Education Committee ❖ Communications: BHC, GBD; Communications Committee ❖ Assessment: IGA, IHBH, IK, ILBA, IMBC; presented to Education Committee ❖ Community Partnerships: KCB; Communications <p>Request from Student Services to review Strategic Plan Goal 2.5 policies:</p> <ul style="list-style-type: none"> ❖ KA – School, Community, and Home Relations, adopted Aug. 2012 ❖ KCB -- Community Involvement in Decision Making, adopted Oct. 2015 ❖ KDA – Public Information Program, adopted Nov. 2014 ❖ KDCA -- Student Involvement in Public Information Program, adopted Nov. 2014 ❖ KMA -- Relations with Parent Organizations, adopted Oct. 2015
6.	<p>Next Meeting: June 19, 2018 @ 6:00 PM</p>

Policy Committee

Minutes

May 1, 2018

6:00 PM, SAU Offices

Members	<p>Rich Cahoon - Chair, Janine Lesser, Kristen Reilly, Stephan Morrissey, Crista Salamy, Jerome Wilson, Kimberly Saunders, Ann Forrest, Kristen Reilly</p> <p>Attendees: Rich Cahoon, Stephan Morrissey, Crista Salamy, Jerry Wilson, Janine Lesser, Kimberly Saunders, Ann Forrest, Linda Quintanilha.</p> <p>Absent: Kristen Reilly</p>
I.	<p>Meeting call to order: The meeting was called to order at 6:03 PM.</p> <ul style="list-style-type: none">❖ Approval of April 17, 2018 Minutes Move to accept by Janine Lesser, seconded by Stephan Morrissey. All in favor. Minutes approved as written. <p>Kimberly Saunders reviewed the committee members.</p>
2.	<p>Policies to the Board:</p> <p>Second Read:</p> <ul style="list-style-type: none">❖ ADD/EBB: School Safety – These identical policies are going for a 2nd read. No comments received. <p>First Read:</p> <ul style="list-style-type: none">❖ EHAA/JICL: Internet Safety and Responsible Use – for Students – No comments received.❖ IKFA: Early Graduation: This is now a priority policy. This was a rescinded optional policy in past years. Kimberly Saunders is not recommending any changes. She feels that the principal should review the plans.
3.	<p>Current Policies for Review:</p> <ul style="list-style-type: none">❖ EEAG: Use of Private Vehicles on School Business: Deferred from our last meeting. Kimberly Saunders noted that no one should be using their own car to transport students, best practice; however she feels we need to have a conversation as to when this is OK and what are the procedures. <p>Rich Cahoon received a question on what is the liability on this. He indicated that it is \$300,000. And not \$500,000. A driver should also be providing a certificate of insurance, but do we actually do this. Crista Salamy indicated that her child was sent on an errand.</p> <p>Rich Cahoon wants to know if when a policy is changed is it universally distributed. How do we make that announcement? Ann suggested noting the updates in the PayDay memo. Ms. Saunders agreed this is a good idea.</p> <p>Staff also have been known to drop off students at their house if they do not have any other transportation.</p>

Rich Cahoon would like to check on the liability figure, as it's not normal. Stephan Morrissey would like to add..."to be discouraged", Presently is says "forbids without permission".

Rich Cahoon wants to look at what we are prepared to enforce. He asked who is the designee.

Kimberly Saunders indicated the building principal but maybe it should be the Assistant Superintendent. Should the District own a minivan to transport students? This is not a bad idea and has come up before. We can make this part of the budget conversation, as we are already paying mileage.

Also, what about employees who, at some time have lost their license. They should not be driving students.

Action: The Superintendent will check with Legal on these questions.

- ❖ GBCD: Background Investigation and Criminal Record Check – coming back after a discussion at our 4/17/18 meeting. Added additional explanatory content to Designated Volunteer description.

Action: Ready to send for a 1st read for our May 15th meeting.

- ❖ IHAMA: Teaching about Alcohol, Drugs, and Tobacco --- Included the RSA that is noted in the NHSBA version of this policy. Our present policy is outdated. The new NHSBA version is a Priority policy. Should NHSBA be providing us with the actual requirements? Linda Quintanilha will contact NHSBA. The law says we will develop a policy that tells the Superintendent what to do. This is an unfunded mandate.

Action: Follow up with Linda Quintanilha/NHSBA.

The phrase "the superintendent shall is at the discretion of the school board.

- ❖ JKAA: Use of Restraint, Seclusion, and Physical Contact – Minor edits from last meeting. Bringing back for further discussion.

Linda Quintanilha wanted to speak to this policy. The one small change she wanted is to go back to the term extreme, rather than the term certain.

Kimberly Saunders wants to go back and review to make sure there is no circumstance that might apply. Stephan Morrissey is concerned that this policy is mandating we have seat belts. He is concerned about law suits. Rich Cahoon feels the focus is more on restraint.

Should we change the language from children to student? Would we try to restrain an 18-year old? He would like to see the distinction between children and 18-year olds. Legally, we cannot touch them when they are 18. Rich Cahoon would like to ask Legal to also draw a distinction between adult students and children.

Action: Kimberly Saunders will talk to Legal. Will bring this back at our June meeting.

- ❖ JLD: School Guidance and Counseling Program – the category for this policy has changed from Priority to Recommended. Additional content has also been introduced. This is no longer a priority policy. It also introduces conformance to national standards (nonfunded). We, as a state, has moved from guidance counselors to school counselors.

	<p>Is there confusion on these roles? This needs an internal review of our practices. Action: Linda Quintanilha will discuss this policy with NHSBA/Barrett. We will back burner this policy. Make guidance counselor to School Counselor.</p> <p>Action: Change the category from P to R without Board approval.</p> <ul style="list-style-type: none"> ❖ JLIF: Receipt and Use of Sex Offender Registry Information – this is an Optional policy that we do not have. The more policy we have puts a smaller box around how to go about our process. In certain situations, this could box us in as to how we handle the situation. Action: We will not move forward with this policy. <p>A Policies: for Review</p> <ul style="list-style-type: none"> ❖ AFB/CB/CBI-R: School Superintendent/Evaluation of the Superintendent and Goal Setting – update required. <p>Bring to next meeting for discussion, May 15.</p> <p>Meeting called.</p>
4.	<p>Pending Policies: from NHSBA Spring 2017 Spring Policy Update:</p> <p>The following policies are not in this packet. We are awaiting feedback from different sources.</p> <ul style="list-style-type: none"> ❖ ILBAA: High School Graduation Competencies --- our 2008 policy was never assigned a Category. This is a Priority policy. Not discussed at last meeting. Refer both versions to Education Committee for future agenda item and copy to Gib West. ❖ ILDA: Non-Educational Questionnaires, Surveys, and Research. Not discussed at last meeting. The language is questionable. Sending back to Legal/Administration for review. ❖ JICI: Dangerous Weapons on School Property – Kimberly Saunders will report back on this policy. ❖ IMBD: High School Credits for 7th/8th Grade Coursework --- we do not have this policy. Going to Education Committee for future agenda. This is a priority policy ❖ JIHB: Searches of Student Automobiles on School Property – provided to CVHS administration for review. Also included is JIHB-R. (These are not in your packet)
5.	<p>Strategic Plan Related Policies: Not in packet</p> <p>Below is our original list of Strategic Plan related policies from August 2016 with determination of committee ownership: Status Report?</p> <ul style="list-style-type: none"> ❖ Class size: IIB -- presented to Education Committee ❖ Communications: BHC, GBD; Communications Committee ❖ Assessment: IGA, IHBH, IK, ILBA, IMBC; presented to Education Committee ❖ Community Partnerships: KCB; Communications

	<p>Request from Student Services to review Strategic Plan Goal 2.5 policies:</p> <ul style="list-style-type: none"> ❖ KA – School, Community, and Home Relations, adopted Aug. 2012 ❖ KCB -- Community Involvement in Decision Making, adopted Oct. 2015 ❖ KDA – Public Information Program, adopted Nov. 2014 ❖ KDCA -- Student Involvement in Public Information Program, adopted Nov. 2014 ❖ KMA -- Relations With Parent Organizations, adopted Oct. 2015
6.	<p>Motion to adjourn by made by Stephan Morrissey. Seconded by Jerry Wilson. Meeting adjourned at 6:54 PM.</p> <p>Next Meeting: June 5, 2018</p>

Respectfully submitted,

Carol Hills

JEB – Entrance Age

A student shall enter grade one if his/her chronological age will be six (6) before August 25 of the school year of entry.

A child may only enter Kindergarten if his/her chronological age will be five (5) before August 25 of the school year of entry.

The Superintendent is hereby authorized to grant a waiver for exceptions to Kindergarten entrance age. Decisions of the Superintendent may be appealed to the School Board.

Incoming transfer students in grades K – 8, inclusive, will be initially placed in accordance with the data forwarded by the sending District. Such placement is tentative and subject to reassignment by the Superintendent of Schools or his/her designee.

Nothing in this policy shall supersede the responsibility and authority of a District IEP Team to determine and make an educational placement in accord with the Individuals with Disabilities Education Improvement Act (“IDEA”), as amended and reauthorized, as well as the corresponding state laws pertaining to the education of children with educational disabilities. Nothing in this policy shall supersede the responsibility and authority of a District Section 504 Team to make a placement decision in accord with Section 504 of the Rehabilitation Act of 1973.

Legal Reference:

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

Category: P

1st Read: August 18, 2015

2nd Read: September 1, 2015

Adopted: September 1, 2015

JLCL – Life Threatening Allergies

The Contoocook Valley School District recognizes that students are being diagnosed with life threatening allergies and is committed to the safety and health of all students.

The policy goals are to:

1. Provide a safe and healthy learning environment for all students;
2. Reduce the likelihood of severe or potentially life-threatening allergic reactions;
3. Ensure an appropriate and rapid response in the event of a severe or potentially life-threatening allergic reaction;
4. Protect the rights of students with severe or potentially life-threatening allergies to participate in all school activities.

The Contoocook Valley School District Life Threatening Allergy Procedures guidelines will be implemented.

The parent/guardians will provide the school nurse, prior to the start of the school year or as soon as possible after diagnosis, with written documentation from the licensed health care provider on the ConVal form "Medical Action Plan for Allergic Reactions" (MAPAR) or health care provider allergic reaction plan, which will serve as the basis for the development of by the IHCP for Allergic Reactions. This form is available on the ConVal web site.

The parent/guardian must ensure the prescribed medication is available to student at all times or the student will not be permitted to attend off campus activities.

Annual education and training on the management of students with life threatening allergies will be given to all staff interacting with the student on a regular basis.

This policy shall be reviewed by the District school nurses on an annual basis.

References:

http://www.cdc.gov/healthyyouth/foodallergies/pdf/13_243135_A_Food_Allergy_Web_508.pdf
<http://www.nasn.org/ToolsResources/FoodAllergyandAnaphylaxis>

1st Read:
2nd Read:
Adopted

AFB – Evaluation of the Superintendent and Goal Setting

The School Board shall annually evaluate the Superintendent based on written criteria as established by the Board. The evaluation shall encompass the Superintendent's position as contained in Board Policy CB – School Superintendent.

The assessment of the Superintendent will consist of three primary areas of performance:

1. Progress on Board goals as established in the annual planning process with agreed measures of performance.
2. Progress on professional goals established by the superintendent and agreed by the Board which consists of three to five goals with associated measures of performance.
3. Rating of job performance characteristics established by the Board and reviewed by the Superintendent (see current list in CBI-R).

Additionally, the Superintendent will provide a written perspective on his/her performance to be included with the review. The Vice-Chair of the School Board will review the Board's evaluation with the Superintendent once it has been approved by the Board.

The Board will provide the Superintendent with periodic opportunities to discuss Superintendent/ Board relationships. The Superintendent may provide written comments to the Board for evaluation of his/her performance.

It is important to note that circumstances may require some changes to the established criteria for evaluation based on agreement of the Board and Superintendent.

Legal References:

N.H. Code of Administrative Rules, Section Ed 303.01(k), Substantive Duties of School Boards, Superintendent Evaluation

Category R

See also CBI

1st Read: January 7, 2014

2nd Read: February 4, 2014

Adopted: February 4, 2014

CB – School Superintendent

General:

The Superintendent may delegate to subordinates any of his/her powers and duties that the School Board has entrusted to him/her, but in every instance that a power of duty is delegated, he/she shall continue to be responsible to the Board for the execution of the power or duty delegated.

The duties of the Superintendent are defined in his/her contract of employment, individual School Board policies, SAU policies, state statutes, and New Hampshire Department of Education Rules.

The School Board expects that the Superintendent, as the chief executive officer, has overall responsibility for:

1. The execution of Board policies.
2. The management of the work of all school departments, the duties of which, apart from those required by law, the Superintendent shall assign.
3. The observance of all Board policies by all those persons employed by the District.
4. The enforcement of all provisions of the law relating to the operation of the schools or other educational, social, and recreational agencies or activities under the charge of the Board.
5. Supervision and evaluation of building principals and SAU administrators.

Educational Leadership:

1. Provide a consistent and clearly stated philosophical basis for the development of the overall educational program.
2. In consultation with others, establish a set of priorities for the utilization of human, material, and financial resources in the development of the total program.
3. Demonstrate an awareness of the quality of the educational program.
4. Plan to provide the resources necessary for the achievement of the District's mission and vision.
5. Defend and support subordinates against nonconstructive criticism.
6. Develop a system geared to inform and involve the School Board in the development of the educational program.
7. Bring major efforts for educational change before the public in a format that allows for constructive dialogue.

Educational Administration:

1. Develop and support the overall organizational structure of the school system.
2. Clearly define administrative and supervisory roles.
3. Review the basis for decisions and directions of others responsible to him/her (assistant superintendents, principals).
4. Maintain an environment that encourages communication with all stakeholders.
5. Develop and support effective advisory bodies within the organizational structure.
6. Maintain visibility in relation to both staff and public.

School Board:

1. Act as advisory and executive officer of the School Board.
2. Attend all regular Board meetings and designated subcommittees as requested.
3. Administer the schools in accordance with School Board policies and regulations.
4. Prepare the annual report to the School Board concerning the operation of the schools.
5. Keep the Boards informed of important legislation relating to schools.
6. Have a working knowledge of the law as it relates to School District operation.

7. Assist the School Board to develop and maintain policy manual and ensure that it is effectively used by all school personnel.

Personnel Administration:

1. Responsibility for the administration of all School Board personnel policies.
2. Recommend to the Board appointment of contractual employees deemed best qualified.

School Building Development Programs:

1. Utilize the assistance of principals, teachers, students, State Department of Education, and nonprofessional personnel in the total building program.
2. Provide the School Board with facts to assist its members in the multiple decisions a building program entails.
3. Convey to the architect (with assistance from an educational consultant) a clear, concise statement of the educational specifications to be fulfilled in the building.
4. Assist the School Board in presenting the program to the public.
5. Develop a financial plan for costs of construction, preparing bond issues, etc.

Business Management:

1. General responsibility for the management of the business affairs of the school district.
2. Responsibility for the preparation for the School Board the annual financial and statistical reports required by the law.
3. Be alert to the acquisition of state and federal revenues not ordinarily anticipated for the School District.
4. Organize and supervise a continuing building operation and maintenance program.
5. Prepare annually a detailed operating budget.
6. Assure that Generally Accepted Accounting Principles (GAAP) are in place.

Salary Negotiations and Master Contract Administration:

1. Provide the School Board with related information to assist its members in effectively negotiating periodic agreement with the ConVal Education Association and the ConVal Administration Association.
2. Act as a resource person in all matters relating to negotiations.
3. Monitor contract negotiation sessions.

Public Relations:

1. Develop and maintain a working relationship with the press with regard to news releases and general coverage of school programs.
2. Help to express and interpret the needs and successes of the educational program through public appearances and addresses.

Regulatory Reference:

*N.H. Code of Administrative Rules, Section Ed. 302.02, Substantive Duties of Superintendents
Appendix CB-R*

Category: R

1st Read: September 17, 2013

2nd Read: October 1, 2013

Adopted: October 1, 2013

Evaluation of the Superintendent Procedures

The Vice-Chair of the School Board is responsible for the ensuring the Evaluation of the Superintendent is completed according to the criteria established in the Policy CBI and within the established timeframes.

The development of the evaluation criteria as shown in Policy CBI – Superintendent's goals, Board goals measurements and job performance characteristics will normally be completed prior to the first Board meeting in June each year. The Board will be asked to approve the performance criteria at the June meeting.
(Note that the June date was established so that known factors of Budget and Board Goals for the upcoming year will be in place.)

The rating of the Superintendent is to be completed prior to the first meeting February at which time the Board and Superintendent will meet to go over the evaluation. Therefore the Vice-Chair and Superintendent must schedule time to complete the review document.

Each member of the Board will be provided rating material to complete and return to the Vice-Chair for consolidation and entry into the review document. The Vice-Chair will provide a schedule, material, and any training required to accomplish the Board's portion of the review process.

The Vice-Chair will consolidate the results and provide the overall review to Board members for discussion with the Superintendent for the February meeting. Based on the discussion and agreement with the Board the Vice-Chair will prepare a final consolidated review for the Board to approve. The final signed (Chair and Vice-Chair) review document is presented to the Superintendent.

(Note that it is intended that the Board for the term of the review would be best to determine any salary adjustments.)

Listing of performance characteristics currently used in the evaluation:

1. Leadership and Culture
2. Communications and Community Relations
3. Financial Management
4. Planning and Organizational Management
5. Curriculum and Instructional Management
6. Human Resources Management
7. Policy

The characteristics noted above may be updated at various times by a vote of the School Board.

EEAG -- Use Of Private Vehicles to Transport Students

Any use of private vehicles to transport students to or from school, field trips, athletic events, or other school functions, must have prior authorization by the Superintendent or his/her designee. The Board specifically forbids any employee to transport students, except the teacher's own children, for school purposes without prior written authorization by the Superintendent or his/her designee. Individuals providing unauthorized student transportation do so at their own expense and liability.

Any employee or private citizen using their own or a rented vehicle to provide school-authorized student transportation must have automobile liability insurance of not less than \$5300,000 Combined Single Limit and provide a Certificate of Insurance naming the District as an Additional Insured and be a designated volunteer. The District will maintain liability insurance, which will be in excess of the owner's primary insurance for authorized student transportation.

To use a private vehicle for school purposes, the employee must have the written permission of the Superintendent or his or her designee.

This permission may be in the form of a standing permit for employees who use their own cars regularly for school purposes. The permit shall state the particular purpose, and whether it includes transportation of students.

For all special trips involving students, including field trips, a special permit must be obtained in advance for the specific trip.

The district shall assume no responsibility for liability in case of accident unless the employee has the authorization described above.

The board specifically forbids any employee to transport students for school purposes without prior authorization by the Superintendent or his or her designee.

No student shall be sent on school errands using any automobile.

Reimbursement for use of private vehicles will be made only when the staff person has prior approval of the responsible administrator.

Legal References:

New Hampshire Code of Administrative Rules Section Saf-C 1304.05, Exemption From School Bus Driver's Certificate

Category: R

First Read:

Second Read:

Adopted:

IHAMA – Teaching About Alcohol, Drugs, And Tobacco

The Superintendent or designee shall be responsible to establish and periodically review the District's guidelines for the education about alcohol, drug, and tobacco use and dealing with abuse.

Category: R

1st Read: October 1, 2013

2nd Read: October 15, 2013

Adopted: October 15, 2013

IHAMA - TEACHING ABOUT ALCOHOL, DRUGS, AND TOBACCO

(Download policy)

Category P, Priority/Required by Law

District personnel shall provide students, parents, and legal guardians with information and resources relative to existing drug and alcohol counseling and treatment for students. The Superintendent shall oversee the development, distribution, and maintenance of a comprehensive list of local, regional, statewide drug and alcohol counseling, and treatment resources which are available to district students. This information may be published in student/parent handbooks, posted on district websites, distributed along with other course material during drug and alcohol education, and shall be available through the principal's office, school nurses' office, athletic program offices, guidance offices and other locations deemed appropriate by the principal in each school.

The Superintendent shall be responsible to establish and periodically review the District's guidelines for staff members providing education on the effects of alcohol, other drugs, tobacco, and dealing with abuse. The District shall provide age and developmentally appropriate drug and alcohol education to pupils based upon the needs of the pupils and the community, as a component of the kindergarten through grade 12 health education program. An evidence-based prevention program, approved by the Superintendent, may be used for this purpose.

Legal References:

RSA 189:10, Studies

RSA 189:11-d, Drug and Alcohol Education

Ed 306.40, (b)(2) a - Health Education Program.

Revised: May 2017

Reviewed: July 2004

Revised: July 1998

NHSBA, Note: This policy is revised to reflect the enactment of SB 369, establishing RSA 189:11-d, Drug and Alcohol Education, enacted effective August 20, 2016.

Section 189:11-d

189:11-d Drug and Alcohol Education. –

I. Each public school in the state, as part of the school board-approved kindergarten through grade 12 health education program, shall provide age and developmentally appropriate drug and alcohol education to pupils based upon the needs of the pupils and the community. The school board may authorize the use of an evidence-based prevention program.

II. School boards shall develop policies authorizing school district personnel to provide pupils, parents, and legal guardians with information and resources relative to existing drug and alcohol counseling and treatment for pupils. Nothing in this section shall require a school district to add additional programs or services, but only to provide information about available programs and services.

Source. 2016, 301:1, eff. Aug. 20, 2016.

IMBD - HIGH SCHOOL CREDIT FOR 7TH/8TH GRADE COURSEWORK

(Download policy)

Category: Priority/Required by Law

Students in 7th or 8th grade may take advanced courses and apply the credit of those courses toward high school graduation, provided the course demonstrates content requirements consistent with related high school courses and the student achieves satisfactory standards of performance. School Board policies relative to assessment, mastery and competency shall apply.

The high school principal shall approve such course work and credit prior to the student enrolling in the class in order for such credit to be applied toward high school graduation.

Legal References:

Ed 306.26(f), Granting High School Credit for 7th/8th Grade Coursework (until July 1, 2017)

Ed 306.261(e), Granting High School Credit for 7th/8th Grade Coursework (after July 1, 2017)

Revised: May 2014

Revised: September 2008

New Policy: November 2007

NHSBA Note, May 2014: This policy is now categorized as Priority/Required by Law. Content of the policy has not changed. Changes to Legal References.

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JKAA – Use of Restraint, Seclusion, and Physical Contact

The District and all of its employees and contractors have a duty to maintain an orderly, safe environment that is conducive to learning and the District's educational mission. Positive behavioral interventions based on the results of behavioral assessment, shall serve as the foundation for any program used to address the behavioral needs of students. When reasonable to do such, staff shall first seek to address a student's behavioral needs through positive behavioral interventions and supports before resorting to restraint or seclusion.

In ~~extreme~~ certain circumstances **defined by this policy**, restraint or seclusion of a student will become necessary for the District to fulfill its duty to maintain a safe and orderly environment. However, restraint or seclusion shall only be used when needed to protect the student or others from a substantial and imminent risk of serious bodily harm.

Restraint

The use of restraint in schools shall be limited to physical and restraint, and only to the extent permitted by State Law and this policy. "Physical restraint" shall be deemed to have occurred when a manual method is used to restrict a child's freedom of movement or normal access to his or her body. This includes any manual method that immobilizes a student or restricts their freedom of movement of the torso, head, arms, or legs. Mechanical restraints may be used in the transportation of children when case-specific circumstances dictate that such methods are necessary.

A physical restraint shall only be used:

1. To ensure the immediate physical safety of a person or persons when there is a substantial and imminent risk of serious bodily harm to the child or others; and,
2. By trained personnel using extreme caution when all other interventions have failed or been deemed inappropriate.

The determination of whether the use of restraint is justified shall 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.

A restraint shall not be imposed for longer than is necessary to protect the child or others from a substantial and imminent risk of serious bodily harm. Children in restraint shall be the subject of continuous direct observation by personnel trained in the safe use of restraint.

No period of restraint of a child may exceed 15 minutes without the approval of the principal or a supervisory employee designated by the principal to provide such approval. No period of restraint of a child may exceed 30 minutes unless a face-to-face assessment of the mental, emotional, and physical well-being of the child is conducted by the principal or by a supervisory employee designated by the principal who is trained to conduct such assessments. The assessment shall also include a determination of whether the restraint is being conducted safely and for a purpose authorized by state law. 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

JKAA – Use of Restraint, Seclusion, and Physical Contact

be retained by the facility or school as part of the written notification and record-keeping requirements set forth in state law.

Prohibited Forms of Physical Restraint

All district employees and contractors are prohibited from using or threatening to use:

1. Any physical restraint or containment technique that:
 - a. Obstructs a child's respiratory airway or impairs the child's breathing or respiratory capacity, or restricts the movement required for normal breathing;
 - b. Places pressure or weight on, or causes the compression of, the chest, lungs, sternum, diaphragm, back, or abdomen of a child;
 - c. Obstructs the circulation of blood;
 - d. 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 wash clothes; or,
 - e. Endangers a child's life significantly or exacerbates a child's medical condition.
2. The intentional infliction of pain, including the use of pain inducement to obtain compliance.
3. 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.
4. Any technique that unnecessarily subjects the child to ridicule, humiliation, or emotional trauma.

Restraints shall not be used explicitly or implicitly as punishment for a child's behavior.

Mechanical Restraint

The proper use of seat belts or safety belts while transporting students shall not be deemed mechanical or physical restraint. "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. Mechanical restraint shall only be used in the transportation of children when case-circumstances dictate that such methods are necessary to safely transport the child.

Whenever a child is transported to a location outside a school, the principal or their designee shall ensure that all reasonable and appropriate measures consistent with public safety are made to transport or escort the child 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.

JKAA – Use of Restraint, Seclusion, and Physical Contact

The use of mechanical restraint shall be documented, and notice of such restraint shall be provided to the parents/guardian of the child. The individual or individuals responsible for implementing a mechanical restraint shall be trained in the proper use of the mechanical restraint.

Actions not Deemed Restraint

In accord with state law, the following actions shall not be considered restraint:

(1) 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.

(2) 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.

(3) 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.

(4) The use of seat belts, safety belts, or similar passenger restraints during the transportation of a child in a motor vehicle.

(5) 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. However, such use of force shall require a report to the parents/guardians of intentional physical contact, as discussed below.

Prohibition of Medical Restraint

Medication restraint is defined in the law as occurring when a child is given medication involuntarily for the purpose of immediate control of the child's behavior. All schools are prohibited from using medication of any kind as a form of restraint.

This prohibition shall not be interpreted to prohibit the administration by a school nurse of a lawfully prescribed medication for purposes other than medication restraint; provided such occurs in accord with the District's policies on the administration of medication in the schools and state law pertaining to the administration of medication by a school nurse.

JKAA – Use of Restraint, Seclusion, and Physical Contact

Seclusion

Seclusion means the involuntary placement of a child alone in a place where no other person is present and from which the particular child is unable to exit, either due to physical manipulation by a person, a lock, or other mechanical device or barrier. The fact that the place has a window or other device for visual observation does not serve as an exception to this definition.

Seclusion may only be used when a child's behavior poses a substantial and imminent risk of physical harm to the child or other others, and may only continue until that danger has dissipated.

Seclusion shall only be used by trained personnel 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. Each use of seclusion shall be directly and continuously visually and auditorially monitored by a person trained in the safe use of seclusion.

Seclusion shall not be used as a form of punishment or discipline. Seclusion shall not be used in a manner that unnecessarily subjects the child to the risk of ridicule, humiliation, or emotional or physical harm.

Rooms used for seclusion must meet the minimum requirements set forth in RSA 126-U, including having doors which are either not equipped with locks, or are equipped with devices that automatically disengage the lock in case of an emergency. See more specifically RSA 126-U:5.

Parents or guardians should notify their child's school principal if a court has appointed a guardian ad litem to represent their child's interests.

Events not deemed Seclusion

Seclusion shall not be deemed to 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; or

Circumstances in which there is no physical barrier between the child and any other person or the child is physically able to leave the place.

Internal and External Reporting

The District shall follow the provisions of RSA 126-U and ED1202.02 with regard to the internal reporting of physical restraint or seclusion as well as the external reporting to parents/guardians. Parents or guardians should notify their child's school principal if a court has appointed a guardian ad litem to represent their child's interests.

JKAA – Use of Restraint, Seclusion, and Physical Contact

Oral Reporting

Unless prohibited by court order, the building level administrator shall, as soon as reasonably possible, verbally notify the parent or guardian whenever seclusion or restraint has been used on a child. In no event shall this oral notice be later than the time of the return of the child to the parent or guardian or the end of the school day. Notification shall be made in a manner calculated to give the parent or guardian actual notice of the incident at the earliest practicable time. Any incident of seclusion or restraint involving any injury to anyone (student, employee, or other) shall also be immediately reported to the Superintendent or her designee.

Internal Written Reporting and Notification Form

Within five (5) business days of the use of seclusion or restraint, the school employee that used the seclusion or restraint shall submit a written report to the school principal which contains the information required in RSA 126-U:7 and ED1202.02. The District administration shall develop a reporting and notification form to be used for this written report.

Written Notification of Parents

Unless prohibited by court order, the principal or his or her designee shall, within two (2) business days of receipt of the internal written report set forth above, send or transmit by first class mail or electronic transmission to the child's parent or guardian and the guardian ad litem the information contained in the internal written reporting and notification form referenced above. The District administration may develop a parental notification form, or may elect to use a single reporting and notification form for both internal and external reporting, but the form shall meet all the requirements of NH RSA 126-U:7(II), RSA 126-U:11 (notification of restraints exceeding 15 and 30 minutes) and ED1202.02. Each notification prepared under this section shall be retained by the school or facility for review in accordance with rules adopted under RSA 541-A by the state board of education and the department of health and human services.

Reporting of Serious Bodily Injury

If an incident of restraint or seclusion results in serious injury or death the Superintendent shall, in addition to the notice set forth above, also notify the commissioner of the department of education, the attorney general, and the state's federally-designated protection and advocacy agency for individuals with disabilities. Such notice shall include the written notification required for the parents under RSA 126-U:7(II) and ED1202.02.

Intentional Physical Contact

Whenever a school employee or contractor has intentional physical contact with a student which is in response to a student's aggression, misconduct, or disruptive behavior, the school principal or his/her designee shall make reasonable efforts to promptly notify the student's parent/guardian. Such notification shall be made no later than the time of the return of the student to the parent/guardian or the end of the business day, whichever is earlier. Notification shall be made in a manner calculated to give the parent/guardian actual notice of the incident at the earliest

JKAA – Use of Restraint, Seclusion, and Physical Contact

practicable time. The administration of the District shall develop a form for providing the required written notice to parents, and the content of the notice shall comply with RSA 126-U:7(V) and District policy/procedures.

Other Physical Contact

The following physical contact need not be reported as intentional physical contact:

- (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. However, if the child is actively combative, assaultive, or self-injurious while being escorted, the event shall be reported as intentional physical contact;
- (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 reporting as intentional physical contact.

An incident reported as physical restraint or seclusion need not be reported as intentional physical contact.

Procedures and Forms

The Superintendent and/or his/her designee shall develop written procedures and forms regarding implementation of this policy. The procedures shall be consistent with this policy and all applicable laws and regulations.

IEP Team Review of Record

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, 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.

A parent or guardian of a child with a disability may request such a review at any time following an instance of restraint or seclusion and such request shall be granted if there have been multiple instances of restraint or seclusion since the last review.

JKAA – Use of Restraint, Seclusion, and Physical Contact

Internal Duty to Report and Complaints

Notice is given in accord with State Department of Education regulations, and RSA 126-U, that the District's employees have a duty to report to the school administration any violation of RSA 126-U ("Limiting the Use of Child Restraint in Schools and Treatment Facilities") when that employee has reason to believe that the action of another constitutes a violation of RSA 126-U and rises to the level of misconduct or suspected misconduct pursuant to ED 510. The District expressly prohibits any form of harassment or retaliation for the making of such a report in good faith. Any person may make a complaint of a violation of RSA 126-U to the school principal. Schools shall document receipt of any such complaint, including any complaint they determine does not meet the criteria for a violation of RSA 126-U. The documentation shall include the evidence the principal relied upon, and it shall be forwarded to, and maintained by the District's administration. The District's administration, may, at its election, review the building level disposition of the complaint to ensure compliance with RSA 126-U, the state regulations, and this policy.

Legal References:

*RSA 627:6, II Physical Force By Persons With Special Responsibilities Ed
1113.04-1113.05*

*RSA 126-U Limiting the Use of Child Restraint Practices in Schools and Treatment
Facilities Revised 10-4-10
ED1200 Restraint and Seclusion for Children*

Catetory: *Priority/Required by Law*

~~1st Read: October 7, 2014~~

~~2nd Read: October 7, 2014~~

~~Adopted: October 7, 2014~~

1st Read:

2nd Read:

Adopted:

ILDA: Non-Educational Questionnaires, Surveys, and Research

This policy will apply to all non-academic and non-educational surveys and questionnaires implemented, used and conducted by the District. This policy is intended to be separate and distinguishable from Policy ILD - Educational Questionnaires, Surveys and Research.

Parents/guardians will be notified at least ten (10) days prior to the District administering a non-academic or non-educational survey or survey to students. Parents/guardians will be permitted to review the survey or questionnaire prior to it being administered, if so requested. Parents/guardians may opt-out their child from the survey or questionnaire. Such an opt-out notice must be in writing, including e-mail notification. Parents who do not opt-out their child(ren) from District administered surveys or questionnaires will be deemed to have consented to the survey or questionnaire.

For purposes of this policy, "non-academic survey or questionnaire" means "surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics" or as otherwise may be defined by applicable state law or Department of Education regulation.

Legal References:

RSA 186:11, IX-d, Non-Academic Surveys and Questionnaires

Category: *Priority/Required by Law*

JICI – Dangerous Weapons On School Property

See also KFA, KI

This Policy applies to visitors, school employees, students, and all other persons. The Board finds as a matter of local policy that it is in the best interest of the District and its students to regulate the possession of weapons, including firearms, on school property. In addition to other policies governing access to school property, the invitation to enter school property is conditioned upon compliance with this policy. The Board finds that the presence of weapons on campus by other than law enforcement, when school is in session, creates a substantial risk of student distraction, disrupts the ability of the District to assure students that they are in a safe learning environment, and creates a substantial risk of inaccurate threat reporting which can result in the misuse of municipal resources. Failure to comply with this policy pertaining to access to school property shall be deemed a trespass.

Weapons are not permitted in school buildings, on school property, in school busses or vehicles used to transport students, at school-sponsored activities, or in a Safe School Zone as defined in RSA 193-D at any time without the advanced written authorization of the Superintendent of Schools or designee. No person(s) shall possess, bring, or conceal, or aid, abet, or otherwise assist another person(s) in possessing, bringing, or concealing, any weapon on school property, in school buildings, in school busses or vehicles used to transport students, at school-sponsored activities, or in a Safe School Zone as defined in RSA 193-D.

The term “weapon” includes, but is not limited to, firearms (rifles, pistols, revolvers, guns of any form, pellet guns, air rifles, BB guns, etcetera) including any device from which a shot or projectile of any nature can be fired, explosives, incendiaries, martial arts weapons (as defined by RSA 159:24), crossbows, slingshots, electronic defense or aerosol self-defense weapons (as defined by RSA 159:20), or any other device, instrument, material or substance which is used or threatened to be used in a manner likely to produce, or which is reasonably known to be capable of producing, death or bodily injury. Replicas (look-a-likes) of weapons may be treated as weapons within this Policy if they are used to frighten, harass, intimidate, or otherwise harm any person.

Additionally, this list is not intended to be exhaustive or all-inclusive. The principal may determine that any instrument, object or substance is a “weapon” within the intent of this Policy, if the principal believes that such instrument, object or substance was used or was intended to be used to inflict bodily harm on any person.

Student violations of the policy will result in both school disciplinary action and notification of the police. Disciplinary action may include suspension and subsequent expulsion.

Additionally, any student who is determined to have brought a firearm (as defined by Title 18 U.S.C. 921) to school will be expelled for not less than one year (365 days). The determination of whether to modify the expulsion shall be left to the discretion of 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 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.

Law enforcement personnel acting in their official capacity are exempt from this policy, as is the possession of a firearm in a school zone by an individual other than a student or employee, if it meets the exceptions set forth 18 U.S.C. 922(q)(2)(B). In accord with 18 U.S.C. 922(q)(2)(B), individuals (other than pupils) may possess a firearm on school property if the firearm is not loaded and is in a locked container or in a locked firearms rack on a motor vehicle.

Members of the public who violate this policy may be reported to local law enforcement authorities as trespassers and in accord with the Safe School Zones Act, RSA 193-D. See also Policy KFA.

The Superintendent or other building administrator may exercise his/her best judgment in determining the scope of this policy as it relates to inadvertent or unintentional violations of this policy by adults, provided such inadvertent or unintentional violation of this policy does not affect the safety of students, school staff or the public.

When school is not in session, and school property is being used for a municipal event, such as voting, the municipal entity responsible for conducting the event shall determine whether otherwise lawful weapons will be permitted at that event.

The Superintendent shall ensure that all students will receive written notice of this policy at least once each year and will determine the method of notifying students (student handbook, mailing, etc.). The Superintendent will determine the method of notifying employees and the general public of this policy.

Legal References:

18 U.S.C. § 921, Et seq., Firearms

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

RSA 193-D, Safe School Zones

RSA 193:13, Suspension and Expulsion of Students

*NH Code of Administrative Rules, Section Ed. 317, Standards and Procedures for
Suspension and Expulsion of Pupils Including Procedures Assuring Due Process*

Category P

See also, JICI-R, JICD-R

1st Read: February 15, 2011

2nd Read: May 3, 2011

Adoption: May 3, 2011