

**OFFICE OF THE SUPERINTENDENT OF SCHOOLS
106 Hancock Road
Peterborough, New Hampshire
CONTOOCCOOK VALLEY SCHOOL BOARD**

Policy Committee

**Tuesday, November 17, 2020
5:00 p.m.**

Physical Location: ConVal High School Library

Virtual Location:

<https://us02web.zoom.us/j/82690010024?pwd=eTlBanVhNExrZGFydWpHSUpHMk9TZz09>

Meeting ID: **826 9001 0024**

Passcode: **qcK7Q6**

Phone: +1 312 626 6799 US

Meeting ID: **826 9001 0024**

Password: **498514**

Agenda

School Board Committee Members:

- Katherine Heck
- Janine Lesser
- Kevin Pobst
- Tim Theberge
- Stephen Ullman

- 1. Call Meeting to Order**
- 2. Approve Minutes of November 3, 2020 Meeting (pg. 1-3)**
- 3. Update on policies AC, ACAC, GBAA, JBAA, JICK (legal)**
- 4. Reminder that DK and DGA are part of the financial policies update**
- 5. EHAC *Electronic/Digital Records & Signatures*-Tim Theberge (NHSBA version only) (pg. 4-8)**
- 6. EBCG *Communicable & Infectious Disease*-returns from Cari Coates and Gretchen (NHSBA version only) (pg. 9-15)**
- 7. JLCG *Exclusion of Students Who Present a Hazard* (NHSBA version only) (pg. 16-17)**
- 8. Other**
- 9. Adjourn**

**OFFICE OF THE SUPERINTENDENT OF SCHOOLS
106 Hancock Road
Peterborough, New Hampshire
CONTOOCOOK VALLEY SCHOOL BOARD**

Policy Committee

**Tuesday, November 3, 2020
5:00 p.m.**

Physical Location: ConVal High School Library

Virtual Location:

<https://us02web.zoom.us/j/89349910422?pwd=bFd4ZEhLU1JBN2s0OTIjUDZadlBJQT09>

Meeting ID: **893 4991 0422**

Passcode: **DV4966**

Phone: +1 312 626 6799 US

Meeting ID: **893 4991 0422**

Password: **136567**

Minutes

School Board Committee Members:

- Katherine Heck
- Janine Lesser
- Kevin Pobst
- Tim Theberge
- Stephen Ullman

Present: Janine Lesser, Katherine Heck, Tim Theberge, Stephen Ullman, Dr. Kimberly Saunders, Dr. Ann Forrest

1. Call Meeting to Order

Janine Lesser called the meeting to order at 5:03 p.m.

2. Review of "working" policies:

a. ACAC

Janine Lesser said that she believes this is ready to go to Dean for legal review.

b. GBAA

Using the language "Director of Human Resources" was decided for purposes of this document rather than Superintendent. This allows an appeal to the Superintendent.

Janine Lesser suggested the insertion of language that ties the policy to ACAC.

In addition, renumbering within the policy is needed.

c. JBAA

Stephen Ullman said that in both policies, it is up to the Principal to translate a verbal notification into a written form. He asked if there would be concern. Kimberly Saunders said that the document would be returned to the student for confirmation that it is accurately stated.

Janine Lesser shared her thoughts on tying the language for consistency.

Katherine Heck said that the federal policy requires us to use certain language, but ConVal policy can be what we designate it as because it doesn't meet the same criteria.

"Superintendent or their designee" can be used in policy GBAA and JBAA but not in ACAC.

Stephen Ullman said that he would like to mandate the use of Reporting Forms. Tim Theberge said that any format used compels it to be acted upon.

Eliminating number 3, under III and wrapping it into 7 (now 6). It is "strongly encouraged" will be used in the place of "voluntary".

Anywhere where we see investigation will be replaced with "Superintendent or their designee."

d. JICK

Under III, Reporting Procedure, under 3, and further under 1. Any school employee, volunteer, or employeeshall report...." The word "shall" requires one to report. Confirmed.

Under V. Waiver of Notification Requirement – it is highly unlikely this would be waived unless there was concern about the safety of the child and how the parent would respond.

"Principal or his/her..." will be replaced with Principal or their designee everywhere.

Capitalize "Board" under VIII.

Administration would determine the punishment. It would follow the appeal process as with other discipline process. Kimberly Saunders shared the process. A reference is not needed about the appeal process otherwise it becomes policy.

Do we have to expand upon XI? Capture of Audio and Video Recordings on School Buses? Kimberly said that she will double check to confirm if all of our buildings are posted that recordings are being captured. The difference between video and both audio and video was noted.

Katherine Heck provided the following language:

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

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

Three basis for successful appeal; new evidence, district did not go through required steps, or prejudice or conflict of interest.

When discipline hearings take place, consequences are not looked at. The job is to assure that a student's due process rights were followed as outlined in State Statute.

EEAA – Video Surveillance on School Property is another required policy cited. Kimberly Saunders agreed to double check them.

After updated, this policy is ready to go to Dean.

3. Review:

a. EBCG

This policy can be sent to nurses to gain their thoughts and then reviewed. Or, the Policy Committee can do work and send it back to the nurses for input. Kimberly Saunders said that she prefers sending it to Cari Christian-Coates and the nurses to take a look, tell thoughts on, and this committee can take input under advisement.

b. EHAC

We do not have a policy like this NHSBA Policy. DK and DGA were sent, or may have been sent to legal.

There is a federal law that establishes the legality of electronic signatures.

The policy defines how ConVal will use it. We can identify what types of signatures will be allowed and at what levels.

Tim Theberge agreed to review this policy.

4. Adjourn

Katherine Heck motioned to adjourn at 5:55 p.m. Tim Theberge second. Unanimous.

Respectfully submitted,

Brenda Marschok

ELECTRONIC/DIGITAL RECORDS & SIGNATURES*Category: Recommended**Related Policies: DGA, EHAA, EHAB & EHB***ADOPTION NOTES –*****This text box, and all highlights within the policy should be removed prior to adoption.***

- (a) *General – As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption to assure suitability with the district's own specific circumstances, internal coding system, current policies, and organizational structures. Highlighted language or blank, underscored spaces indicate areas which Boards must change/complete to reflect local personnel titles, policy references, duty assignments etc.*
- (b) *{**} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.*
- (c) *Withdrawn and earlier versions of revised policies should be maintained separately as part of the permanent records of the District.*

A. Statement of Policy.

Electronic or digital signatures can take many forms and can be created using many different types of technology. The authenticity and reliability of electronic signatures relating to transactions are dependent on the accompanying processes, supplemental records and the overall context in which records are created, transferred, and signed. The School Board adopts the following policy with respect to the use of electronic records and signatures in connection with its communications with parents, guardians, or other persons having control over a child enrolled in the District.

B. Definitions.

"Attribution" or "Attributable to" – An electronic record or electronic signature is attributable to a person if it was the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any security procedure applied to determine the person to which the electronic record or electronic signature was attributable. The effect of an electronic record or electronic signature attributed to a person under paragraph I is determined from the context and surrounding circumstances at the time of its creation, execution, or adoption, including the parties' agreement, if any, and otherwise as provided by law.

"Digital" – As used in the title or otherwise in this policy is intended to have the same meaning as or as a sub-category of "Electronic".

"Electronic record" – Means a record created, generated, sent, communicated, received, or stored by electronic means.

ELECTRONIC/DIGITAL RECORDS & SIGNATURES

"Electronic signature"– Means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

"Record"– Means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

C. Applicability.

This policy applies to parents, guardians, and other persons having control or charge of a child enrolled or formerly enrolled in the District, eligible students as used in the Family Educational Rights and Privacy Act; and also to individuals affiliated with the District, whether employees or not, paid or unpaid, including but not limited to teachers, administrators, staff, students, affiliates, and volunteers.

D. Acceptance, Use and Issuance of Electronic Records and Signatures.

1. The District may receive and accept as original, electronic records and signatures so long as the communication, on its face, appears to be authentic and is not otherwise precluded by law.
2. The District, through the Superintendent, shall maintain an electronic recordkeeping system that can receive, store, and reproduce electronic records and signatures relating to communications and transactions in their original form. Such system should include security procedures whereby the District can:
 - a) assure signature intent,
 - b) verify the attribution of a signature to a specific individual,
 - c) allow for reliable access and use to those who would have access to the record if in hard copy form for the period required under the District's Data/Records Retention Policy (EHB{**}) and Schedule (EHB-R{**}),
 - d) detect changes or errors in the information contained in a record submitted electronically,
 - e) protect and prevent access, alteration, manipulation or use by an unauthorized person, and
 - f) provide for nonrepudiation through strong and substantial evidence that will make it difficult for the signer to claim that the electronic representation is not valid.

ELECTRONIC/DIGITAL RECORDS & SIGNATURES

3. ***[optional – this provision is a recommended best practice, but in many respects is difficult to implement. Before including this provision, the IT Director and Superintendent should explore feasibility and report to the Board/Policy Committee. Adjustments could be made to limit the log requirement to certain authorized uses of e-signatures, such as expenditures, contracts, etc..]*** To the extent practicable, the Superintendent will implement and maintain a system to require a secure hard copy log of the PIN/password or actual signature of any individual authorized to provide an electronic signature on behalf of the District, or on behalf of the School Board specifically.
4. The Superintendent shall ensure that all electronic records and signatures are capable of being accurately reproduced for later reference, and are retained until such time as all legally mandated retention requirements are satisfied.
5. Any electronic records or electronic signatures technology shall comply with the District's Data Governance and Security Plan.

E. Electronic Records.

Electronic records created or received by the District shall be appropriately attributed to the individual(s) responsible for their creation and/or authorization or approval. The District shall utilize available technology to implement reliable methods for generating and managing electronic records. Any electronic record filed with or issued by the District may be given full force and effect of a paper communication if the following conditions are satisfied:

1. The communication is an electronic filing or recording and the District, through the School Board Chair, or the Superintendent or his/her delegate, agrees to accept or send such communication electronically; and
2. If a signature is required on the record or communication by any statute, rule or other applicable law or School Board policy, the electronic signature must conform to the requirements set forth in this policy governing the use of electronic signature, and any other standards required by applicable law or regulation.

F. Electronic Signatures.

An electronic signature may be used whenever a signature is required, unless there is a specific statute, regulation, or policy that requires records to be signed in non- electronic form. The issuance and/or acceptance of an electronic signature by the District may be permitted in accordance with the provisions of this policy and all applicable state and federal law. If permitted, such electronic signature shall have the full force and effect of a manual signature only if the electronic signature satisfies all of the following requirements:

ELECTRONIC/DIGITAL RECORDS & SIGNATURES

1. The electronic signature identifies the individual signing the document by his/her name and title;
2. The electronic signature is unique to the signer;
3. The District and the other party have agreed to the use of electronic signatures (need not be a formal agreement);
4. The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail;
5. The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been affixed;
6. The electronic signature conforms to all other provisions of this policy and applicable law;

G. Procedures and Practices.

The Superintendent may adopt procedures and/or practices to implement this policy, including for such things as format requirements, regulations with respect to use of email signatures, saving and retention of electronic records, or records transmitted via email.

District Policy History:

First reading: _____

Second reading/adopted: _____

District revision history:

Legal References:

20 U.S.C. 1232g, Family Educational Rights and Privacy Act (FERPA)

RSA Chapter 294-E, Uniform Electronic Transactions Act

"Electronic Signatures Analysis and Implementation Guide", N.H. Dept. of Information, N.H. Dept. of Administrative Services Technology, N.H. Secretary of State, October 12, 2012

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.

When adopting this sample or variation of the same, a district should not include the NHSBA history or NHSBA policy notes appearing below. The district should, to the extent possible, include its own adoption/revision history, as well as the legal references and disclaimer as indicated above.

ELECTRONIC/DIGITAL RECORDS & SIGNATURES

NHSBA history: New policy – June 2020.

NHSBA revision notes, June 2020, NHSBA adopted this policy to clarify whether and when electronic signatures or records may be used, and the applicable standards. Corresponding changes have been made to NHSBA samples DIH and DGA.

w/p-update/2020/spring//EHAC Elec (Dig) Records & Signatures (d1)

DISCLAIMER: This sample policy is copyrighted to the New Hampshire School Boards Association and is intended for the sole and exclusive use of NHSBA Policy Service Subscribers. This sample is provided for general information only and as a resource to assist subscribing Districts with policy development. School Districts and boards of education should consult with legal counsel 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.

COMMUNICABLE & INFECTIOUS DISEASES*Category: Recommended**Related Policies: EBCF, GBGA, IHAM, JLCA, JLCB & JLCG***ADOPTION NOTES –**

This text box, and all highlights within the policy should be removed prior to adoption.

- (a) Sample policy ALA is a new policy intended to address responses to a broad class of communicable diseases, and replaces former identical sample policies JLCAA/GBGAA/IHAMC, which addressed only HIV/AIDS. This policy will overlap but extend further than current sample EBCF which is more specific to larger scale pandemic/epidemic emergencies.*
- (b) General – As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption to assure suitability with the district's own specific circumstances, internal coding system, current policies, and organizational structures. Highlighted language or blank, underscored spaces indicate areas which Boards must change/complete to reflect local personnel titles, policy references, duty assignments etc.*
- (c) {**} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.*

A. POLICY:

Students and employees of the District are expected to attend the schools of the district without being infected with serious communicable diseases. Nonetheless, the Board recognizes that staff, students, volunteers and others may come in contact with bloodborne pathogens, viruses and other communicable diseases during the school day or school sponsored activities, or may carry those pathogens, viruses and diseases unknowingly into the school community. The Board adopts this policy as a means to minimize risk and respond to these health concerns while respecting the rights of all students and employees, including those who are so infected.

As described in Board policy {**}JLCG, RSA 200:39 permits the exclusion from school of students who exhibit symptoms of contagion, or are a hazard to him/herself or others. As provided in this policy, determinations as to inclusion or exclusion of students or employees with communicable diseases from school will take into account the educational implications for the student and others with whom he or she comes into contact, recommendations from the New Hampshire Department of Health and Human Services ("NHDHHS"), the New Hampshire Department of Education, and the United States Public Health Services Centers for Disease Control ("CDC"). Diseases which will implicate this policy, include, but are not necessarily limited to, HSV related diseases such as Chickenpox, Shingles, Hepatitis B, and Infectious Mononucleosis, Acquired Immune Deficiency Syndrome (AIDS), Cytomegalovirus (CMV), or Herpes Simplex Virus (HSV), and other diseases which are from time-to-time identified by public health agencies such as the CDC and NHDHHS.

1. Students.

It is the policy of the District that students with communicable diseases should not be excluded from attending school in their regular classrooms so long as their attendance

COMMUNICABLE & INFECTIOUS DISEASES

results in a situation where the risk of transmission of illness to students or employees of the School District, or hazard to themselves, is negligible. All decisions regarding inclusion or exclusion shall be made consistent with this section and the procedures set forth in section B of this policy.

2. Employees.

It is the policy of the School Board that employees (which for the purposes of this policy will include individual consultants/contractors, and volunteers) with communicable diseases not be excluded from attending to their customary employment and duties so long as they are physically able to perform tasks assigned to them and so long as their employment results in a situation where the risk of transmission of illness to students or other employees of the District, or hazard to themselves, is negligible.

3. Special Circumstances and Conditions.

The School Board recognizes that some students or employees, because of age, disability or other special conditions, may pose greater risks for the transmission of communicable diseases than other persons infected with the same illness. Examples include children who display biting behavior and students and employees who are unable to control their body fluids or have uncovered wounds. These conditions need to be taken into account and considered in assessing the risk of transmission of the disease and the resulting effect upon the educational program of the student or employment of the employee.

In the instance of diseases causing suppressed immunity, attendance may be denied to a child with suppressed immunity in order to protect the welfare of the child with suppressed immunity when others in the school have an infectious disease which, although not normally life threatening, could be life threatening to the child with suppressed immunity.

B. PROCEDURES WHEN COMMUNICABLE DISEASE IS SUSPECTED:

- 1. Reporting.** School District employees, including contracted individuals and/or agencies who are performing contracted responsibilities for the School District, and who become aware of a communicable disease or other potentially serious health problem regarding themselves, or of students or other employees, unless prohibited by statutory confidentiality, they will report it to the school nurse, or building Principal/designee.
- 2. Response.** The health risk to others in the school district environment from the presence of a student or employee with a communicable disease shall be determined on a case-by-case basis. In all cases in which the school nurse, or other person designated by the Superintendent, becomes aware that a student or employee of the School District has contracted a communicable disease of the kind in section A of this policy, s/he will take the following steps:
 - a. The parent/guardian(s) of a student will be contacted in order to discuss the situation and determine whatever facts are available; the same information will be communicated promptly among the Superintendent/designee, school nurse and Principal/designee.

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- b. Upon receiving written consent from the parent(s) or guardian of a student or, in the case of an employee, the employee or his/her health care agent (i.e., adult to whom authority to make health care decisions is delegated under an advance directive meeting the requirements of RSA 137-J:20), the school nurse/Superintendent's designee will attempt to confer with the treating physician, if any, in order to determine any significant medical facts concerning the diagnosis of the disease or factors affecting the possible transmission of the disease.
- c. Notify and consult with the health care professionals knowledgeable about the particular disease. Following such consultation, the school nurse, Superintendent or his/her designee, shall determine the immediate, short-term action to be taken relative to educational placement of the student or work assignment for the employee.
- d. When a communicable disease of the kind identified in section A of this policy is suspected or confirmed in an individual, the school nurse shall consult with the Superintendent or designee and appropriate public health officials, to determine whether a student or employee shall be excluded from school or from attending to their customary employment, and whether additional measures are required to protect other members of the school population. Factors specific to individuals, such as biting behaviors, lack of control of body fluids, existence of uncovered wounds or other medically identifiable conditions may also be considered. Recommendations regarding the least restrictive educational placement for a student or continued attendance at work for an employee may be sought on a case by case basis.

In addition to the information obtained in steps a-c, decisions to exclude shall consider criteria from NHDHHS Bureau of Infectious Disease included in its publication *"When Children Should be Excluded or Dismissed from a Childcare Setting"*, or the American Academy of Pediatrics' *"Red Book: Report of the Committee on Infectious Diseases"*, or other general or specific guidance from the NHDHHS or the United States Centers for Disease Control.

- i. Decisions regarding students. Unless the school nurse is unavailable, the ultimate decision to exclude a child from school under this Policy due to a contagious or communicable illness shall be made by the school nurse after consulting with the Superintendent/designee and Principal/designee.

If the school nurse is unavailable, a decision to exclude shall be made by the Superintendent/designee.

If the student is a student with an IEP, 504 plan, or other such individualized learning plan, then decisions regarding alternative settings shall be made according to the applicable laws, regulations and policies.

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Students who are aggrieved by the education plan determinations may appeal said determinations pursuant to state and federal special education law if the infected student is eligible for or claims that s/he is eligible for special education or special education and related services. Excluded students who do not claim that they are eligible for special education or special education and related services, but who are aggrieved by the Superintendent's determinations, may appeal said determinations to the Board.

- ii. Decisions regarding employees. Determinations regarding exclusion or reassignment of employees shall be made by the Superintendent/designee. Absent significant risk to the employee or risk of transmission to students or other employees, the Superintendent shall not alter the job assignment of the infected person. Volunteers are subject to any directives issued by the administration, as are contractors and consultants, subject to the terms of their respective agreements.

If the Superintendent/designee, after taking the steps above, determines that there is a medically recognized risk of transmission of disease in the School setting or that a significant health problem restricts the infected person's ability to work, or presents a substantial hazard to the employee, the Superintendent/designee shall, if necessary, develop an individually tailored plan to accommodate the staff member if possible. Additional persons may be consulted if necessary for gaining additional information, but the infected person must approve of the notification of any additional persons who are informed of the infected person's identity. The Superintendent/designee may consult with legal counsel to ensure that any official action is consistent with state and federal law. If an individually tailored plan is necessary, said plan should be medically, legally, educationally and ethically sound.

- iii. Testing, Social Distancing and Other Extraordinary Measures. Some infectious diseases, viruses, etc., may be so dangerous and or the risk of casual transmission so great, that effective response will require broader measures. Based upon specific recommendations of local, state and/or federal health authorities, the Superintendent is authorized to implement such additional, extraordinary emergency measures as may be necessary and appropriate to address the health risk: e.g., school closure, population exclusion (stay-at-home type instructions), mandatory screenings, mandatory use of personal protective equipment (PPE's), social distancing orders, administrative leaves or temporary adjustments in duties. These provisions are intended to complement, not replace any provisions of Board policy{**}Pandemic/Epidemic Emergencies. Such measures should be taken with prior notice to the Board, if practicable, or as soon as possible thereafter. The Board Chair may determine that the

COMMUNICABLE & INFECTIOUS DISEASES

circumstances, or the measures implemented by the Superintendent, warrant a special or an emergency meeting of the School Board.

3. Practices to Minimize Contamination in Schools.

Good hygiene practices as recommended by local, county and state health authorities are to be followed at all times when handling blood or other body fluids of any student or employee. Parents and employees are not generally required to advise the school if their child has a communicable disease. (Some exception may exist under specific legislation or Executive/emergency orders, in which, such legislation or Executive orders shall supersede this policy to the extent necessary to remove any conflict.) Because the District may not rely on self-reporting, it is appropriate to adopt procedures for the handling of body fluids from any child or employee. This also eliminates the need to notify all maintenance, transportation and building personnel if the District becomes aware of a student or employee with communicable diseases. It is recommended the following procedures be used on a routine basis when blood or any other body fluids including vomitus and fecal or urinary incontinence are involved.

- a. Gloves should be worn when cleaning up any body fluids.
- b. Spills should be cleaned up, the affected area washed with soap and water and disinfected with bleach (one part bleach to ten parts water), or another disinfectant.
- c. All disposable materials, including gloves and diapers, should be discarded into a plastic bag before discarding in a conventional trash system. The mop should also be disinfected with the bleach solution described in B above.
- d. Toys and other personal non-disposable items should be cleaned with soap and water followed by disinfection with the bleach solution before passing to another person. A normal laundry cycle is adequate for other non-disposable items.
- e. Persons involved in the clean-up should wash their hands afterward.

Additional precautions may be recommended or required in certain instances (e.g., social distancing, masks, etc.).

4. Confidentiality and Data Privacy.

Public concern regarding communicable diseases is neither an excuse nor defense for the violation of data privacy rights of students or employees who have or are rumored to have such illnesses.

- A. Personally identifiable health information regarding students is private data and is not to be disseminated to the public or to staff without the strict observance of student privacy rights.

COMMUNICABLE & INFECTIOUS DISEASES

- B. Personally identifiable health data and information regarding employees is private data and may not be released to the public nor to fellow employees without strict observance of privacy rights of public employees.
- C. Parents of other children attending the school, or other school employees, may only be notified of a possible exposure to a communicable disease to the extent permitted, or required, under applicable law, regulations or Executive order. In general, such information will not identify the particular student or employee who has the disease.
- D. Any District employee who violates the confidentiality provisions of this policy shall be subject to discipline. A confidentiality breached by an independent contractor/consultant, could result in termination of the contract for cause.

5. Staff and Student Education.

The School Board recognizes that the education of its residents, staff, and students regarding the risks involved in the spread of infectious diseases in the school setting will help to minimize the risk of transmission to other students and employees while protecting the rights of infected students and employees.

- A. All school district employees should receive instruction regarding appropriate hygienic practices for use in school settings, precautions to be employed where contagious diseases may be encountered and community resources for referral and information.
- B. Any information provided as part of a student's instruction pertaining to sexually transmitted diseases shall comply with Board policy {**}IHAM.

6. Implementation.

The Superintendent is authorized to implement this policy through and procedures, or administrative directives which s/he deems necessary or appropriate.

District Policy History:

First reading: _____

Second reading/adopted: _____

District revision history:

Legal References:

RSA 189:1-a, Duty to Provide Education

RSA 189:31, Removal of Teacher

RSA 186-C, Special Education

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

RSA 193:3, Change of School or Assignment, Manifest Educational Hardship or Best Interest, Excusing Attendance

RSA 200:32, Physical Examination of Student

RSA 200:36, Medical Examination of School Personnel

RSA 200:39, Exclusion from School

COMMUNICABLE & INFECTIOUS DISEASES

NHDHHS Bureau of Infectious Disease's: "*When Children Should be Excluded or Dismissed from a Childcare Setting*," may be found at:

<https://www.dhhs.nh.gov/dphs/cdcs/documents/childrendismissed.pdf>

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NHSBA history: New policy – July 2020

NHSBA revision notes, July 2020, Sample policy EBCG replaces former identical sample policies JLCAA/GBGAA/IHAMC, which addressed only HIV/AIDS. The new policy is intended to apply to communicable diseases generally. This policy will overlap but extend further than current sample EBCF which is more specific to larger scale pandemic/epidemic emergencies.

w/p-update/2020/spring//JLCA Communicable & Infectious Diseases (d1) 2020-U1

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EXCLUSION OF STUDENTS WHO PRESENT A HAZARD*Category: Recommended**Related Policy: EBCG***REVISION/ADOPTION NOTES –*****This text box, and all highlights within the policy should be removed prior to adoption.***

- (a) *General – As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption to assure suitability with the district's own specific circumstances, internal coding system, current policies, and organizational structures. Highlighted language or blank, underscored spaces indicate areas which Boards must change/complete to reflect local personnel titles, policy references, duty assignments etc.*
- (b) *{**} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.*
- (c) *Withdrawn and earlier versions of revised policies should be maintained separately as part of the permanent records of the District.*

A student may be excluded from school when he/she exhibits symptoms of a contagious or communicable illness, or is otherwise a hazard to him/herself or others. Determinations to exclude a child based upon a contagious or communicable illness, or other medical conditions shall be made pursuant to Board policy {**}EBCG.

Exclusions based upon hazards other than contagious or communicable disease may only occur with the approval of the Superintendent.

Parents will be notified if their child is excluded from school and provided with criteria for readmission.

If a student is disabled under the Individuals with Disabilities Act (IDEA), the New Hampshire RSA 186-C, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, or any other law providing special rights to any child with a disability as defined in Ed 1102.01(t), those laws shall govern and shall supersede this policy to the extent this policy may be inconsistent with those laws.

District Policy History:

First reading: _____

Second reading/adopted: _____

District revision history:**Legal and Other References:**

RSA 186-C, Special Education

RSA 193:38, Discrimination in Public Schools

RSA 200:32, Physical Examination of Students

EXCLUSION OF STUDENTS WHO PRESENT A HAZARD

RSA 200:39, Exclusion from School

The Rehabilitation Act of 1973, 29 U.S.C. 705 and 794

Title II of The Americans with Disabilities Act of 1990, 42 U.S.C. 12101, et seq.

NH Dept of Ed. Rules 1102.01(t) and 1124.01

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.*

When adopting this sample or variation of the same, a district should not include the NHSBA history or NHSBA policy notes appearing below. The district should, to the extent possible, include its own adoption/revision history, as well as the legal references and disclaimer as indicated above.

NHSBA history: Revised – June 2020; New policy – February 2007

NHSBA revision notes, June 2020, NHSBA revised JLCG as part of a health policy overhaul with assistance from the NH School Nurses Association. Substantial revisions include more closely tracking the language of RSA 200:39, and re-directing exclusions based upon communicable/contagious diseases to new policy EBCG.

w/p-update/2020/spring//JLCG - Exclusion of Students (d1) 2020-U1

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