

CONTOOCOOK VALLEY SCHOOL DISTRICT  
Office of the Superintendent of Schools  
106 Hancock Road, Peterborough, NH 03458-1197

**POLICY COMMITTEE**

November 6, 2018

SAU Finch Room

6:00 PM

**Agenda**

**Committee Members:**

Rich Cahoon – Chair, Janine Lesser, Kristen Reilly, Crista Salamy, Jerry Wilson, Stephan Morrissey, Kimberly Saunders, Ann Forrest

**Attendees:**

**1. Call to Order & Approval of October 16, 2018 Minutes**

**2. Policies to the Board:**

**The following policies are being presented to the Board for a second read:**

- a) BBA: School Board Powers and Duties
- b) BEDB: Agenda Preparation and Dissemination

**The following policies are being presented to the Board for a first read:**

- a) JKAA: Use of Restraint, Seclusion, and Physical Contact

**3. Policies for Review:**

**Coming Back From Prior meetings:**

- a) BEDG: Minutes (Included is a copy of our Non-Public policy, BEC, and highlighted the reference regarding sealed minutes/board member review. Also included is NHSBA's newest version, which was revised last month.
- b) BEDG-R: Access to Minutes and Public Records
- c) BCA: Note call letter change. No further action required.
- d) BCA-R: Acknowledge of School Board Ethics Policy
- e) CHCA: Approval of Handbooks and Directives – added text regarding annual review by Board.
- f) EFDA: Overdue Accounts – discussion of process for collections - status
- g) JFAB: Admission and Tuition of Non-Resident Students

**4. New Policies for Discussion**

- a) BHC: Board-Employee Communications – includes our policy as well as the NHSBA version.
- b) GBD: Board-Employee Communications – this policy is identical to BHC.
- c) IHBG: Home Education – this policy was updated by NHSBA in Spring 2018; our procedure requires a revision. Also included is the NHSBA Procedure.
- d) JJJ: Access to Public School Programs by Nonpublic, Charter School, and Home Educated Pupils

### **Pending from Past Meetings: Not in this packet**

- a) STA Kindergarten Drop-off Procedure: under review by Legal and Bus Company
- b) EEAG – Use of Private Vehicles on School Business: Changed “teacher’s to “employees” in paragraph two. The Superintendent wants to discuss Legal’s edits with Dean Eggart.
- c) ILD & ILD-R: Non-Educational/Non-Academic Questionnaires, Surveys, and Research – pulled pending further research.
- d) JLD: Guidance Counselors: awaiting feedback from Legal

The following policies fall under the Assessment category for the Strategic Plan and will first go before the Education Committee. They are not included in this packet but will appear on a future agenda.

- a) IGA: Curriculum Development
- b) IHBH: Extended Learning Opportunities
- c) IHBI: Alternative Learning Plans
- d) IK: Earning of Credit
- e) ILBA: Assessment of Educational Programs
- f) ILBAA: High School Competency Assessments
- g) IMBC: Alternative Credit Options

### **5. Strategic Plan Related Policies: Not in this packet**

Below is our original list of Strategic Plan-related policies from August 2016 with determination of committee ownership: Status Report

- a) Community Partnerships: KCB; Communications

### **6. Next Meeting: December 4, 2018**

**POLICY COMMITTEE**

October 16, 2018

SAU Finch Room

6:00 PM

**Minutes**

**Committee Members:**

Rich Cahoon – Chair, Janine Lesser, Kristen Reilly, Crista Salamy, Jerry Wilson, Stephan Morrissey, Kimberly Saunders, Ann Forrest

**Attendees: Rich Cahoon, Stephan Morrissey, Jerry Wilson, Kristen Reilly, Janine Lesser, Crista Salamy, Myron Steere, Kimberly Saunders, Ann Forrest**

**1. Call to Order & Approval of October 2, 2018 Minutes**

**The meeting was called to order at 6:02 PM.**

**The motion to approve the minutes of October 2<sup>nd</sup> made by Stephan Morrissey; seconded by Jerry Wilson.**

**Kristen Reilly abstained.**

**All in favor. Minutes of October 2, 2018 meeting approved as written.**

**2. Policies to the Board:**

**The following policies are being presented to the Board for a second read:**

- a) BA: Evaluation of Board Operational Procedures
- b) JLCL: Life Threatening Allergies

**The following policies are being presented to the Board for a first read:**

- a) BBA: School Board Powers and Duties: delete gender
- b) BEDB: Agenda Preparation and Dissemination

**See Brenda Marschok for policies discussed at the Communications Committee meeting, as Stephan Morrissey spoke to these policies at the Communications Committee meeting.**

**3. Policies for Review:**

**Coming Back From October 2<sup>nd</sup> meeting:**

The meeting did not follow the sequential order of the policies as listed in this agenda.

- a) BEDG: Minutes (Included is a copy of our Non-Public policy, BEC, and highlighted the reference regarding sealed minutes/board member review.

- b) EFDA: Overdue Accounts

Kimberly Saunders spoke to what the District wants to do when we have overdue accounts. She spoke about Café Services; however food service is not the only area where we have a deficit. We need to come up with a very clear, systematic process. We have steps but they are not very effective. The Board has to be firm on the process to collect. Janine Lesser spoke of the

possibility of making robo calls; calling every day until payment is made. This policy refers to food service, but we need to broaden the language to include others areas besides food service. How do we distinguish who is really in need and who might be responsible for monitoring the deficits? Ann Forrest indicated it cannot be the building principals. It has to be in the Finance office. It was raised that sending to collections will affect a family's credit. How do we differentiate? Claremont sent all their overdue accounts to collections. Can we find someone who will take on our small claims?

Janine Lesser asked if parents are responsible for signing a contract? Would this be a binding agreement?

Stephan Morrissey asked about suspending secondary activities until the parent completes the paperwork (in response to the status of the lack of payment). What about a threshold (specific dollar amount, like \$250). This might result in an actual phone call.

Kristen Reilly expressed her dislike for the K12 payment system. There are a number of payment vendors that interact with PowerSchool. Rich Cahoon wonders how many people who aren't paying their debt do not have Internet access. Kristen Reilly likes the idea of a real person reaching out to the families.

What do we want as a threshold? Kimberly Saunders would like to go back over the numbers to see where families are. She wonders how the work will be done and by whom.

Janine Lesser asked how the process works for a parent who owes over \$100. Will they get an email and/or a letter? Sometimes. Rich Cahoon feels it's an issue with the K12 system also. Notification depends on how the parent sets up the notification. Once a zero balanced is reached, there is notification; however, the Superintendent is unsure when a letter goes out. Janine Lesser indicated it sounds like the system is all over the place. She asked who will do the work. Ms. Saunders does not know until she investigates further.

We should not be chasing petty amounts in small claims court. Can we provide advanced warning and/or payment plans (which we do already) so that the dollar amounts do not become exaggerated? A Chromebook loss is around \$220...should this be our threshold? This is theft if the Chromebook isn't returned.

Rich Cahoon feels parents should be able to pay for all expenses on K12 system. We need to be able to consolidate quickly. There is a charge for the K12 service. Presently, separate accounts within K12 are not workable (we think). We will not find any system that is fee-free. Kimberly. What about a hardship waiver? We will need to closely monitor the robo calls once payment is made, should we go that route.

**ACTION: Ms. Saunders will come back with a hard line, to identify where it becomes reasonable to go to forth for collections.**

c) JFAB: Admission and Tuition of Non-Resident Students

d) JKAA: Use of Restraint, Seclusion, and Physical Contact

The reason this was held back was due to the question around the use of child vs. student. Ann Forrest indicated that the RSA uses the term child and defines it as "a person who has not reached the age of 18 years or who is not under criminal prosecution". **Check the RSA.** Do we restraint 18 year old students? In rare circumstances.

Rich Cahoon noted that in a prior edit, we changed extreme circumstances to circumstances defined by this policy. He is concerned that we are tying the hands of the district. We train in LSCI and CPI. Though this policy sounds alarming, most of the restraints that occur last only seconds. It's hard to say whether we have more occurrences, as the reporting guidelines have changed.

Ann Forrest is concerned that the law has changed and presently we have a policy that is not in compliance with the law.

**ACTION:** Send for a first read at Nov. Board meeting.

Rich Cahoon asked to include the Distance Learning policy on a future agenda, once it is back from the Education Committee. We have not authorized credits by distance learning.

#### 4. **New Policies for Discussion**

a) CHCA: Approval of Handbooks and Directives

Presently we do not follow this policy. Our handbooks should align with our policies. Rich Cahoon would like to include that the Board should be reviewing and approving our school handbooks. Other Districts in the area do review handbooks.

Add that the Board will review handbooks annually.

Highlight changes in yellow?

Curriculum maps go to Ed Committee. At the high school no course can be added without a map.

**ACTION:** Add that the Board will review handbooks annually.

Highlight changes in yellow? Bring to next Board meeting.

The following policies fall under the Assessment category for the Strategic Plan:

b) IHBH: Extended Learning Opportunities

c) IHBI: Alternative Learning Plans

d) ILBA: Assessment of Educational Programs

e) ILBAA: High School Competency Assessments

f) IMBC: Alternative Credit Options

**Additional B Policy Review** -- this agenda includes only those B policies that have recently been updated by the NHSBA. Includes our version as well as the NHSBA version.

a) BEDG-R: Access to Minutes and Public Records

b) BCA: Note call letter change. No further action required.

c) BCA-R: Acknowledge of School Board Ethics Policy

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a) STA Kindergarten Drop-off Procedure: under review by Legal and Bus Company

b) EEAG – Use of Private Vehicles on School Business: Changed “teacher’s to “employees” in paragraph two. The Superintendent wants to discuss Legal’s edits with Dean Eggart.

c) ILD & ILD-R: Non-Educational/Non-Academic Questionnaires, Surveys, and Research – pulled pending further research.

d) JLD: Guidance Counselors: awaiting feedback from Legal

#### 5. **Strategic Plan Related Policies: Not in this packet**

Below is our original list of Strategic Plan-related policies from August 2016 with determination of committee ownership: Status Report.

- a) Communications: BHC, GBD; Communications Committee
- b) Assessment: IGA, IHBH, IK, ILBA, IMBC; presented to Education Committee (see above)
- c) Community Partnerships: KCB; Communications

6. **Next Meeting:** November 6, 2018

Stephan Morrissey moved to adjourned. Motion seconded by Kristen Reilly.  
Meeting adjourned at 6:54 PM.

Respectfully submitted,

*Carol Hills*

## BBA -- School Board Powers and Duties

State law provides that public schools will be operated and maintained by local School Boards. As agents of the state, School Boards are required to implement state laws pertaining to public education and to carry out the rules of the State Board of Education.

The ConVal Board is an agent of the State and derives its authority from the New Hampshire Constitution, New Hampshire Statutes, and Rules of the State Board of Education.

This School Board shall exercise all the powers and duties prescribed to them by applicable state and federal laws, and rules of the New Hampshire State Board of Education.

-Ed 303.01 Substantive Duties. Each school board shall:

(a) Adopt policies necessary and desirable to control and effectuate the recruitment, employment, evaluation and dismissal of teachers and other employees and may delegate authority to the superintendent of schools to carry out the provisions of such policies provided that no teacher shall be employed who is not certified or who has not been nominated by the superintendent of schools and elected by the school board;

(b) Adopt policies necessary and desirable to control and effectuate the purchase of equipment, supplies, or services and may delegate to the superintendent of schools the authority to make financial commitments in accordance with such policy;

(c) Provide, through documented planning and public meetings and quorum votes, accommodation for all pupils in approved schools or other facilities in accordance with state law;

(d) Provide required transportation of students consistent with these rules and provide that all school buildings and other learning environments be maintained in a manner consistent with standards of health and safety as required by these rules;

(e) Prepare an annual budget in accordance with RSA 32 and comply with all federal and state laws and rules;

(f) Hold meetings for the transaction of business at least once in 2 months and require the attendance of the superintendent or designee. The board shall cause a written record to be kept of each meeting in accordance with RSA 91-A;

(g) In consultation with the superintendent and in accordance with statutes and rules of the state board of education, determine the educational goals of the district, develop long-range plans and identify measurable and attainable short-term objectives. The school board shall require the implementation of educational programs designed to reflect the goals and objectives and, further, the school board shall review such programs and make public the results of such investigation;

(h) Exercise all powers and perform all duties vested in and imposed upon the school board by law or rules of the state board;

(i) Adopt a rule to ensure that there shall be no unlawful discrimination on the basis of sex, race, age, creed, color, marital status, national origin, or disability in educational programs or activities consistent with local standards which may be stricter in specific areas than the broader statewide standards;

## BBA -- School Board Powers and Duties

(j) Establish a policy on sexual harassment, written in age appropriate language and published and available in written form to all those who must comply, which includes, at a minimum, the elements specified below:

- (1) A statement that sexual harassment is against the law and against school district policy;
- (2) A definition of sexual harassment with examples of actions that might constitute sexual harassment;
- (3) The names and roles of all persons involved in implementing the procedures;
- (4) A description of the process so all parties know what to expect, including time frames and deadlines for investigation and resolution of complaints;
- (5) A prohibition against retaliation toward anyone involved in a complaint;
- (6) A description of possible penalties including termination;
- (7) A requirement that a written factual report be produced regardless of the outcome of the investigation;
- (8) At least one level of appeal of the investigators recommendation; and
- (9) A clear statement that someone can bypass the internal process and proceed directly to the New Hampshire commission on human rights, with address and phone number, or office of civil rights, with address and phone number; and

(k) Annually evaluate the superintendent based on written criteria established by the school board (s)/SAU board.

(l) Adopt a teacher performance evaluation system, with the involvement of teachers and principals, for use in the school district, pursuant to RSA 189:1-a,III.

### **Legal References:**

*RSA 189:1-a, Duty to Provide Education*

*RSA 195:5, Cooperative School Districts: School Board Powers and Duties*

*N.H. Code of Administrative Rules-Section Ed. 303.01, Duties of School Board*

### **Category: R**

*1<sup>st</sup> Read: October 16, 2018*

*2<sup>nd</sup> Read: ~~April 3, 2012~~ November 6, 2018*

*Adopted: ~~April 3, 2012~~*



## BEDB – Agenda Preparation and Dissemination

The Superintendent shall prepare all agendas for meetings of the Board. In doing so, the Superintendent shall consult with the Board.

Items to be placed on the agenda should be received by the Superintendent at least seven days prior to the meeting. Every Board member has the right to place items on the agenda. Matters not included in the agenda may be presented during the meeting provided the Board agrees to discuss the matter. The Board may choose not to deal with every agenda item.

Consistent with RSA 91-A:3 and the laws pertaining to student and family privacy rights, the Board will not place any matter on the public meeting agenda that is to be properly discussed in a non-public session. This shall not preclude the Board from giving notice of its intent to hold or enter into a non-public session and the statutory reason for doing such.

Any Board member, staff member, student, or citizen of the District may suggest items of business. The inclusion of items suggested by staff members, students, or citizens shall be at the discretion of the Board Chairperson.

The Board shall follow the order of business set up by the agenda unless the order is altered by a majority vote of the members present. Items of business not on the agenda may be discussed and acted upon if a majority of the Board agrees to consider them. The Board, however, may not revise Board policies, or adopt new ones, unless such action has been scheduled, or unless there is an emergency.

The agenda and supporting materials should be distributed to Board members at least four days prior to the Board meeting. Board Members shall be expected to read the information provided them and to contact the Superintendent to request additional information that may be deemed necessary to assist them in their decision-making responsibilities.

When the final agenda has been established, it will be made available to the public, upon request. Members of the public who wish to speak at Board meetings regarding an agenda item are encouraged to contact the Superintendent prior to the Board meeting. Additionally, the Board reserves the right to limit public discussion at Board meetings to agenda items only. Supporting materials sent with the agenda are subject to disclosure by the Right-to-Know law. Therefore, both the agenda and the supporting materials may be reviewed by the public prior to the meeting. Any supporting materials that contain confidential information, which is exempt from disclosure and where the Board has a legal duty to maintain the confidentiality of the information, shall be clearly marked as confidential. Board members shall not disclose any materials marked as confidential or otherwise exempt from disclosure under the Right-to-Know law.

Notices of meeting shall be consistently posted on the District's web site in a reasonably accessible location.

### **Legal Reference:**

*RSA 91-A:5, IX.*

**Category:** *Recommended*  
*See Also BEDA, BEDH*

*First Read: October 16, 2018*

*Second Read: November 6, 2018*

*Adopted:*

## **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 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~~

**1<sup>st</sup> Read: November 6, 2018**

**2<sup>nd</sup> Read:**

**Adopted:**



**MINUTES***Category: Recommended*

Under RSA 91-A, the school board, and each of the school board's committees (whether standing or ad hoc, or whether deemed a sub-committee or an advisory committees) is required to keep minutes for every "meeting" as defined under 91-A:2, I. As used below, "Board" shall mean and include the district school board, and each such board committee.

The Board will keep a record of the actions taken at Board meetings in the form of minutes. At a minimum, all minutes, public and non-public, shall include:

- 1) the names of members participating,
- 2) persons appearing before the School Board (any persons other than board members who address the board or speak at the meeting;
- 3) a brief description of each subject matter discussed;
- 4) identification of each member who made a first or second of any motion;
- 5) a record of all final decisions;
- 6) When a recorded roll call vote on a motion is required by law or called for by the Chair (or other presiding officer), a record of how each board member voted on the motion; and
- 7) In the event that a board member objects to the subject matter discussed by the board, if the board continues the discussion above the member's objection, and upon the request of the objecting member, then – and irrespective of whether the objection/discussion occurred in public or non-public session - the public minutes shall also reflect (i) the objecting member's name, (ii) a statement that the member objected, and (iii) a "reference to the provision of RSA 91-A:3, II that was the basis for the discussion." (See RSA 91-A:2, II-a.).

Copies of the draft minutes of a meeting will be sent to the members of the Board before the meeting at which they are to be approved. The preceding sentence, however, shall not apply to minutes of non-public sessions when the Board has sealed such minutes by a recorded roll call vote taken in public session with 2/3 of the board members present supporting the motion.

Drafts of non-public minutes will be provided to the Board either at the conclusion of the non-public session and may be approved at the time - prior to any vote to seal, or if sealed, provided to Board at the meeting at which they are to be approved.

Draft minutes of all public meetings, clearly marked as drafts, will be made available for public inspection no later than five (5) business days after each public session. Minutes for non-public sessions shall be kept as a separate document. Draft minutes for all non-public sessions, will be made available for public inspection within seventy-two (72) hours after the non-public session, unless sealed in accordance with the procedure described in the preceding paragraph.

**MINUTES**

Notes and other materials used in the preparation of the minutes must be retained until the minutes are approved or finalized.

All minutes, including draft minutes, will be kept in accordance with RSA 91-A:2 and RSA 91-A:3 and will be in the custody of the Superintendent.

Approved minutes, except those non-public session minutes which are sealed, shall be consistently posted on the District's web site in a reasonably accessible location or the web site shall contain a notice describing where the minutes may be reviewed and copies requested. Draft minutes will be available for inspection at the District's administrative office.

Sealed minutes shall be reviewed periodically and unsealed by majority vote of the Board if the circumstances justifying sealing the minutes no longer apply. The Superintendent shall identify and bring to the Board's attention minutes which have been sealed because disclosure would render the proposed action ineffective where the action has been completed and the minutes no longer need to be sealed. The Superintendent will also identify any other sealed minutes where the justification for sealing no longer applies due to the passage of time. Generally, non-public session minutes sealed because divulgence of the information would likely affect adversely the reputation of a person other than a member of the School Board, will remain sealed.

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**District Policy History:**

*First reading:* \_\_\_\_\_

*Second reading/adopted:* \_\_\_\_\_

***District revision history:***

**Legal References:**

*RSA 91-A:2 II, Public Records and Meetings: Meetings Open to Public*

*RSA 91-A:2,II-a,*

*RSA 91-A:3 III, Public Records and Meetings: Non-Public Sessions*

*RSA 91-A:4 I, Public Records and Meetings: Minutes and Records available for Public Inspection*

***Legal References Disclaimer:*** *These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

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***When adopting this sample or variation of the same, a district should not include the NHSBA history or NHSBA policy notes. The district should, to the extent possible, include its own adoption/revision history.***

**NHSBA history:** Revised: September 2018; September 2017

**MINUTES**

**NHSBA note, September 2018:** This update is in response to the requirement imposed by the 2018 passage of House Bill 1347, Laws of 2018, Chapter 244, that the first and seconds of all motions be recorded. Additional revisions to the policy are included to more clearly reflect the process for sealing non-public minutes.

**NHSBA note, September 2017:** This update is in response to the requirement imposed by House Bill 170, Laws of 2017, Chapter 234, that Districts either consistently post approved meeting minutes on the District web site in a reasonably accessible location or maintain a notice on the web site advising where the meeting minutes may be inspected and copies requested. The policy is also updated to clarify the statutory requirements for the content of minutes, addresses disclosing draft minutes to satisfy the deadlines for disclosure, and the duty to unseal the sealed minutes of non-public sessions in some circumstances.

w/p-update/2018 Fall/BEDG 2018-F (f) - Minutes

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## **BEDG -- Minutes**

A record of the actions of School Board meetings will be maintained at the SAU Office. The minutes of the Board will be kept in an official file and will include resolutions and motions. Papers not a part of a formal motion may be omitted if they are referred to and identified by some method.

Copies of the draft minutes of a meeting will be sent to the members of the Board before the meeting at which they are to be approved. Corrections to the minutes may be made at the meeting at which they are to be approved.

All minutes will be kept in accordance with RSA 91-A:2 and RSA 91-A:3 and will be in the custody of the Superintendent. Minutes of all public meetings will be made available on the District website for public inspection no later than five (5) business days after the meeting and will be designated as DRAFT until they have been approved. Minutes for all non-public sessions will be made available for public inspection within seventy-two (72) hours after the non-public session unless sealed.

### **Legal References:**

*RSA 91-A:2 II, Public Records and Meetings: Meetings Open to Public*

*RSA 91-A:3 III, Public Records and Meetings: Non-Public Sessions*

*RSA 91-A:4 I, Public Records and Meetings: Minutes and Records available for Public Inspection*

1<sup>st</sup> Read: February 5, 2012

2<sup>nd</sup> Read: May 7, 2013

Adopted: May 7, 2013

Category: R

### NON-PUBLIC SESSIONS

The School Board may meet in non-public session for any of the purposes set out in RSA 91-A:3. Upon a motion to enter a non-public session, the vote to enter non-public session shall be a recorded roll-call vote made in public session. The motion calling for a non-public session shall indicate the general the matter(s) to be discussed and shall cite the applicable statutory exception(s) for entering the non-public session. All discussions held in nonpublic session shall be confined to the matters set out in the motion.

The Board shall record minutes of all non-public sessions. Minutes from a non-public session shall be made publicly available within 72 hours of the non-public session, unless the Board votes to seal the minutes. The Board may seal minutes of a non-public session only by a two-thirds vote. The vote to seal the minutes may occur in either the public or non-public session, but if it occurs in the non-public session, the Chair shall announce the vote when the Board comes out of the non-public session. The Board shall only vote to seal minutes of non-public sessions if divulging such information would:

1. Adversely affect the reputation of a person other than a member of the Board;
2. Render a proposed board action ineffective; or
3. Pertain to terrorism (matters relating to the preparation for and carrying out of all emergency functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or sever damage to property or widespread injury or loss of life, including training to carry out such functions).

All student disciplinary matters arising under NH RSA 193:13 and Ed 317 shall be heard in non-public session unless the minor student's parents or the adult student request that the matter be heard in public.

If the Board votes to seal the minutes, then Board members are prohibited from divulging to the public any information discussed in the non-public session. Similarly, Board members are prohibited from discussing any documents that are exempt from disclosure to the public under RSA 91-A:5. By adoption of this policy, the Board directs that sealed minutes of non-public sessions be made available for review by any Board member upon request. However, non-public matters involving individual students shall not be accessed by an individual Board Member except to the extent that the Board deems there to be a legitimate educational interest in permitting such access.

When non-public minutes are sealed for an unspecified term, the Board, or a designated subcommittee of the Board, shall review the sealed minutes on at least an annual basis to determine if the basis for the seal still exists. Upon review, if a majority of the Board or designated subcommittee believes that the basis for sealing the minutes no longer applies, the matter shall be presented to the Board for a vote on whether to unseal the minutes.

Category: *R*

### **NON-PUBLIC SESSIONS**

(continued)

The Superintendent or his/her designated representative will attend all non-public sessions, except those non-public sessions that pertain to the Superintendent's employment, provided the Superintendent does not have a contractual right to attend the non-public session.

The Board may invite such employees, consultants, and representatives of the District as are deemed necessary to advise or inform the Board on a non-public matter to attend all or a portion of a non-public session.

**Legal References:**

*RSA 91-A:3, Non-Public Sessions*

*RSA 91-A:4, Minutes and Records Available for Public Inspection*

*RSA 91-A:5, Exemptions*

*RSA 42:1-a, Oaths of Town Officers: Manner of Dismissal; Breach of Confidentiality*

1<sup>st</sup> Read: February 5, 2013  
2<sup>nd</sup> Read: November 18, 2014  
Adopted: November 18, 2014

**ACCESS TO MINUTES AND PUBLIC RECORDS**

1. These procedures will apply to all requests for access to public records and minutes received by the administrative offices of the school district.
2. The Board encourages members of the public to make their requests for access to public records in writing and to include a specific description of the desired documents. No request will be denied if it is not in writing. All steps taken to comply with such requests will be documented in writing and will include a specific description of all documents that were made available.
3. Public documents requested under the Right-to-Know Law must be made available within five (5) business days. In the event a reply will take longer than five (5) days, a letter will be sent to the individual requesting the documents acknowledging receipt of the request and either estimating when a substantive reply will be available or explaining why such documents are unavailable.
4. Access to public records will ordinarily be afforded by providing photocopies of the requested materials. In some instances alternate methods -- such as allowing personal review of a particularly voluminous file -- may be more appropriate.
5. The school district will charge a basic fee of \$.10 per page for producing photocopies of records.
6. Records must be reviewed in their entirety by either the Superintendent or building principal before they are released, in order to ensure that no confidential or exempted information is disclosed.
7. Records exempted from disclosure requirements include: personnel records; student records; privileged documents (e.g. lawyer-client communication); records pertaining to litigation; collective bargaining; real estate negotiations; records containing certain types of confidential commercial or financial information; and other such documents as defined in RSA 91-A:5.
8. It is possible that only a portion of the information contained in a district record will be subject to public access under the Right-to-Know Law. In such cases the district will make a reasonable effort to provide access to the public portions of the record. For instance, a redacted photocopy of the document may be provided.
9. This procedure shall be effective immediately and shall continue in force until otherwise amended or repealed.

**BOARD MEMBER ETHICS***Category: Recommended**See also Appendix BCA-R*

In order to fulfill its duty under state law to provide education to pupils within the District, the Board adopts the following expectations for each of its members.

AS A MEMBER OF THE SCHOOL BOARD, AND IN ACCORDANCE WITH MY OATH OF OFFICE, I WILL STRIVE TO IMPROVE PUBLIC EDUCATION BY STRIVING TO ADHERE TO THE FOLLOWING EXPECTATIONS:

1. Attend all regularly scheduled Board meetings, insofar as possible, and become informed concerning issues to be considered at those meetings.
2. Understand that the Board, as governing body, does not manage the District, but rather sets the broad goals and standards for the District by way of policies adopted by a quorum of the Board at proper meetings under the Right-to-Know law.
3. Be informed about current educational issues by individual study and through information, such as those sponsored by my state and national school board associations.
4. Make decisions and take votes based upon the available facts, the full deliberation of the Board, and my independent judgment, and refuse to surrender or subordinate that judgement to any individual or special interest group.
5. Work respectfully with other Board members by encouraging the free expression of differing opinions and ideas.
6. Seek opportunities for the Board to establish systematic communication channels with students, staff, and members of the community.
7. Recognize that as a general principle the District and its students benefit when Board decisions, which have been made following consideration of all sides and vote of a quorum, receive the subsequent support of the whole Board, whenever practicable.
8. Respect the confidentiality of information that is privileged under applicable law or is received in confidence or non-public session.
9. Recognize that individual Board members are without authority to act relative to School District business, and that I may not individually commit the Board to any action except as specifically designated to do so by Board action.
10. Understand the chain of command and refer problems or complaints to the proper administrative office per applicable School Board policies.
11. Work with the other Board members to establish effective Board policies, and foster a relationship with the District administration toward the effective implementation of those policies and management of the District operations, personnel and facilities.



**BOARD MEMBER ETHICS**

12. Communicate to the Superintendent and to the Board (only as consistent with the Right-to-Know law) expressions of public reaction to Board programs, policies and other Board actions.
13. Present personal criticisms concerning District operations, staff, etc. to the Superintendent, not to District staff, the public, or unnecessarily at a Board meeting.
14. Establish policies and protocols for systematic communications with students, staff, and members of the community. Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff.

*See also: Appendix BCA-R*

**History:**

*First reading:* \_\_\_\_\_

*Second reading/adopted:* \_\_\_\_\_

**Legal References:**

*189:1-a "Duty to Provide Education"; and RSA 189:1 "Days of School"*

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**NHSBA history:** Revised: May 2018; May 2006; November 1999  
Reviewed: February 2004

**NHSBA revision note: May 2018** - This sample policy has been: (a) revised to include language to better reflect that, while school board decisions tend to be more effective and successful when supported by all members (after a majority vote), individual members do not at any time lose their individual right to express dissent; (b) amended to include provisions better identifying the distinction between governance and management; and (c) generally reorganized for better flow.

w/p-update/spring2018/ BCA Board Ethics 2018-5 (f)

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**SCHOOL BOARD MEMBER ETHICS**

**ACKNOWLEDGMENT OF SCHOOL BOARD ETHICS POLICY**

I,                     *school board member name*                    , have read                     *school district name*                     School Board Policy BCA – School Board Ethics.

I shall, to the best of my ability, adhere to all ethical statements and considerations contained within that policy.

\_\_\_\_\_  
Signature of School Board member

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of School Board Chair

\_\_\_\_\_  
Date

Witness: \_\_\_\_\_

\_\_\_\_\_  
Superintendent

## CHCA – Approval Of Handbooks and Directives

In order that pertinent **ConVal** School Board policies, regulations, and school rules and procedures may be known by all staff members and students affected by them, district administrators and principals are granted authority to issue staff and student handbooks.

It is essential that the contents of all handbooks conform with district-wide policies and regulations. The Superintendent or his/her designee must review all handbooks. **In addition, the ConVal School Board will approve handbooks on an annual basis.** ~~The School Board may access handbooks online, and may request a hardcopy.~~

~~1st Read: June 4, 2013~~

~~2nd Read: June 18, 2013~~

~~Adopted: June 18, 2013~~

## EFDA – Overdue Accounts

Prior to the start of each school year, parents/guardians shall be advised of meal prices and payment options, as well as information on participation in the Free and Reduced Lunch Program. In order to participate in the ConVal Food Service program, parents may utilize the online payment system prior to purchasing school meals.

### **Student Accounts:**

Accounts due may not exceed \$50.00 for students. Any account in excess of \$50.00 unpaid for more than 30 days will be considered overdue and responsible persons who have not contacted ConVal Food Service with genuine difficulties or acceptable explanation will be notified regarding their overdue account. If no payment is received or contact made with the District within 14 days of this notification, ConVal Food Service will contact the responsible party and seek agreement and resolution. If such agreement or resolution is not possible, or should an agreement previously reached not be honored, the account shall be referred to the Superintendent or designee who may pursue such remedy as she/he deems appropriate including, but not limited to legal action referral to an outside collection agency. In no case will action be taken against a student because of an overdue account.

### **Staff Accounts:**

Accounts due may not exceed \$40<sup>25</sup>.00 for staff. An account in excess of \$40<sup>25</sup>.00 unpaid for more than 30 days will be brought to the attention of the Superintendent or designee.

~~1<sup>st</sup> Read: September 7, 2010~~ November 6, 2018

~~2<sup>nd</sup> Read: February 3, 2011~~

~~Adopted: February 3, 2011~~

## JFAB - Admission And Tuition Of Nonresident Students

Students who are not residents of the Contoocook Valley School District may attend District schools so long as there is space available, and upon payment of established tuition fees, **this includes students in Foster Care**. Except as set forth in paragraph 3, below, admission of nonresident students shall be subject to approval by the School Board upon the recommendation of the Superintendent. The Superintendent shall establish criteria for the admission of nonresident students. Such students shall be assigned to a school by the Superintendent of Schools. An application for admission shall be granted on an annual basis; if the nonresident student wishes to continue to attend District schools, then the parent or legal guardian must reapply prior to the start of each school year.

When a nonresident student **or foster student** is enrolled in the District, the District shall immediately notify the district of residence of the name, date of birth, address, and grade assignment of the student. Such notification shall be made at the beginning of each school year for which the child is enrolled.

The District acknowledges the provisions of RSA 193:3, which states that the District in which the student resides shall retain all responsibility for the provision of special education and related services pursuant to RSA 186-C. The Superintendent's decision on whether to enroll a nonresident student will not be based, in whole or in part, on whether that student is a student with a disability as defined by applicable State or Federal law.

Students who are not residents of the District, who are admitted by the Superintendent, shall be charged tuition, except under the following circumstances:

1. To bring into the school system on occasion, students from other countries who are the guests of district residents under exchange programs that have been recognized for purposes of school attendance by the Superintendent.
2. Seniors whose families move during their senior year may complete the current school year in the District, tuition free. If the student does not graduate at the conclusion of that school year then the student must apply to enroll in the District and if admitted, he/she shall be required to pay tuition. All other students who move during the school year and are admitted by the Superintendent as a nonresident student for the remainder of the school year, shall pay tuition on a pro-rata basis.
3. Children of Contoocook Valley School District employees who are not district residents, will be permitted to attend a school in the Contoocook Valley School District. Such students will attend at a reduced tuition so that the District's share of that student's costs will not exceed two-thirds (2/3rds) of the District's per student costs for the previous school year. The Superintendent's decision regarding admittance is non-grievable.
4. Except as set forth above, or unless enrolled through separate agreement with another school system or agency, all nonresident day students shall be charged tuition at a rate set by the School Board. Tuition shall be billed quarterly in advance to the district of residence or the parent responsible for payment. When a district of residence is responsible for tuition, prior approval must be granted by that district's school board, and the districts may elect to enter into an agreement for payment of tuition.

## JFAB - Admission And Tuition Of Nonresident Students

### Conditions and Procedures for Students Who Are Reassigned Through Mutual Agreement of Superintendents

1. The Superintendent of a different SAU may make a written request to the Superintendent for a change of school assignment.
2. The Superintendent will fully consider this written request, will meet with the parent/ guardian, if necessary, and will make a decision concerning the reassignment request.
3. The Superintendent's decision will be based on the best interests of the pupil, as determined by the Superintendents.
4. The Superintendent may develop administrative regulations concerning the factors that will be considered in making such a determination.
5. If the Superintendents of the districts determine that the best interests of the pupil warrant a reassignment, he/she may seek Board approval of reassignment of the pupil to a school district in another SAU, subject to the pupil meeting the admission requirements of such school, and subject to the agreement of the Superintendent of the receiving SAU.
6. The Superintendent will seek School Board approval of any student being reassigned to the ConVal School District.
7. The Superintendent will issue a written decision to the parent/guardian. The Superintendent's decision will be final and binding.
8. The total reassignments or transfer made under this policy in any one school year will not exceed one (1) percent of the average daily membership in residence of a school district, or five (5) percent of the average daily membership in residence of any single school, whichever is greater.

### Count of Reassigned Pupils, Tuition Payment and Rate, and Transportation:

Pupils reassigned under this policy will be counted in the average daily membership in residence of a given pupil's resident school district. Said pupil's resident district will forward any tuition payment due to the District to which the pupil was assigned. Said pupil's resident or sending district will be charged tuition, which shall include the cost of any special education programming and services.

The Superintendents involved in the reassignment of a pupil will jointly establish a tuition rate for each such pupil.

The District acknowledges the provisions of RSA 193:3, which states that the District in which the student resides shall retain all responsibility for the provision of special education and related services pursuant to RSA 186-C.

### Role of the Department of Education

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

## JFAB - Admission And Tuition Of Nonresident Students

### Manifest Educational Hardship Change of Assignment

When a parent/guardian believes that an initial assignment has been made which will result in a manifest educational hardship to the pupil, the parent/guardian may seek a change of assignment in accordance with applicable provisions of RSA 193:3 and Board Policy JEC – Manifest Educational Hardship.

### All Non-Resident Students Admitted to the ConVal School District

Nonresident students who are admitted to the District shall comply with all District policies, rules, and regulations, including but not limited to the District's code of conduct and its bullying policy.

The provisions of this policy may be modified on a case-by-case basis, as needed, pursuant to separate contracts, agreements, and other binding arrangements.

#### **Legal Reference:**

*RSA 186-C:13, Special Education; Liability of Expenses*

*RSA 193:3, Change of School or Assignment*

*RSA 193:12, Legal Residence Required*

#### **Category: P**

~~1<sup>st</sup> Read: November 3, 2015~~

~~2<sup>nd</sup> Read: November 17, 2015~~

~~Adoption: November 17, 2015~~

## **BHC - BOARD-EMPLOYEE COMMUNICATIONS**

(Download policy)

*Category O*

*Also GBD*

The Board desires to maintain open channels of communication between itself and the employees. The basic line of communication will, however, be through the Superintendent of Schools.

### Staff Communications to the Board

All communications or reports to the Board or any Board committee from principals, supervisors, teachers, or other employee members shall be submitted through the Superintendent.

### Board Communications to Staff

All official communications, policies, and directives of employee interest and concern will be communicated to employee members through the Superintendent, and the Superintendent will employ all such media as are appropriate to keep employee fully informed of the Board's actions and concerns.

### Visits to Schools

Individual Board members interested in visiting schools or classrooms will inform the Superintendent of such visits and make arrangements for visitations through the principals of the various schools. Such visits shall be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes. Official visits by Board members will be carried on only under Board authorization and with the full knowledge of the Superintendent and principals.

### Social Interaction

Staff and Board members share a keen interest in the schools and in education generally, and it is to be expected that when they meet at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations and general District problems. However, employees are reminded that individual Board members have no special authority except when they are convened at a legal meeting of the Board or vested with special authority by Board action. Therefore, discussions of personalities or personnel grievances by either party will be considered unethical conduct.

Reviewed: February 2004

Revised: November, 1999

Revised: July, 1998

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and revise all sample policies and regulations to address local facts and circumstances prior to adoption. NHSBA continually makes revisions based on school districts' needs and local, state and federal laws, regulations and court decisions, and other relevant education activity.

*Category: O**See also GBD*

### **BOARD-EMPLOYEE COMMUNICATIONS**

The School Board desires to maintain open channels of communication between itself and the staff. The basic line of communication will, however, be through the Superintendent of Schools.

#### Staff Communications to the Board

All communications or reports to the Board or any Board committee from principals, supervisors, teachers, or other staff members shall be submitted through the Superintendent, or designee.

#### Board Communications to Staff

All official communications, policies, and directives of staff interest and concern will be communicated to staff members through the Superintendent or designee, and the Superintendent will employ all such media as are appropriate to keep staff fully informed of the Board's problems, concerns, and actions.

#### Visits to Schools

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#### Social Interaction

Individual Board members have no special authority except when they are convened at a legal meeting of the Board or vested with special authority by Board action. Therefore, discussions by either party of personalities or personnel grievances will be considered as evidence of unethical conduct. However, violations or other actions coming to the attention of a Board or staff member are to be communicated to the Superintendent or his/her designee.

1<sup>st</sup> Read: November 13, 2012

2<sup>nd</sup> Read: May 7, 2013

Adopted: May 7, 2013

*Category: O**See also BHC*

### **BOARD-EMPLOYEE COMMUNICATIONS**

The School Board desires to maintain open channels of communication between itself and the staff. The basic line of communication will, however, be through the Superintendent of Schools.

#### Staff Communications to the Board

All communications or reports to the Board or any Board committee from principals, supervisors, teachers, or other staff members shall be submitted through the Superintendent, or designee.

#### Board Communications to Staff

All official communications, policies, and directives of staff interest and concern will be communicated to staff members through the Superintendent, or designee and the Superintendent will employ all such media as are appropriate to keep staff fully informed of the Board's problems, concerns, and actions.

#### Visits to Schools

Individual Board members interested in visiting schools or classrooms will inform the Superintendent of such visits and make arrangements for visits through the principals of the various schools. Such visits shall be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes. Official visits by Board members will be carried on only under Board authorization and with the full knowledge of the Superintendent and Principals.

#### Social Interaction

Board members have no special authority except when they are convened at a legal meeting of the Board or vested with special authority by Board action. Therefore, discussions by either party of personalities or personnel grievances will be considered as evidence of unethical conduct. However, violations or other actions coming to the attention of a Board or staff member are to be communicated to the Superintendent or his/her designee.

1<sup>st</sup> Read: November 13, 2012

2<sup>nd</sup> Read: May 7, 2013

Adopted: May 7, 2013

*Category: R**See also JG, JH*

## **HOME EDUCATION INSTRUCTION**

### **Eligibility**

The School Board recognizes the right of parents to pursue home education within the parameters RSA 193-A and other applicable state laws and regulations.

### **Enrollment Procedures**

Any parent commencing a home education program for a child who withdraws from the School District shall notify the New Hampshire Department of Education, the Superintendent, or a non-public school within five (5) business days of commencing the home education program. Such notification shall include the names, addresses and birth dates of all children who are participating in the home education program. If notice is provided to the Superintendent, he/she will acknowledge receipt of notification within fourteen (14) days.

Annual notification of intent to home education is not required.

If requested by the parent, the Superintendent will assist parents in making such notification and in complying with applicable statutory requirements.

State attendance laws and District attendance policies shall apply to all students within the District until the commissioner of education, the Superintendent, or principal of a non-public school receives notice from a student's parent/guardian of the commencement of a home education program, consistent with the requirements of RSA 193-A:5.

### **Evaluation Procedures**

Parents electing to request the School District's participation in the annual evaluation must make arrangements to do so with the appropriate building Administrator prior to the end of the public school year, provided the School District is acting as the participating agency. In this case, the Superintendent shall provide evaluation services, if the parent so requests. If the District is not acting as the participating agency, the Superintendent shall provide evaluation services at his/her discretion.

The Superintendent will review the results of the annual education evaluation of children in home educational programs. If the home-educated child has not demonstrated educational progress, the Superintendent will notify the parent in writing that educational progress has not been achieved. Likewise, the Superintendent or his/her designee will notify the parent in writing within 21 days of the evaluation if the child has demonstrated educational progress.

The Superintendent will ensure that the evaluation includes all information, dates and signatures required by state statute and/or regulation.

Parents shall maintain a portfolio of records and materials relative to the home education program and must provide for an annual evaluation documenting the child's demonstration of educational progress at a level commensurate with the child's age and ability, in accordance with RSA 193-A and NH Code of Administrative Rules, Section Ed 315.

*Category: R**See also JG, JH***HOME EDUCATION INSTRUCTION**

(continued)

**Re-enrollment into the School District**

Parents deciding to re-enroll their children into the school district following a period of home education will make arrangements with the Principal for an evaluation to determine appropriate placement in the District's program. Placements will be consistent with the School Board policy governing student placements (NHSBA Sample Policy JG) and are subject to the same appeal process.

Parents should be attentive that when re-enrolling a student, there may be discrepancies between the home schooling level of achievement and the scope and sequence of the District's curriculum.

**Graduation/Diplomas**

The School Board will not award certificates or diplomas to home educated student. Students must enter the regular school program and complete all necessary graduation requirements of the District and the state to be eligible for a certificate or diploma.

**Participation in school curricular and co-curricular activities**

Regulations regarding the participation of home education students in District curricular and extra-curricular programs are established in Appendix IHBG-R. The Superintendent is charged with establishing such regulations. Consistent with RSA 193:1-c, any regulations shall not be more restrictive for non-public or home educated pupils than they are for students enrolled in the District.

**Legal References:***RSA 193-A, Home Education**RSA 193:1, Duty of Parent; Compulsory Attendance by Pupil**RSA 193:1-a, Dual Enrollment**RSA 193:1-c, Access to Public School Programs by Nonpublic or Home Educated Pupils**NH Code of Administrative Rules, Section Ed 315, Procedures for the Operation of Home Education Programs**Appendix IHBG-R*

1<sup>st</sup> Read: November 5, 2013

2<sup>nd</sup> Read: December 3, 2013

Adopted: December 3, 2013

## HOME EDUCATION INSTRUCTION & ACCESS TO CURRICULAR AND CO-CURRICULAR PROGRAMS

*Category: Recommended*

*Related Policies: JEA, JG, JH, JJJ  
See also: IHBG-R*

Home Education is an alternative to compulsory attendance at a public or private school and is an individualized form of instruction in accordance with New Hampshire RSA 193-A and Department of Education Rule Part 315 ("Ed. 315"). A parent or guardian may establish a home education program for any child between the ages six (6) and eighteen (18) years of age including one who is an "educationally disabled child" as defined under RSA 186-C:2, I, whether or not such child is previously enrolled in a school of the District.

### **A. Notices Required for Commencement of Home Education Program.**

#### **1. Notice For Students Withdrawing from District.**

State school attendance laws apply to each student until a parent/guardian commences a home education program. Similarly, the District's attendance policies apply to all students enrolled in schools of the District.

Accordingly, when a parent/guardian of a child who is enrolled in a school of the District wishes to begin a home education program for the child, Ed. Rule 315.04 (e) requires that on or before the date the home education program begins, the parent/guardian must advise the Superintendent of the child's withdrawal from the District. The notice of withdrawal may be made in person, via telephone or in writing, at the parent/guardian's election.

#### **2. Written Notice of Program Required.**

In addition to the less formal notice required for a child being withdrawn from the District, RSA 193-A and Ed. 315 both require that the parent/guardian provide written notice of the commencement of a home education program *either* (at the parent/guardian's election) to the New Hampshire Department of Education, the Superintendent of the resident district, or to any non-public school principal.

The requirements of the notice are set forth in RSA 193-A:5 and Ed. 315.04, both of which can be accessed through the New Hampshire Department of Education's website.

Upon request, the Superintendent shall assist the parent/guardian to assure that the notification complies with the statutory requirements.

#### **3. No Annual Notice Required.**

Once established, the home education program remains in effect unless terminated pursuant Ed. 315.04 (k). The parent/guardian is not required to provide annual notification of continuation of a home education program.

## HOME EDUCATION INSTRUCTION & ACCESS TO CURRICULAR AND CO-CURRICULAR PROGRAMS

### B. Evaluation & Assessment.

Under RSA 193-A:6, II, parents/guardians are required to provide for an annual educational evaluation for home educated children that documents "educational progress at a level commensurate with the child's age and ability." Both the statute and Ed. 315.07 provide several options for parents/guardians to meet the statutory evaluation requirements. Some of the evaluation options available to parents/guardians under that statute and rules *can* involve District/Superintendent assistance, including, for instance, any state student assessment used by the District, or any other "valid" measurement tool mutually agreed upon by the parent/guardian and the Superintendent. Other options are available to parents/guardians as provided under RSA 193-A:6 and/or Ed. 315.07.

Parents/guardians seeking to utilize evaluation services through the Superintendent, should contact the Superintendent's office as soon as practicable to assure adequate time to prepare any necessary materials and accommodations.

No fee will be required by the District when a parent uses evaluation services provided by the District.\*

**\*NOTE:** RSA 193-A:7, II (a), and Ed. 315.07 (c) each allow a parent/guardian to enter into an agreement for evaluation services with a certified teacher or a teacher teaching in a non-public school. When a parent/guardian chooses to independently contract with an individual teacher to perform evaluation services, the teacher may charge any fee agreed upon by the teacher and the parent/guardian, notwithstanding whether the teacher is also employed by the District. The District shall not be responsible for the evaluation services, nor shall the District receive any part of the fee agreed to between the teacher and the parent/guardian.

### C. Records.

The District shall maintain documents concerning home education programs in a manner consistent with other educational records. Additionally, the Superintendent shall maintain a list of all home education programs for which the Superintendent, as participating agency, has received notice. On October 1 of each year, the Superintendent shall notify the Commissioner of the number of children for whom programs were established.

RSA 193-A:6, I requires the parent/guardian to maintain a portfolio of records and materials relative to the home education program. The portfolio shall consist of a log which designates by title the reading materials used, and also samples of writings, worksheets, workbooks, or creative materials used or developed by the child. The parent/guardian is required to preserve the portfolio for 2 years from the date of the ending of the instruction.

For evaluations which are not provided by the District, parents/guardians need only provide copies to the District to the extent necessary to demonstrate proficiency in order to participate in school programs, and co/extra-curricular activities as provided under RSA 193-A:6, III. *[See also NHSBA sample appendix IHBG-R.]*

## HOME EDUCATION INSTRUCTION & ACCESS TO CURRICULAR AND CO-CURRICULAR PROGRAMS

### D. Re-enrollment into the School District.

Parents/Guardians deciding to re-enroll their children into the District following a period of home education will make arrangements with the Principal for an evaluation to determine appropriate placement in the District's program. Placements will be consistent with the School Board policy governing student placements [*NHSBA Sample Policy JG*] and are subject to the same appeal process.

Parents/Guardians should be attentive that when re-enrolling a student, there may be discrepancies between the home schooling level of achievement and the scope and sequence of the District's curriculum.

### E. Graduation/Diplomas.

The School Board will not award certificates or diplomas to home educated students. Students must enter the regular school program and complete all necessary graduation requirements of the District and the State to be eligible for a certificate or diploma.

### F. Participation in school curricular and co/extra-curricular activities.

Regulations regarding the participation of home education students (as well as students of non-public or of public charter schools) in District curricular and co/extra-curricular programs are established in [*Appendix IHBG-R*]. The Superintendent is charged with establishing such regulations. Consistent with RSA 193:1-c, any regulations shall not be more restrictive for non-public or home educated pupils than they are for students enrolled in the District.

#### History:

First reading: \_\_\_\_\_  
Second reading/adopted: \_\_\_\_\_

#### Legal References:

*RSA 193-A, Home Education*  
*RSA 193:1, Duty of Parent; Compulsory Attendance by Pupil*  
*RSA 193:1-a, Dual Enrollment*  
*RSA 193:1-c, Access to Public School Programs by Nonpublic or Home Educated Pupils*  
*NH Code of Administrative Rules, Section Ed 315, Procedures for the Operation of Home Education Programs*

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**NHSBA History:** Revised – May 2018; September 2012; May 2006; August 2006; September 2008; April 2010. Reviewed July 2004;

**NHSBA note, May 2018:** In order to reduce unnecessary redundancies and confusion resulting from ambiguous language found in applicable DOE regulations, NHSBA has revised sample policy IHBG to provide only essential information, with interested parties directed to the controlling state statutes and administrative regulations. We have also included reference in section F to students of non-public and charter schools.



**HOME EDUCATION INSTRUCTION  
& ACCESS TO CURRICULAR AND CO-CURRICULAR PROGRAMS**

**NHSBA note, September 2012:** Amendments to RSA 193-A:3, effective August 2012, remove the requirement that parents provide annual notification to the Superintendent of the parent's intent to home education. A single notification at the commencement of a home education program is sufficient. This provision is addressed in the "Enrollment Procedures" section.

w/p-update/2018spring/IHBG Home Education 2018-5-14 (5)

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**ACCESS TO PUBLIC SCHOOL PROGRAMS BY NONPUBLIC, CHARTER SCHOOL AND HOME EDUCATED PUPILS***Category: Recommended**Related Policy: IHBG  
See also Appendix: IHBG-R*

All pupils residing in the District, whether they are home educated, or are attending public chartered school or nonpublic schools, shall have access to curricular courses and co/extra-curricular programs offered by the District in accordance RSA 193:1-c and these administrative regulations.

The District will comply with the provisions of RSA 193:1-c allowing pupils who attend nonpublic schools, charter schools or are home educated equal access to the District's curricular courses and co/extra-curricular programs. The District recognizes that any School Board policies regulating participation in curricular courses and co/extra-curricular programs, cannot be more restrictive for non-public, public chartered school, or home educated pupils than the policy governing the District's resident pupils.

**History:**

*First reading:* \_\_\_\_\_  
*Second reading/adopted:* \_\_\_\_\_

**Legal References:**

*RSA 193:1-c, Access to Public School Programs by Nonpublic, Public Chartered Schools or Home Educated Pupils.*  
*RSA 193-A, Home Education*

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**NHSBA history:** Revised: May 2018  
New policy September 2016

**NHSBA note, May 2018:** We changed the policy category from optional to recommended to help assure that school personnel (and families) are apprised of the statutory obligation of districts to provide access to nonpublic, charter and home educated students. We also included introductory language taken from revised sample appendix IHBG-R.

**NHSBA note, September 2016:** NHSBA issues this new sample policy in response to HB 555, which amends RSA 193:1-c, to now include charter school students in the "equal access" to school district programs statute. Prior to HB 555, RSA 193:1-c required school districts to grant equal access of such programs to pupils attending private schools and pupils engaged in home-school programs, provided the pupil was a district resident. Such access to district programs has now been extended to include resident pupils who attend a charter school. This policy seeks to clarify this statute and put school boards and administrators on notice of its provisions.

w/p-update/2018/JJJ Access by Nonpublic Students 2018-5 (f).docx

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