

**OFFICE OF THE SUPERINTENDENT OF SCHOOLS
106 Hancock Road
Peterborough, New Hampshire**

CONTOOCOOK VALLEY SCHOOL BOARD

POLICY COMMITTEE MEETING

Tuesday, August 2, 2022

6:00 PM

Location: SAU Finch Conference Room

Agenda

Committee Members: Crista Salamy (Chair), Tom Burgess, Katherine Heck, Janine Lesser, Kevin Pobst, Stephen Ullman

- 1. Call to order**
- 2. Approval of the July 19, 2022 Minutes**
- 3. Policy Review**
 - IJOC: Volunteers
 - IHBB: Programs for Gifted and Talented Students
 - JICI: Dangerous Weapons on School Property
 - JLCD: Administration of Medication in Schools
 - IHBAA: Evaluation Requirements for Children with SPLD (ours is Independent Evaluation)
- 4. 1st Read Read-8/2/2022 School Board Agenda**
 - GBCD: Background Investigations
 - JICD: Student Conduct
- 5. Non-Public Session RSA 91-A:3 II (If Required)**
- 6. Policy Status Update:**

Under review/revision by Administration:

- EHAC: Electronic & Digital Records

Under review by Legal:

- EBB: Safe Schools
- JCA: Change of Class of School Assignment Best Interests and Manifest Hardship
- JLCE: Wellness
- JLCE: Emergency Care and First Aid
- DFGA: Crowdfunding

Under review by Education Committee:

- LCC: Dual Enrollment
 - Under review by district personnel, the Equity Committee will review.

- LC: Relations with Education Research Agencies
 - Under review by administration
- IKL: Academic Integrity and Honesty

Under review by Budget and Property:

- Capital Plan Policy
- DJE: Bidding Requirements

Under review with Nurses:

- JLC: Student Health Services
- JLCA: Physical Examination of Students
- EBCG: Communicable Diseases

Future Agenda Items:

- Spring Update Items
- JBAB: Transgender Students
- FF: Naming of District Buildings and Facilities and Dedication of Areas

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POLICY COMMITTEE MEETING

Tuesday, July 19, 2022

6:00 PM

Location: SAU Finch Conference Room

Minutes

Committee Members: Crista Salamy (Chair), Tom Burgess, Katherine Heck, Janine Lesser, Kevin Pobst, Stephen Ullman

Present: Crista Salamy, Tom Burgess, Kevin Pobst, Stephen Ullman, Dr. Kimberly Saunders, Dr. Ann Forrest, Kat Foecking

1. Call to order

Crista Salamy called the meeting to order at 6:01 p.m.

2. Approval of the June 7, 2022 Minutes

Tom Burgess moved to approve the minutes of June 7, 2022. Kevin Pobst seconded. Stephen Ullman abstained. All others in favor. Motion carried.

3. Policy Review

- IKL: Academic Integrity and Honesty

This policy will go before the Education Committee on August 15th for review.

- JBAB: Transgender Students

A protocol document that was worked on with legal counsel was reviewed. Kimberly Saunders referred to a legal action in Manchester that is underway and suggested waiting to learn more about that before moving forward. The standout issue is around working with parents.

This is the administrative procedure right now. This is what ConVal is using.

Stephen Ullman brought focus to the third paragraph on page 6 that talks about parental knowledge and the possibility of parents presenting a risk of physical or psychological harm to students if informed. How would one know that might be possible? Some parents have acted in similar ways when informed of other information e.g. they may have a history of potential harmful behavior toward their children.

Genderfluid refers to a person whose gender identity and/or expression may be gender nonconforming or non-binary and may be flexible with gender expression even from one day to the next. If this were to be true for a student in ConVal, a plan would be developed for this student and their family.

Discussion took place about a student asking District staff to call them by a name, other than their legal name, that requires parent permission first. The conversation next occurs with the school counseling office and/or administration.

Crista Salamy asked the committee how to move forward. It might be best to monitor the Manchester situation first. The board would look at it now if there were a level of discomfort with it.

Kimberly Saunders recommended waiting to allow the SAU to monitor Manchester and bring it back to a future Policy Committee meeting.

- GBCD Background Investigations

This policy is ready for a first read.

- JICD Student Conduct

Changes reflect the attempt to make sure that the consequences are not graduated.

On page one (1), under section “A”, the first sentence should read “The options for support that may be offered to students at the elementary schools may include.....”

...“may include” appeared elsewhere in the document as well.

This policy may now go forward for a first read.

- FF: Naming of District Buildings and Facilities and Dedication of Areas

Naming buildings and facilities after people was discussed. Kevin Pobst suggested that naming should be timeless. People are not timeless and facilities should not be named after people. Stephen Ullman said that he felt differently. Tom Burgess said that naming buildings or facilities is overrated and should not take place. He said that it often gets watered down. He questioned the purpose.

The compromise put forward was a substantial time delay between a proposal and putting it into effect.

Kevin Pobst agreed to write a draft policy for the Policy Committee to consider. October was slated as the timeline to bring forward.

7. 2nd Read-7/19/2022 School Board Agenda

- EBCF: Epidemic/Pandemic

This policy goes before the School Board this evening for a second read and adoption.

8. Non-Public Session RSA 91-A:3 II (If Required)

None

9. Policy Status Update:

Under review/revision by Administration:

- EHAC: Electronic & Digital Records

Under review by Legal:

- EBB: Safe Schools
- JCA: Change of Class of School Assignment Best Interests and Manifest Hardship
- JLCF: Wellness
- JLCE: Emergency Care and First Aid
- DFGA: Crowdfunding

Under review by Education Committee:

- LCC: Dual Enrollment
 - Under review by district personnel, the Equity Committee will review.
- LC: Relations with Education Research Agencies
 - Under review by administration

Under review by Budget and Property:

- Capital Plan Policy

- DJE Bidding Requirements

Under review with Nurses:

- JLC: Student Health Services
- JLCA: Physical Examination of Students
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Future Agenda Items:

- Spring Update Items
- IJOC: Volunteers
- IHBB: Programs for Gifted and Talented Students

Stephen motioned to adjourn at 6:47 p.m. Unanimous.

Respectfully submitted,

Brenda Marschok

VOLUNTEERS

Category: Recommended

Related Policies: ABA, GBCD, GBCE & IJOA

See also: Form IJOC-R

ADOPTION/REVISION NOTES –

Text between the highlighted lines “~ ~ ~ ~”, and highlights in this sample should be removed prior to adoption.

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

A. **General Policy.** The School Board supports and encourages the use of parent and community member volunteers in our schools to assist school and District staff in meeting the needs of students and serving the school community at large.

B. **Definitions**

1. **Volunteer.** Under the Fair Labor Standards Act (“FLSA”), “volunteers” are persons who perform service (1) without promise, expectation or receipt of compensation for the services rendered (reimbursements, and modest stipends excepted); (2) have offered their services freely and without pressure or coercion from any employer, and (3) are not otherwise employed by the District to perform the same type of services for which the individual intends to volunteer.

This expansive definition includes such services whether for classroom or other student programs or activities, or for services such as committee work, chaperones, trades work, etc..

2. **“Designated Volunteer”** as used in this policy shall have the same definition as in Board policy {**}GBCD - Background Investigation and Criminal Records Check.¹ ~~delete fn.~~
Before a person may volunteer in a position or perform a function falling within the definition of Designated Volunteer, such person must undergo a background investigation and

¹ ~~delete fn.~~ NHSBA moved the definition of “Designated Volunteer” to policy GBCD to help assure that district personnel charged with background checks are aware of the application to certain volunteers. A board could determine to copy the definition in this policy as well. However, it would then need to assure that any future revision to that definition is made in both locations.

VOLUNTEERS

criminal history Records check as described in policy **{**}**GBCD.² **[delete fn.]** Additionally, as required by RSA 189:13-a, XII and policy **{**}**GBCE, all Designated Volunteers must receive training and information relative to child abuse prevention.

- C. **Coaches.** All coaches, including assistant coaches, whether receiving a stipend or not, are Designated Volunteers as defined in paragraph B above. Additionally, head coaches of team or individual sports must be in compliance with all regulations and certification requirements for that sport as set by NHIAA or the applicable organization within which the athletes/members compete or participate. Assistant coaches must meet the same requirements as head coaches or be under the direct supervision of the head coach.
- D. **Volunteer Application, Selection and Assignment.** Persons wishing to volunteer at the District should complete a Volunteer Application form describing their skills, interests and availability. Such forms will be made available at the Principal's or SAU office.

Volunteer selection shall be made based on the qualifications and availability of the volunteer.

Volunteers shall be provided appropriate training at the building level consistent with their tasks, existing District standards and applicable laws and Board policies. This training shall be coordinated under the leadership of the principal or other supervising administrator. At a minimum, such training will include (1) general job responsibilities; (2) information about school facilities, routines, and procedures, including safety and evaluation; (3) work schedule and place of work; (4) expected relationship to regular staff; and (5) information on non-discrimination and prohibition against teaching or advocating discriminatory concepts.

Volunteer assignments shall be made by the building or administrator responsible for that program, or the appointing authority in the event of a committee.

Volunteers shall be assigned only to those staff members who have requested volunteer assistance through their administrative supervisor (e.g., principal, athletic director, facilities director) **[or volunteer coordinator]**, or to administrative or district level committees.

- E. **Supervision.** Volunteers may not be assigned to perform any services within school buildings or during school activities during times that students may reasonably be expected to be in attendance, unless the volunteer is either a Designated Volunteer (i.e., has undergone a background investigation and Criminal History Records Check, or is under the immediate direction of a staff or administration member within the pertinent program).
- F. **Volunteer Responsibilities and Duties.** Other than committee volunteers, and head coaches/directors, volunteers may only serve in the capacity of assistants. Instructional services shall be rendered only under the supervision of certified staff.

All volunteers will sign a confidentiality agreement provided by administration, and shall refrain from discussing the performance or actions of a student except with the student's teacher, counselor, Principal, or other school district employee who has a legitimate educational purpose for discussing such information.

² **[Delete fn.]** See footnote 9 in NHSBA sample policy GBCD regarding additional background checks when there is a break in service. If adding a requirement for mandated additional checks in GBCD, no need to add or consider here.

VOLUNTEERS

Volunteers with special talents, hobbies or experiences may share those with students in a suitable educational setting scheduled by the staff or administrative member responsible for supervising the class, activity, program or project.

Volunteers will refer to their immediate supervisor or other regular staff member for final solution of any student problems which arise, whether of an instructional, medical or operational nature.

- G. Volunteer Termination.** Volunteers serve at the pleasure of the District. Except as may be provided in an individual volunteer's agreement, services of a volunteer may be terminated, without notice, at any time when circumstances in the judgment of the supervising administrator warrant termination.
- H. Implementation.** The Superintendent is authorized to develop and administer any regulations or procedures s/he deems necessary or appropriate to implement this policy.

District Policy History:

First reading: _____ Last revised: _____
 Second reading/adopted: _____ Reviewed/reaffirmed: _____
 Other district policy history: _____

Legal References:

29 U.S.C. 201-219, Fair Labor Standards Act
 29 C.F.R. § 553.101, "Volunteer" defined (state and local governments).
 RSA 189:13-a, School Employee and Volunteer Criminal History Records Check
 RSA 193:40, Prohibition on Teaching Discrimination
 RSA 354-A:32, Prohibition on the Content of Government Programs and Speech
 RSA 508:17, Volunteers; Nonprofit Organizations; Liability Limited.

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.

NHSBA history: Revised – May 2022, July 2019, September 2017, April 2011, August 2007, July 2004 & November 1999

NHSBA revision notes, May 2022, moved the definition of designated volunteer to sample GBCD; added FLSA definitional standards for "volunteer"; included formatting changes to improve useability; added information relating to assuring that volunteers are aware of the prohibition under the State human rights laws (RSA 354-A:31 & 32) against advocating or advancing discriminatory concepts (similar but broader than the prohibition against

VOLUNTEERS

teaching such concepts under 193:40; and finally, changed classification to “Recommended” as the former “required” component regarding designated volunteers is now included in sample GBCD.

w/p-update/2022-U1 Spring/UOC Volunteers 2022-U1 (f)

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IJOC – Volunteers

The District recognizes the valuable contribution made by volunteer assistance of parents and other citizens. The Superintendent is responsible for developing and implementing procedures for the selection and utilization of volunteers, as required by state regulation. School district employees who desire the assistance of a volunteer should request a volunteer through proper administrative channels.

Designated Volunteers

Designated volunteers will be required to undergo a background investigation and a criminal records check. "Designated volunteer" means any volunteer who:

1. Comes in direct contact with pupils on a regularly scheduled basis; or
2. Meets with students on a one-on-one basis; or
3. Any other volunteer so designated by the School Board or Superintendent.

Designated volunteers are subject to the provisions of Policy GBCD – Background Investigation and Criminal Records Check.

Volunteer Application & Selection

Persons wishing to volunteer at the District should complete a Volunteer Application form describing their skills, interests and availability. Such forms will be made available through the Principal's office.

Volunteer selection shall be made based on the qualifications and availability of the volunteer. Volunteers shall be assigned only to those teachers who have requested volunteer assistance. Staff should request volunteers through administrative channels for selected activities and as resource persons.

Assignment shall be made by the school administrator or designee.

Volunteers shall be provided appropriate training at the building level consistent with their tasks and existing district standards. This training shall be developed under the leadership of the principal. Exceptions would be district-wide programs established by the administration whereby general volunteer programs would be defined.

A volunteer may be asked to terminate his/her services when circumstances, in the judgment of the administrator, necessitate termination. A building administrator's decision to terminate service is not subject to appeal.

Volunteer Duties

Selected volunteers will serve in the capacity of assistants and will not be assigned to roles that require specific professional training. Instructional services shall be rendered only under the supervision of certified staff.

All volunteers will sign a confidentiality agreement and shall not discuss the performance or actions of a student except with the student's teacher, counselor, or principal.

The Confidentiality Agreement is included as Appendix IJOC-R.

Assignments shall be limited to assisting staff members with duties such as routine supervisory, tutorial, clerical, housekeeping and material preparation tasks. Assignments shall be limited to situations that will be supervised by a certified staff person.

In some instances, volunteers may perform clerical and material preparation tasks away from the school site.

Volunteers with special talents, hobbies or experiences may share those with students on a scheduled basis in a suitable educational setting.

Volunteers will refer to their immediate supervisor or other regular staff member for final solution of any student problems which arise, whether of an instructional, medical or behavioral nature.

Volunteers will receive orientation, including: (1) general job responsibilities; (2) information about school facilities, routines, and procedures, including safety and evaluation; (3) work schedule and place of work; and (4) expected relationship to regular staff.

Volunteers will receive appropriate training at the building level, consistent with their tasks and existing District standards. This training shall be developed under the leadership of the principal.

Coaches

Volunteer coaches of individual sports must be certified in that sport and be in compliance with all other regulations and standards as set by NHIAA.

Legal References:

RSA 189:13-a, School Employee and Volunteer Criminal History Records Check
Appendix: IJOC-R

Revised: April 2011

Revised: November 1999, July 2004, August 2007

Category: P

See also ABA, GBCD

1st Read: June 7, 2011

2nd Read: July 19, 2011

Adopted: July 19, 2011

PROGRAMS FOR GIFTED AND TALENTED STUDENTS

Category: *Recommended*
 IKFA, IMBC & IMBD

Related Policies: *IHBH, IHBI, IHCD/LEB, IK*

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The Board recognizes the benefit of programs for gifted and talented students. For the purposes of this policy, “gifted and talented student” shall mean “a student identified as having unique academic, artistic, or athletic potential.” ^[1]~~delete footnote~~

[OPTIONAL paragraph] The Superintendent [may **[OR]**/shall] make recommendations to the Board regarding assessments, data and indicators used to determine gifted and talented status and/or regarding programs for such students.] The District will actively assist and support professional development for teachers, educational services staff, and school leaders in the area of gifted and talented instruction.

[OPTIONAL - Only include this paragraph if District has G&T programing/processes] The district shall make detailed information available on its website regarding the policies and procedures used to identify students as gifted and talented and the continuum of services offered to gifted and talented students. The information shall include the criteria used for consideration for eligibility for the gifted and talented services, including the multiple measures used in the

¹ ~~[Delete footnote.]~~ The quoted language is taken directly from the definition provided in RSA 189:29-a. The full definition reads as follows: “means a student identified as having unique academic, artistic, or athletic potential according to **assessments selected and administered locally**.” In short it leaves the substantive components of the qualitative definition to the local school district. This sample policy directs the Superintendent to establish such standards. The last paragraph of the policy restates the reporting requirement of RSA 189:29-a.

PROGRAMS FOR GIFTED AND TALENTED STUDENTS

identification process to match a student's needs with services, and any applicable timelines in the identification process.

Beginning in the 2022-2023 school year, the Superintendent shall submit to the New Hampshire Department of Education, no later than August 1, an annual narrative report detailing the policies, programs, and procedures that are in place to identify and accommodate the unique needs of gifted and talented students. If no such policies, programs, or procedures exist, the report shall so state.

District Policy History:

First reading: _____ Last revised: _____
 Second reading/adopted: _____ Reviewed/reaffirmed: _____
 Other district policy notes: _____

Legal References:

RSA 189:29-b, Identification and Accommodation of Gifted and Talented Students

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NHSBA history: Revised – May 2022, Nov. 1999, July 1998

NHSBA revision notes, May 2022, revised to include the definition of gifted and talented now provided in RSA 189:29-b (enacted in 2021, see HB321), as well as the requirement under that statute for districts to provide a narrative report to the N.H. Dept. of Education describing the district's programs for gifted and talented students; recategorized as "recommended" because of mandated reporting requirement; added provisions to encourage more robust programming/input from boards; and minor edits.

w/p-update/2022-U1 Spring/IHBB Gifted and Talented Students 2022-U1 (1)

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IHBB – Child Find

The Contoocook Valley School District ensures that all children with disabilities who are two and-a-half (2.5) years of age or older but less than twenty-one (21) years of age, within its geographic boundaries, including children with disabilities who are homeless, wards of the State, or attending private schools, regardless of the severity of their disability, and who are or may be in need of special education and related services, are identified, located and evaluated.

Legal References:

NH Code of Administrative Rules, Section Ed 1105, Child Find

See Also: IHBB-R

1st Reading: February 17, 2009

2nd Reading: March 17, 2009

Adopted: March 17, 2009

JICI - WEAPONS ON SCHOOL PROPERTY

(Download policy)

Category: Priority/Required By Law See Also: KFA

Guns and Firearms - Students:

Any pupil who brings or possesses a firearm as defined in section 921 of Title 18 of the United States Code in a safe school zone as defined in RSA 193-D:1 without written authorization from the superintendent or designee shall be expelled from school by the local school board for a period of not less than 12 months. This expulsion may be modified by the Superintendent upon review of the specific case in accordance with other applicable law.

Pursuant to the provisions of 20 U.S.C. § 7151, Gun-Free Schools Act, the Board requires the Superintendent to contact local law enforcement authorities and/or the Division of Children and Youth Services and notify them of any student who brings a firearm or weapon on school property.

Weapons under control of law enforcement personnel are permitted.

All students will receive written notice of this policy at least once each year.

Other weapons:

For the purposes of this policy, "weapon" includes but is not limited to: slung shot, metallic knuckles, billies, knives, electric defense weapons (as defined in RSA 159:20), aerosol self-defense spray weapons (as defined in RSA 159:20), and martial arts weapons (as defined in RSA 159:24).

"Weapon" is further defined as any device, instrument, material or substance, which is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.

Weapons are not permitted in school buildings, on school property, in school vehicles or at school-sponsored activities. This policy applies to students and members of the public alike.

Student violations of this policy will result in both school disciplinary action and notification of local law enforcement authorities.

Members of the public who violate this policy may be reported to local law enforcement authorities, if possession of the weapon is used in a threatening, harassing or intimidating manner.

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

Legal References:

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18 U.S.C. § 921, Et seq., Firearms
20 U.S.C. § 7151, Gun-Free Schools Act
RSA 193:11, Disturbance
RSA 193-D, Safe School Zones
RSA 193:13, Suspension and Expulsion of Students
NH Code of Administrative Rules, Section Ed. 317, Standards and Procedures for
Suspension and Expulsion of Pupils Including Procedures Assuring Due Process
Appendix JICD-R
Appendix JICI-R

Revised: April 2013

Revised: November 1999, February 2005, May 2006, April 2010

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JICI – Dangerous Weapons On School Property

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

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

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

Violations of the policy will result in both disciplinary action and notification to the police. Disciplinary action may include suspension, expulsion, or termination.

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

Pursuant to the provisions of 20 U.S.C. § 7151, Gun-Free Schools Act, the Board requires the Superintendent to contact local law enforcement authorities and/or the Division of Children and Youth Services and notify them of any student who brings a firearm or weapon on school property.

The Superintendent or other building administrators may exercise his/her best judgment in determining the scope of this policy as it relates to inadvertent or unintentional violations of this policy by ~~staff or~~ students, provided such inadvertent or unintentional violation of this

policy does not affect the safety of students, school staff or the public.

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

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

Legal References:

18 U.S.C. § 921, Et seq., Firearms

20 U.S.C. § 7151, Gun-Free Schools Act RSA 193-D, Safe School Zones

RSA 193:13, Suspension and Expulsion of Students

NH Code of Administrative Rules, Section Ed. 317, Standards and Procedures for Suspension and

Expulsion of Pupils Including Procedures Assuring Due Process

Category: P – Required

See also KFA

1st Read: September 4, 2018

2nd Read: September 18, 2018

Adoption: September 18, 2018

ADMINISTERING MEDICATION TO STUDENTS**Category: Priority/Required by Law****Related Policies: EHB, JLC & JLCE****REVISION/ADOPTION NOTES –**

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- (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.*

Related Forms: JLCD-R, JLCD-F1, JLCD-F2 &**JLCD-F3****A. General Provisions for Administration of Medication.**

Medication whether prescription or over-the-counter ("OTC"), shall only be administered to or taken by students during the school day in accordance with this policy, and the corresponding administrative procedures record-keeping found in **{**}** JLCD-R.

This policy shall extend to any school-sponsored activity, event, or program.

Medication is to be administered by a school nurse, as defined in RSA 200:29 ("the school nurse"). The school nurse may delegate the administration of medication to others only as permitted under the New Hampshire Nurse Practice Act, and N.H. Code of Administrative Regulations Nur 404. If no such person is available, the building principal or the principal's designee is permitted to assist students in taking required medications by:

- i. making such medications available to the student as needed;
- ii. observing the student as he/she takes or does not take his/her medication; and
- iii. recording whether the student did or did not take his/her medication.

Whenever possible, medications, should not be taken during the school day. Upon receiving a request from the parent, guardian, or physician relative to a particular student's need for medication during school hours, the school nurse may contact the parent, or guardian to discuss whether the student should remain at home, or whether the medication should be taken before, during, and/or after school. The nurse may also inquire about any other medical conditions requiring medications and any special side effects, contraindications, and adverse reactions to be observed.

ADMINISTERING MEDICATION TO STUDENTS

1. Prescription Medication will be only be administered in school only after receiving and filing in the student's health record the following:
 - a. A written statement from the licensed prescriber conforming to the requirements of N.H. Department of Education Rule 311.02 (i)(1) (included in District procedures {**}JLCD-R).
 - b. A written authorization from the parent/guardian as provided in N.H. Department of Education Rule 311.02 (i)(2) & (3) (included in District procedures {**}JLCD-R).
2. Over-the-Counter Medication may be administered to a student with previous written authorization from the parent/guardian. The school nurse may, however, require a licensed prescriber's order, or further information/direction from a licensed health care provider (i.e., physician, advanced registered nurse practitioner, licensed physician's assistant or dentist), before administering an OTC medication to a student. The authorization shall contain the same information, with the same access, as is required relative to prescription medications.

To the extent consistent with New Hampshire's Nurse Practices Act, RSA 326-B, the school nurse may at his/her discretion accept verbal instructions from a licensed health care provider relative to administration of a prescription medication, and verbal instructions from a parent/guardian with respect to an OTC medication. In both instances, the verbal instructions shall be followed by written statements as provided above.

B. Emergency Administration of Medication.

The school nurse or other properly designated personnel may administer other medications to students in emergency situations provided such personnel has all training as is required by law, and is consistent with the provisions of Board policy {**}JLCE.

C. Field Trips and School Sponsored Activities

A single dose of medication may be transferred by the school nurse from the original container to a newly labeled container for the purposes of field trips or school sponsored activities. For trips or activities necessitating more than one dose, special arrangements for administering medication must be approved by the school nurse or, in the school nurse's absence, the Principal.

D. Other Uses/Administration Prohibited.

No person shall share or otherwise administer any prescription or over-the counter medication with any student except as provided in this policy. Notice of this prohibition will be provided in student handbooks. Students acting in violation of this prohibition will be subject to discipline consistent with applicable Board policies.

ADMINISTERING MEDICATION TO STUDENTS**E. Delivery, Storage and Disposal of Medication.**

Medications provided by the student's parent/guardian may only be delivered to the school nurse or principal/principal's designee. All such medication should be delivered in its original container. The school nurse is directed to keep such medications in a locked cabinet or refrigerator. No more than a 30-day supply will be kept and maintained by the school. The school nurse will contact the parent/guardian regarding any unused medication. Such medication shall be picked up by parent/guardian within ten days after its use is discontinued. If the parent/guardian does not pick up the medication within ten days, the school nurse may dispose of the unused medication and record as such in the student's health record file.

The school nurse may maintain a supply of asthma related rescue medication and the emergency medication epinephrine.

F. Administration and Self-Administration of Epinephrine Auto-Injectors and Inhalers.

Students may possess and self-administer an epinephrine auto-injector if the student suffers from potentially life-threatening allergies. Both the student's parent/guardian and physician must authorize such self-possession and self-administration. If a student finds it necessary to use his/her auto-injector, s/he shall immediately report to the nearest supervising adult. The school nurse or building principal may maintain at least one epinephrine auto-injector, provided by the student, in the nurse's office or other suitable location. Additionally, students may possess and self-administer a metered dose inhaler or a dry powder inhaler to alleviate or prevent asthmatic symptoms, auto-injectors for severe allergic reactions, and other injectable medications necessary to treat life-threatening allergies. Both the student's parent/guardian and physician must authorize such self-possession and self-administration. Such authorization must include the same information required under A.1 of this policy.

Other emergency medications, such as insulin, may be carried and self-administered by the student only with prior approval by the school nurse and written statements from a licensed health care provider and a parent/guardian and in the same manner as described in A.1 of this Policy, and subject to other conditions as the school nurse may require.

G. Medication Records.

The school nurse is responsible for keeping accurate records regarding the administration of medication to students. Such records shall be retained as required under Board policy **{**}**EHB, Data/Records Retention.

H. Implementation: Procedures and Protocols.

ADMINISTERING MEDICATION TO STUDENTS

The Superintendent, in consultation with the school nurse(s), shall be responsible for establishing specific procedures necessary and appropriate to control (e.g., delivery, storage, authorization, record-keeping, reporting, etc.) medications in the schools. Such procedures shall be in writing, and coded as **JLCD-R**. The procedures should be reviewed no less than every two years.

Additionally, and pursuant to N.H. Administrative Rule Ed. 311.02(k), each school nurse shall also develop and implement building specific protocols regarding receipt and safe storage of prescription medications.

District Policy History:

First reading: _____

Second reading/adopted: _____

District revision history:**Legal References:**

.RSA 200:40-b, Glucagon Injections

RSA 200:42, Possession and Use of Epinephrine Auto-Injectors Permitted

RSA 200:43, Use of Epinephrine Auto-Injector

RSA 200:44, Availability of Epinephrine Auto-Injector

RSA 200:44-a, Anaphylaxis Training Required

RSA 200:45, Student Use of Epinephrine Auto-Injectors - Immunity

RSA 200:46, Possession and Self-Administration of Asthma Inhalers Permitted

RSA 200:47, Use of Asthma Medications by Students - Immunity

RSA 200:54, Supply of Bronchodilators, Spacers or Nebulizers

RSA 200:55, Administration of Bronchodilator, Space or Nebulizer

RSA 326-B, Nurse Practices Act

N.H. Code of Administrative Rules, Ed. 306.12(b)(2), Special Physical Health Needs of Students

N.H. Code of Administrative Rules, Ed. 311.02(d); Medication During School Day

N.H. Code of Administrative Rules, Nur 404; Ongoing Requirements

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

ADMINISTERING MEDICATION TO STUDENTS

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 – July 2020, September 2016, September 2015, February 2007

NHSBA revision notes, June 2020, amendments, made with the assistance of the New Hampshire School Nurses Association, included general organization, removal of redundant provisions and clarification of respective authority, and better alignment with other policies; **June 2016**, Amended to reflect enactment of RSA 200:44-a, 200:53-57, all regarding self- administration of certain medications.

w/p-update/2020/spring/JLCD - Administering Medication to Students (d1) 2020-U1

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JLCD – Administration of Medication in Schools

The ConVal School Board, with the advice of the ConVal professional registered nurses (herein referred to as the school nurse) shall establish specific policies and procedures to give protection and controls to the matter of medications in schools (Ed 311.02)(JLCD-R).

The intent of this policy is to provide general standards for the administration of necessary medication to students during school hours and school-sponsored activities.

The following policy will be adhered to when a student requires medication administration during school hours and scheduled school-sponsored activities, events or programs. In addition, the school nurse and principal are responsible for ensuring the provisions of Ed. 311.02, Medication During the School Day, are followed.

Obligations of the District

All medication to be administered shall be kept in a securely-locked cabinet. Controlled medications must be double-locked. If at any time the cabinet is broken into resulting in missing medication, school administration and the police will be notified immediately. The parent/guardian/adult student will be notified of the incident and must replenish the supply of medication.

If the school nurse is not available, the building principal or the principal's designee is permitted to **assist** students in taking required medications by: (1) making such medications available to the student as needed; and (2) observing the student as he/she takes or does not take his/her medication; and (3) recording whether the student did or did not take his/her medication.

The school nurse will maintain all necessary records relative to the emergency administration of medication and will file all such reports as may be required.

The School Board hereby authorizes the school nurse to maintain a supply of emergency medications, i.e.; bronchodilators and epinephrine.

It is the policy of this District that its school nurses and all Health Office Delegates (HODs) shall be properly trained in the administration of medication in a manner consistent with this policy. HODs shall be trained on an annual basis and the school nurse shall document that training to the Director of Student Services. The HOD shall hold and maintain current American Heart Association or American Red Cross CPR/AED/FA Adult and Child certification. This training shall include a practicum.

School personnel shall not provide his/her personal medication to students.

Obligations of the School Nurse

Only the school nurse or the HOD may **administer** medication. If the student requires a comprehensive nursing assessment and/or evaluation, this must be done by the school nurse and cannot be delegated. A school nurse alone has the authority to delegate medication administration and may delegate only if appropriate under the Nurse Practice Act and follows the Standards of Delegation for School Nurses in New Hampshire.

The School Nurse may stock epinephrine in the Health Office per RSA 318:42 for the emergency treatment of anaphylaxis of a student, as determined by the school nurse.

Storage of Medication

It is the policy of the District that all medications, both school, and parent-provided, shall be securely and properly stored, in a manner consistent with all applicable laws, as well as safe and prudent school nursing practices.

At the discretion of the school nurse, other medications, such as insulin, may be carried and self-administered by the student.

A single dose of medication may be transferred by the school nurse from the original container to a newly labeled container for the purposes of field trips or school sponsored activities.

Verbal orders from a licensed health care provider may be accepted by the school nurse only and shall be followed with a written order. Faxed or e-mailed orders are acceptable.

The school nurse is responsible for keeping accurate records regarding the administration of medication to students. The school nurse shall maintain medication records of inventory, storage and administration in accord with ED 311.02 (Medication During the School Day).

Obligations of the Parent/Guardian/Adult Student

Prescribed/OTC (over the counter) medication should not be taken during the school day, if at all possible, to achieve the medical regime during hours at home.

A parent/guardian/adult student, or their designated responsible adult, shall deliver all medication to be administered by school personnel to the school nurse or other responsible person designated by the school nurse as follows: (1) the prescription/OTC medication shall be delivered and kept in a pharmacy or manufacturer labeled container (2) the school nurse or principal's designee receiving the prescription medication shall document the quantity of the prescription medication delivered and have the adult delivering the medication co-sign the documented amount (3) the medication may be delivered by the parent/guardian/adult student or a designated adult, provided that the nurse is notified in advance by the parent/guardian/adult student of the delivery and the quantity of prescription medication being delivered to school is specified (4) the parent/guardian/adult student must ensure that the life-saving medication (Diasat, asthma metered dose inhalers, Epi-Pen, Glucagon) or any other emergency medication

be available to the student at all times. If the student's life-saving medication is not provided by the parent/guardian/adult student, the student shall not be permitted to attend any school-sponsored activities (5) it is the responsibility of the parent/guardian/adult student to notify the health office of any changes in student health, allergy status or medication changes.

Students requiring prescription medication administration must have a ConVal District medication permission form completed by parent/guardian/adult student and a licensed health care provider and placed on file in the health office. The forms shall comply with standards set forth in NH Code of Administrative Rules Section Ed 311.02. The school nurse, with written authorization of parent/guardian/adult student shall administer non-prescription/OTC medication. At the discretion of the school nurse, a written licensed prescriber's order may be required. If the school nurse is not available and written parent/guardian/adult student permission is on file, the principal or principal's designee is permitted to **assist** students in taking OTCs after consultation with the parent/guardian.

Furthermore, any student with a health condition requiring treatment with herbals, homeopathics, essential oils, or other complementary forms of therapeutic interventions shall have a school medication permission form completed by the parent/guardian/adult student as well as a licensed healthcare provider.

Alternative medications should, whenever practicable, be taken at home. Parents/guardians should inform the school nurse of any such alternative medications. The school nurse shall not administer alternative medications, such as herbal medication, homeopathic medication, essential oils, or other similar forms of alternative medication unless the parent/guardian/adult student has completed and placed on file in the school health office a school medication permission form naming the specific alternative medicine and providing evidence that it has been prescribed by a licensed prescriber. The School Nurse shall not administer an alternative medicine that is prohibited by State or Federal law, or which is unlawful to possess in school.

Students may possess and self-administer a metered dose inhaler or a dry powder inhaler to alleviate or prevent asthmatic symptoms, an auto-injector for severe allergic reactions, and other injectable medications necessary to treat life-threatening conditions. The parent/guardian/adult student and physician must authorize such self-possession and self-administration by completing a school self-administration form in accordance with RSA 200:42 and RSA 200:46. Inhalers and epinephrine auto injectors must be properly labeled with the student's name and type of medication. The student will be held responsible to keep self-carried medication in a safe place that is not accessible to other students. When a student finds it necessary to use his/her auto-injector, s/he shall immediately report it to the nearest supervising adult.

Students shall not share any prescription or over-the-counter medication with another student. Notice of this prohibition shall be published in student handbooks. Students acting in violation of this prohibition will be referred to school administration and may be subject to discipline consistent with applicable Board policies (JICH – Drug and Alcohol Use By Students, JIH – Student Searches and Their Property).

Student medications may be retrieved from the health office by the parent/guardian/adult student or a designated adult at any time during regular school hours. Medication will be discarded if not picked up within 10 days after the medication is discontinued. All medication must be picked up by the last day of school or it will be discarded.

Civil Immunity

Nothing set forth in this policy or JLCD-R shall be deemed to abrogate or diminish the civil immunity available under New Hampshire law or either the District or its employees.

Definitions

The “**school day**” means any time during the day, afternoon, or evening when a child is attending school or other school-sponsored activity (Ed 311.02).

Health Office Designee (HOD) (school nurse delegatee) – unlicensed assistive personnel – receives annual training by a school nurse.

Assist – Consists of providing the medication to the student and observing and documenting that the student took the medication.

Administration – Giving medication to the student via the appropriately ordered route by preparing, giving and evaluating the effectiveness of prescription and non-prescription drugs. If the student is unable to administer the medication to his/her self, with **assistance**, only the school nurse or HOD may administer the medication.

Legal References:

RSA 200:42, Possession and Use of Epinephrine Auto-Injectors Permitted

RSA 200:43, Use of Epinephrine Auto-Injector

RSA 200:44, Availability of Epinephrine Auto-Injector

RSA 200:44-a, Anaphylaxis Training Required

RSA 200:45, Student Use of Epinephrine Auto-Injectors – Immunity

RSA 200:46, Possession and Self-Administration of Asthma Inhalers Permitted

RSA 200:47, Use of Asthma Medications by Students – Immunity

RSA 200:53, Bronchodilators, spacers, and nebulizers in schools

RSA 200:54, Supply of Bronchodilators, Spacers or Nebulizers

RSA 200:55, Administration of Bronchodilator, Space or Nebulizer

RSA 318:42, Dealing in or possessing prescription drugs (VII-b)

*N.H. Code of Administrative Rules – Section Ed. 306.12(b)(2), Special Physical Health
Needs of Students*

N.H. Code of Administrative Rules – Section Ed. 311.02(d); Medication During School Day

NH Board of Nursing-Nurse Practice Act – www.nh.gov/nursing/nurse-practice-act/

Standards of Delegation for School Nurses in New Hampshire

Category: P – Required by Law

See also: JICH, JIH, JLCD-R, JLCE

First Read: November 21, 2017

Second Read: December 5, 2017

Adopted: December 5, 2017

IHBAA - EVALUATION REQUIREMENTS FOR CHILDREN WITH SPECIFIC LEARNING DISABILITIES

(Download policy)

Category: Priority/Require by Law

See also IHBA

The District will ensure that all evaluation requirements for children with learning disabilities are evaluated consistent with applicable state and federal laws and regulations. All staff, students, parents and other interested persons are directed to the New Hampshire Department of Education Special Education Policies and Procedures Manual.

NHSBA Note, September 2016: Significant changes and amendments are made to this Sample Policy following NHSBA consultation with the NHDOE Special Education Department and other special education practitioners. The intent of these revisions is to ensure compliance with all special education rules as well as to ensure consistency with NHDOE recommendations. Since such evaluations are required to be followed by all school districts, recitation of laws specific to special education evaluation via school board policy is unnecessarily repetitive and duplicative. Rather, a statement directing interested persons to the NHDOE's Special Education Procedures Manual is within the school board's policy-making role.

Legal References:

*NH Code of Administrative Rules, Section Ed 1107.02(b), Evaluation Requirements for Children With Specific Learning Disabilities
Appendix IHBAA-R*

Revised: September 2016

New Policy: April 2009

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IHBAA – Independent Special Education Evaluations

The State and Federal special education laws require that the SAU #1 school districts evaluate children with disabilities who are in need of special education and related services. The districts evaluate children upon referral for special education and re-evaluate educationally disabled children at least once every three years or when conditions warrant a re-evaluation.

The schools in SAU #1 are committed to ensuring that each child's IEP team bases its decision on high quality, reliable and educationally sound special education evaluations.

As a result, the SAU #1 schools have established the following list of criteria for all special education evaluations the district conducts, obtains or funds.

Unique circumstances may justify deviation from these criteria. If a parent or district staff member is aware of such unique circumstances, they should inform the student's special education teacher, building LEA or district special education administrator immediately.

1. The evaluation must comply with the relevant provisions of the State and Federal Special Education Laws, including 34 C.F.R. 300.530-300.536 and NH Code of Administrative Rules Ed 1107.
2. The evaluator must hold a valid license or certification in the field related to the known or suspected disability. The evaluator must have extensive training and experience in evaluation in the area(s) of concern and be able to interpret the instructional implications of evaluation results.
3. All tests administered will be the current version of the test. The test must be norm referenced for the individual evaluation appropriate for the age and educational level of the child and measure the same cognitive, motoric and achievement skills as district tests, and meet the same standards of technical adequacy for reliability and validity.
4. The cost of the evaluation shall not exceed the usual and customary rate for such evaluations. The school district will not pay for the evaluation until it receives the evaluator's report.
5. The evaluator must review educational records located in the student's local public school and other relevant educational records.
6. The evaluator must either: a) observe the child in one or more educational settings; or b) make at least one contact with the child's general education teacher for the purpose of determining how the student is progressing in the general curriculum. In addition, evaluators are encouraged to make additional contacts with other involved general and special education teachers and related service providers.
7. The evaluator must be permitted to directly communicate and share information with members of the IEP team, the district's Special Education Administrator or the administrator's designees. The evaluator must also release the assessments

- and results, including any parent and teacher questionnaires, to members of the IEP team, the Special Education Administrator or the administrator's designees.
8. All evaluation reports will include the appropriate standardization and reporting methods as designed by the test publishers.
 9. The district shall be entitled to inspect and obtain copies of the evaluator's records directly pertaining to the student being evaluated, including any records created by third parties. However, those records will not be deemed accessible to any school district personnel other than the evaluator, unless and until the district exercises its right to inspect or obtain copies of those records from the evaluator.

Parents have a right [34 C.F.R. 300.502(b)(2)] to request an independent educational evaluation at school district expense when the parent disagrees with the school district's evaluation. The provision for independent educational evaluation cannot be invoked by a parent who has refused to consent to a district evaluation.

The schools in SAU #1 may deny a request for an independent educational evaluation at public expense and initiate a due process hearing to demonstrate that the district's evaluation was appropriate.

A parent always has the right to get an independent educational evaluation at his or her own expense. The team must consider the results of any independent educational evaluation, regardless of who pays for it, if the evaluation meets the district's criteria in decisions about the provision of a free and appropriate public education for the child.

Category: P

See also IHBA

1st Board Reading: October 17, 2006

Board Adoption: November 7, 2006