

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

**CONTOOCOOK VALLEY SCHOOL BOARD**

**POLICY COMMITTEE MEETING**

**Tuesday, April 18, 2023**

**5:45 PM**

**Location: SAU Finch Conference Room**

**Agenda**

**Committee Members:** Crista Salamy (Chair), Tom Burgess, Katherine Heck, Michael Hoyt, Thomas Kirlin, Janine Lesser

**1. Call to order**

**2. Approval of the March 7, 2023 Minutes (pg. 1-3)**

**3. Policy Review**

- EBCA: Crisis Prevention & Emergency Response Plans (pg. 4-5)
- JICA: Student Dress Code (pg. 6-9)
- KFA: Public Conduct on School Property (pg. 10-14)
- JBAB: Transgender and Gender Non-Conforming Procedure (pg. 15-20)
- IKFC: Alternate Diploma (pg. 21-23)
- CM: School District Annual Report (pg. 24)

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

**5. Policy Status Update:**

**Scheduled for Next School Board Agenda:**

- ICA: School Calendar (Rescind)

**Under review/revision by Administration:**

- JJJ: Access to Public School by Nonpublic, Charter Schools, and Home Educated Students
- JLDDB: Suicide Prevention and Response
- JLCB: Immunization of Students (Reworded and Re-lettered)
- JLCA: Physical Exams

**Under review by Legal:**

- JLCF: Wellness
- IHBAA: Evaluation Requirements for Students
- IHBG: Home Education Instruction
- AC: Non-Discrimination, Equal Opportunity Employment and District Anti-Discrimination Plan
- AC-E: Non-Discrimination

**Under review by School Board Committee:**

- Capital Plan Policy (Budget & Property)
- EG/KDA: Public Information Program (Communication)
- IKL: Academic Integrity and Honesty – (Education Committee)
- JLCF: Wellness

**Under review with Nurses:**

- JLCA: Physical Examination of Students

**On Hold:**

- DJB/DJB-R: Purchasing Procedures
- DJE: Bidding Requirements

**Future Agenda Items:**

- Fall Update Items

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

**CONTOOCOOK VALLEY SCHOOL BOARD**

**POLICY COMMITTEE MEETING**

**Tuesday, March 7, 2023  
5:45 PM  
Location: SAU Finch Conference Room**

**Minutes**

**Committee Members:** Crista Salamy (Chair), Tom Burgess, Katherine Heck, Kevin Pobst, Doug Sutherland, Janine Lesser

**Present:** Crista Salamy, Tom Burgess, Katherine Heck, Doug Sutherland, Dr. Kimberly Saunders

**1. Call to order**

**Crista Salamy called the meeting to order at 5:50 p.m.**

**2. Approval of the February 21, 2023 Minutes**

**Tom Burgess moved to approve the meeting minutes of February 21, 2023. Doug Sutherland seconded. Doug Sutherland and Katherine Heck abstained.**

**3. Policy Review**

- JJA: Student Activities & Organizations

Kimberly Saunders reported having made the changes requested previously. This policy is ready for a first read.

- IC: School Year and School Year Calendar

Kimberly combined IC and ICA into policy IC. ICA will be rescinded.

- ICA: School Calendar (Rescind)

This policy will be rescinded as a result of combining IC and ICA into one policy IC.

- EBCD: Emergency Closings/Emergency School & District Closings

The NHSBA policy and ConVal policy were merged. The NHSBA policy is more comprehensive. Leaving distance education was recommended for future consideration as an option. EBCD is ready for a first read.

- EBCA: Crisis Prevention & Emergency Response Plans

We have emergency school plans that go to the Department of Education yearly. Kimberly Saunders said that she prefers the NHSBA policy over the current ConVal policy. It is more comprehensive. Crista Salamy agreed. Kimberly agreed to clean up the policy and return to the Policy Committee meeting.

- EBCA-R: Emergency Plans Checklist for Developing a School Emergency Plan

- IKL: Academic Integrity and Honesty

Previous discussion on this policy focused on the consequences. Vagueness was preferred to allow flexibility to allow the removal of language about receiving a zero for the course.

The Education Committee reviewed this policy. Administration needs to weigh in. It is an optional policy.

Katherine Heck shared a situation of plagiarism that has risen to the legal level.

This could be sent back to the Education Committee for further consideration and reflection based on AI.

Katherine shared concern that absent a policy, students would be treated differently for the same offense of cheating. Something should be in place so that students think critically.

- AC: Non-Discrimination, Equal Opportunity Employment and District Anti-Discrimination Plan

Kimberly suggested that this be reviewed, updated and then sent to legal for review.

- AC-E: Non-Discrimination

Crista asked about policy CM: School District Annual Report. The annual report is the governing bodies report and requires approval.

DJE: Bidding requirements - This is on a "soft pause".

DJB is also on hold.

#### **4. Non-Public Session RSA 91-A:3 II (If Required)**

None.

#### **5. Policy Status Update:**

##### **Under review/revision by Administration:**

- IHBG: Home Education Instruction
- JJJ: Access to Public School by Nonpublic, Charter Schools, and Home Educated Students
- JLDBB: Suicide Prevention and Response
- IKL: Academic Integrity and Honesty – Education Committee Recommendation
- JLCB: Immunization of Students (Reworded and Re-lettered)

##### **Under review by Legal:**

- JLCF: Wellness
- IHBAA: Evaluation Requirements for Students

##### **Under review by Budget and Property:**

- Capital Plan Policy

##### **Under review by Communication Committee:**

- EG/KDA: Public Information Program

##### **Under review with Nurses:**

- JLCA: Physical Examination of Students

##### **Future Agenda Items:**

- Fall Update Items

**Katherine Heck moved to adjourn at 6:34 p.m. Seconded. Unanimous.**

Respectfully submitted,

Brenda Marschok

**CRISIS PREVENTION & EMERGENCY RESPONSE PLANS**

*Category: Recommended*

*Related Policies: ADD, EB, EBCD, EG, JICK & JLCJA*

*Related Administrative Procedures: EBCA-R & EG-R*

The Board recognizes that schools are subject to a number of potentially dangerous events, such as natural disasters, industrial accidents, acts of terrorism, and other violent events. No school is immune from these events no matter the size or location. The Board is committed to the prevention of these events, to the extent possible, in the schools and at school-sponsored activities.

- A. Site-specific Emergency Operations Plan (RSA 189:64).** Each school shall develop a site-specific school emergency operations plan ("EOP") based on and conforming with the Incident Command System and the National Incident Management System and pursuant to RSA 189:64.

Each Emergency Operations Plan will address hazards as including, but not limited to: acts of violence, threats, natural disasters, fire, hazardous materials, medical emergencies, and other hazards deemed necessary by the School Board or local emergency authorities.

School building principals shall annually review their site-specific EOP and submit updated plans (or report of no changes) to the Superintendent or designee for review by August 1.

If, after such review, the plan remains unchanged, then the Superintendent or designee in conjunction with the building principal shall notify the New Hampshire Department of Safety and/or the New Hampshire Department of Education by October 15 that the plan is unchanged. If an Emergency Operations Plan is updated/revised, the Superintendent or designee in conjunction with the building principal shall submit the updated Emergency Operations Plan to the Director of Homeland Security and Emergency Management of the Department of Safety by October 15.

*All-hazard and fire evacuation drills shall be conducted annually pursuant to Board policy EBCB.*

- B. District-wide Crisis Prevention and Response Plan.**

The Superintendent, in consultation with appropriate personnel, and in coordination with local emergency authorities, shall develop a District-wide Crisis Prevention and Response Plan (the "District Crisis Plan"). The District Crisis Plan shall serve as a compilation of each site-specific Emergency Operations Plan for each District school and shall include the current Sports Injury Emergency Action Plan as required under Board policy JLCJA and RSA 200:40-c.

The District-wide Crisis Plan will include provisions addressing coordination of crisis prevention and responses between and among the different schools, grounds, school buses, and other facilities of the District.

The District Crisis Plan shall be updated and provided to the Board for review by October 31 each year (i.e., after the site-specific EOP's are submitted to the state).

- C. Coordination.** The Superintendent will establish a relationship with local and state emergency services (e.g., police, fire, ambulance, etc.). Unless otherwise provided in a site-specific EOP, the District-wide Crisis Prevention and Response Plan or the District Communication Plan, the Superintendent, or his/her designee, will serve as the coordinator/liaison with these authorities. Additionally, the Superintendent should designate personnel to explore the availability of any

**CRISIS PREVENTION & EMERGENCY RESPONSE PLANS**

training or support provided by the New Hampshire Departments of Education and/or Safety associated with risk assessment, crisis management, and other matters related to this policy.

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**Legal References:**

RSA 189:64, Emergency Response Plans

RSA 193-D, Safe School Zones

RSA 193-F, Pupil Safety and Violence Prevention

RSA 200:40-c, Emergency Plans for Sports Related Injuries

N.H. Dept. of Education Administrative Rule, Ed. 306.04(a)(2), Promoting School Safety

**STUDENT DRESS CODE****Category: Optional****Related Policies: JIC**

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**ADOPTION/REVISION NOTES –**

*Text between the highlighted lines “~~~~”, and highlights in this sample should be removed prior to FINAL adoption, but policy committee and/or board should review before removal.*

- (a) **USER SUGGESTION** – *Because of ADA compliance requirements, and other technological restrictions, some intended formatting does not appear on sample policies available through the NHSBA main policy database page. For MS Word versions of the samples (after 2008), we recommend accessing samples through the “Previous Policy Updates” link on the bottom of the NHSBA policy homepage. The password is the same as for the main policy database page.*
- (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.*

~~~~~

The Board recognizes that student individual dress is primarily a parental responsibility that should reflect concern for health and safety of students, staff and others. When the dress of an individual student constitutes a health problem, is unsuitable for school wear, is a danger to any person, or causes a substantial and material disruption or substantial disturbance, the principal shall take appropriate action to correct the situation.

The dress code within each school shall be administered fairly, consistently, and equally to all students. The dress code shall not be enforced in a manner that discriminates against a particular viewpoint or results in a disproportionate application of the dress code relative to students’ gender, gender identity, sexuality, race, ethnicity, household income, or body type or size.

Enforcement must accommodate clothing worn by students as an expression of religious beliefs (e.g., head scarves) and worn by students with disabilities (e.g., protective helmets).

Enforcement shall not indirectly discriminate against students based on hair texture and or hairstyles, including, but not limited to, braids, locks, and twists.

**District Standards:** [<sup>1</sup> Delete fn.]

A. **Students must wear:**

<sup>1</sup> [Delete fn.] A board may decide to either adopt district specific dress code standards or allow each school to adopt its own set of specific standards – ESPECIALLY for K-12 districts. The lists in this section are EXAMPLES of objective standards.



**STUDENT DRESS CODE**

1. A Shirt/dress (with fabric in front, back, under the arms, with straps/sleeves and covering the mid-section);
2. Pants, skirt, leggings, shorts, etc.; and
3. Shoes.

**B. Students must not wear:**

1. Tops that do not completely cover the mid-section;
2. Caps, hats, and other head gear;
3. Clothing depicting hate speech, offensive, vulgar, or racist language or pictures;
4. And clothing that glorifies, encourages or promotes the use of alcohol or drugs.

Building Principals shall assure that any District or School standards are included in the Student Handbook and otherwise communicated to students annually.

Notwithstanding District or School standards, some courses and school activities may require adjustments to attire and hairstyle or may require specific attire to ensure safety during academic activities (e.g., science labs or PE).

Students who violate this policy will be given an opportunity to correct the situation by either changing the clothing, removing the clothing (if appropriate), wearing it inside-out, or other means as determined by the principal so the student is in compliance with this policy. Students who repeatedly violate this policy may face more severe punishment, including detention, in-school suspension, or out-of-school suspension.

School staff shall not confront students on dress-code violations in a manner that unnecessarily disciplines or publicly shames the student. When a school staff member or school administrator discusses a dress code violation with a student, it is recommended that another adult should be present and at least one of the two adults should be the same sex as the student.

**District Policy History:**

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

**Legal References:**

U.S. Constitution, 1<sup>st</sup> Amendment  
 RSA 189:15, Regulations  
 RSA 193:38, Discrimination in Public Schools

***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*

**STUDENT DRESS CODE**

*enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

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**NHSBA history:** Revised Aug. 2022, Nov. 2007, Aug. 2006, Oct. 2004, Nov. 1999, July 1998

**NHSBA revision notes, Aug. 2022,** updated to include provisions intended to minimize discrimination against protected classes, and minimize risk of inadvertent, perceived or real harassment in the enforcement of such a code. Also recoded policy as optional.

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# JICA – Student Dress Code

The ConVal School Board recognizes that student individual dress is primarily a parental responsibility that should reflect concern for health and safety of students, staff, and others. When the dress of an individual student constitutes a health problem, is unsuitable for school wear, is a danger to any person, or causes a substantial and material disruption or substantial disturbance, the principal shall take appropriate action to correct the situation.

Building Principals are authorized to issue regulations consistent with this policy and developed collaboratively to provide on appropriate level of consistency throughout the District. Such regulations should be approved by the Superintendent of Schools or designee.

Category: R

1st Read: September 2, 2014

2nd Read: November 18, 2014

Adopted: November 18, 2014

**CONDUCT ON SCHOOL PROPERTY****Category: Recommended****Related Policies: AC, JIC, JICI, JICK & KI****ADOPTION/REVISION NOTES –**

*Text between the highlighted lines “~~~~”, and highlights in this sample should be removed prior to FINAL adoption, but policy committee and/or board should review before removal.*

- (a) **SPECIAL POLICY NOTE:** *The impetus for the revisions to this sample was the 2022 passage of HB1178, now codified as RSA Chapter 159-E. Among other things, that statute precludes state or local public agencies, subdivisions, or their employees from enforcing any federal law, regulation, or executive order that is inconsistent with New Hampshire state law pertaining to firearms, ammunition, or knives. As New Hampshire does not have a law that specifically prohibits non-students from carrying firearms on school property, the policy required revision to the previous prohibition against “weapons” on school grounds. (Students are prohibited from possessing or using firearms on school property by virtue of RSA 193:13.)*

*Instead, this policy prohibits the use, as well as the reckless, attempted or threatened use of any object, etc. to injure, intimidate, harass or coerce another person.*

*Boards should review with local counsel other possible policy options concerning firearms (e.g., re staff), and district and building administrators should review with local law enforcement protocols for responses to individuals carrying firearms on school grounds.*

- (b) *User suggestion – Because of ADA compliance requirements, and other technological restrictions, some intended formatting does not appear on sample policies available through the NHSBA main policy database page. For MS Word versions of the samples (after 2008), we recommend accessing samples through the “Previous Policy Updates” link on the bottom of the NHSBA policy homepage. The password is the same as for the main policy database page.*
- (c) *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.*
- (d) *General – 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.*
- (e) *General – {\*\*} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.*
- (f) *General – Withdrawn & earlier versions of revised policies should be maintained separately as part of the permanent records of the District.*

**A. General Statement and Purpose.**

The purpose of this policy is to establish a minimum standard of conduct upon school district property, and during school sponsored events and activities that will provide the best possible educational climate for the students; encourage participation in the educational process by the general public; protect the investment of the public in both the educational process and the

**CONDUCT ON SCHOOL PROPERTY**

physical plant in which it is conducted; and honor and protect the rights of all individuals within the community.

While this policy applies generally to conduct by any and all persons on school property, **additional** policies, rules, regulations, or procedures will apply (1) as to certain defined groups (e.g., **JIC** regarding student conduct); (2) for visits during the school day (see Board policy **KI**); or (3) during other specific activities or times (e.g., **KF** regarding use of school facilities).

**B. Definitions.**

As used in this policy:

1. "Authorized District Personnel" any person who is designated by the Superintendent, the Principal (as to grounds or activities within her/his purview), the Athletic Director (as to athletic events), or any other person or persons so designated by either of them to administer the provisions of this policy relative to specific school property or a school sponsored or approved activity or function.
2. "School property" means any buildings, vehicles, property, land, or facilities used for school purposes or school-sponsored events or activities, whether public or private.

**C. Prohibited Conduct.**

No person on school property or during any school sponsored or approved activity may:

1. Injure, threaten, bully, harass, or intimidate a student, staff member, sports official, coach, or any other person;
2. Engage in behaviors that are harassing or discriminatory in nature based on a person's actual or perceived age, sex, gender identity, sexual orientation, marital status, familial status, disability, religion, national origin race, or color (including those traits historically associated with race, color or religion, including but not limited to head coverings, hair texture, or protective hairstyles);
3. Impede, delay, disrupt, or otherwise interfere with any school function or any activity sponsored or approved by the Board, the Superintendent, building Principal, Athletic Director, or their designees;
4. Damage or threaten to damage another's property;
5. Damage or deface School District property;
6. Smoke or otherwise use tobacco products;
7. Consume, possess, distribute, or be under the influence of alcoholic beverages or illegal drugs/controlled substances; (persons known or suspected to be under the influence of liquor or a controlled substance will not be permitted to enter the school building or grounds, and law enforcement may be contacted);
8. Use, or attempt to use, or threaten to use **any** device, instrument, material, or substance ("prohibited object") with the purpose to injure, threaten, intimidate, or coerce another person;

**CONDUCT ON SCHOOL PROPERTY**

for the purposes of this section, any reckless use of any prohibited object which places or may place another in danger of serious bodily injury is also prohibited;

NOTES: while students are prohibited from possessing firearms on school property under Board policy {\*\*}JICI and RSA 193:13), mere possession or displaying of a firearm by non-student adults [<sup>1</sup> Delete fn.] shall not, in and of itself and without additional circumstances as described in this paragraph, constitute reckless conduct or a violation of this policy;

9. Enter upon any portion of school property at any time for purposes other than those that are lawful and specifically authorized by the Board, the Superintendent, building Principal, Athletic Director, or their designees;
10. Operate (either upon or over school property) a drone or other unmanned aircraft except as provided under Board policy {\*\*}ECD;
11. Violate any state law or regulation, or any duly adopted policy and/or regulation of the Board.
12. Violate any federal law with the exception of any such law that is pre-empted by New Hampshire state law (e.g., RSA 159-E pertaining to firearms, etc.);
13. Operate a motor vehicle in violation of any Authorized District Personnel directive or posted road signs.
14. Refuse to comply with or obey a directive of any Authorized District Personnel or posted rules or regulations.

**D. Enforcement & Consequences.**

Any person who violates this policy or any other acceptable standard of behavior may be ordered to leave school grounds by Authorized Personnel, who may, also at her/his discretion, contact law enforcement. Students and employees who violate this policy shall be further subject to such consequences or interventions as provided under applicable Board policies or District or school administrative regulations.

Additionally, the Board authorizes the Superintendent or his/her designee to issue "no trespass" letters to any person whose conduct violates this policy. The Superintendent is further authorized, upon consultation with district counsel, to file any criminal complaint with respect to such violations.

**E. Severability.**

If any provision of this policy or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the policy which can be given effect without the invalid provision or application, and to this end the provisions of this policy are declared to be severable.

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**District Policy History:**

<sup>1</sup>[Delete fn.] See "Special Policy Note" in adoption notes above relative to firearms policies.

**CONDUCT ON SCHOOL PROPERTY**

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

**Legal References:**

RSA 126-K:7, Use of Tobacco Products on Public Educational Grounds Prohibited  
 RSA 159:26, Firearms, Ammunition, and Knives; Authority of the State.  
 RSA 159-E, Presidential Executive Orders and Statutory Law Relating to the Right to Keep and Bear Arms  
 RSA 193:11, Disturbance  
 RSA 193:38, Discrimination in Public Schools  
 RSA Chapter 193-B, Drug Free School Zones  
 RSA Chapter 193-F, Pupil Safety and Violence Prevention  
 RSA 635:2, Criminal Trespass  
 RSA 631:3, V, Reckless Conduct

***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 Aug. 2022, June 2013, April 2011, April 2006, Nov. 1999, July 1998;

**NHSBA revision notes, August 2022,** Generally revised and restructured policy. Most notable changes included:  
 (a) adding language regarding use, or reckless, attempted or threatened use of any object whatsoever (including firearms and knives – to reflect 2022 enactment of RSA 159-E) to injure, intimidate, harass or coerce another;  
 (b) expansion and clarification of types of prohibited conduct; (c) additional provisions relative to scope of policy and authorized personnel; and (d) added a severability provision.

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# KFA – Public Conduct on School Property

For purposes of this policy, “school property” means any buildings, vehicles, property, land, or facilities used for school purposes or school-sponsored events, whether public or private.

The School District expects mutual respect, civility, and orderly conduct among all individuals on school property or at a school event. No person on school property or at a school event shall:

1. Injure, threaten, harass, or intimidate a staff member, a School Board member, sports official or coach, or any other person;
2. Damage or threaten to damage another’s property;
3. Damage or deface School District property;
4. Violate any New Hampshire law, or town or county ordinance;
5. Smoke or otherwise use tobacco products;
6. Consume, possess, distribute, or be under the influence of alcoholic beverages or illegal drugs, or possess dangerous devices or weapons;
7. Impede, delay, disrupt, or otherwise interfere with any school activity or function (including using cellular phones in a disruptive manner);
8. Enter upon any portion of school premises at any time for purposes other than those that are lawful and authorized by the School Board;
9. Operate a motor vehicle in violation of an authorized District employee’s directive or posted road signs.
10. Violate other District policies or regulations, or an authorized District employee’s directive.

Any person who violates this policy or any other acceptable standard of behavior may be ordered to leave school grounds. Law enforcement officials may be contacted at the discretion of the supervising district employee if such employee believes it necessary.

Additionally, the District reserves the right to issue “no trespass” letters to any person whose conduct violates this policy, acceptable standards of conduct, or creates a disruption to the school district’s educational purpose.

## ***Legal References:***

RSA 193:11, Disturbance

RSA 635:2, Criminal Trespass

## ***Category: Recommended***

1<sup>st</sup> Read: May 3, 2016

2<sup>nd</sup> Read: May 17, 2016

Adopted: May 17, 2016



## **Transgender and Gender Non-Conforming Procedure**

### **I. Introduction**

The Contoocook Valley School District is committed to providing a safe and supportive learning environment for all students that is free from discrimination, harassment, bullying and intimidation, as well as to assist in the educational and social integration of transgender and gender nonconforming students in our schools. These procedures are designed in keeping with these mandates to create a safe learning environment for all students and to ensure that every student has equal access to all school programs and activities. District policy requires that all schools and all personnel promote acceptance and respect among students and staff. Additionally, federal and state law, as well as District policy, requires that all programs, activities, and employment practices be free from discrimination based on sex, sexual orientation, or gender identity. These procedures are intended to be interpreted in light of applicable federal and state laws and regulations, as well as Board policies, procedures and school rules.

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

Parental knowledge, support and participation in this process is imperative., Unless the District has knowledge that disclosure to parents presents a tangible risk of physical or psychological harm to students, the District should involve parents and support students in making disclosure of their gender identity or expression to their parents/guardians.

### **II. Definitions**

The following definitions are not intended to provide rigid labels for students, but to assist in discussing and addressing the needs of students. The terminology in this area is constantly evolving, and preference for particular terminology varies widely. Administrators, school staff, volunteers, students and others who interact with students are expected to be sensitive to the ways in which particular transgender or gender nonconforming students may wish to be identified.

*Gender identity:* A person's deeply held sense or psychological knowledge of their own gender. One's gender identity can be the same or different than that traditionally associated with their assigned sex at birth.

*Gender expression:* The multiple ways in which a person represents or expresses their gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms. Gender expression could be referred to as masculine, feminine, gender nonconforming, etc.

*Cisgender:* Describes a person whose gender identity and expression are aligned with those traditionally associated with their assigned sex at birth.

*Transgender:* Describes a person whose gender identity and/or expression is not aligned with that traditionally associated with their assigned sex at birth. A student will be considered transgender if, at school, they consistently assert a gender identity or expression different from that traditionally associated with their assigned sex at birth. This involves more than a casual declaration of gender identity or expression, but it does not require a medical diagnosis. "Transgender" is often used as an umbrella term to refer to students who identify as transgender, who are gender nonconforming or gender non-binary, gender variant, genderfluid, genderqueer, agender, non-labeling, in the process of questioning their gender, etc.

*Gender non-conforming:* Describes a person whose gender expression, differs from societal and stereotypical gender expectations traditionally associated with their assigned sex at birth.

*Gender non-binary:* Describes a person whose gender identity and/or expression does not align with the gender binary of male or female. A gender non-binary person may describe their gender identity and/or expression as androgynous, genderfluid, genderqueer, agender, non-labeling, etc.

*Genderfluid:* Describes a person whose gender identity and/or expression may be gender nonconforming or non-binary, who has a wider and more flexible range of gender expression that may even change from day to day. While the gender expression of a student who is genderfluid is flexible or may appear to change with some frequency, their gender fluid identity can be recognized as the "gender which the student consistently asserts at school" in regard to this procedure.

*Gender Transition:* The process by which a person goes from living and identifying as one gender to living and identifying as another gender. Gender transition is typically prompted by the feeling that an individual's gender identity does not match the one typically associated with their assigned sex at birth. Examples include: Transitioning from a boy to a girl, a girl to a boy, a girl to gender non-binary, or a boy to gender non-binary. For elementary and secondary students, this involves minimal or no medical interventions. In most cases, transgender students under the age of 18 are in a process of "social transition" from one gender to another.

*Sexual Orientation:* Describes a person's romantic and/or sexual attraction. Sexual orientation is different and not the same as gender identity or gender expression. In this procedure, sexual orientation refers to an individual's "actual or perceived" sexual orientation.

This procedure will be used to address needs raised by transgender or gender nonconforming students and/or their parent(s)/guardian(s). All students and their families should be aware of all students' rights and policies and the District's commitment to create supportive learning communities for all students, including transgender and nonconforming students.

### **III. Gender Support Plan**

While a student's need to transition at school can come to the school's attention in a number of ways, the school's procedures for developing and implementing a plan of support is activated only when the school is notified by either the parent/guardian or the student, and they request that the school assist in the development of how the transition will be communicated to the school community.

1. A parent or guardian may approach a school or District administrator about their child's transition. In such a case, the administrator should meet with the parents and student to discuss the school's role in supporting the student's transition, and if appropriate and requested by the parent/student, develop a Gender Support Plan. The meeting may include such additional school personnel as are necessary to support the student provided the family or student specifically requests or consents to their presence. The meeting should include a discussion as to the appropriate school personnel to whom the Plan should be distributed, as well as documentation of the parent and/or the adult student's consent to the Plan. The Gender Support Plan would include the timing of the transition, planning responses to questions from school staff and students, and updating the student's information in the school records, among other questions that may arise. **If the parties cannot reach an agreement about the elements to be included in the plan, the Superintendent or designee shall be consulted.**

A transgender or gender nonconforming student and/or their parent(s)/guardian(s) can contact the student's counselor or building administrator to discuss ways that we can support a student. In the case of a student who has not yet enrolled in school, the appropriate building administrator should be contacted.

2. A student may approach a staff member about their transition. While not the only way, the most frequent way this happens is students approaching staff members requesting a name change. The staff member response should be:

- a. Thank the student for their disclosure.
- b. Let the student know that we have a process in place to support them and their family.
- c. Affirm that we want them to feel safe in school and that we respect them and their gender identity and expression.
- d. Let them know that we will support them in their transition and that we are committed to ensuring that they have equal access to the school and its programs.
- e. If they have not yet disclosed their gender identity to their parents, we are able to support them in doing so; if the student indicates that their parents are aware, or if the student indicates that they would like support in disclosing to their parents the staff

member should reach out to the building administrator. The District shall encourage and support prompt disclosure to the Parents.

The staff member should then share the information with the building administrator, who will coordinate next steps, which will involve working with the student and their parents/guardian.

If a student, who is a minor (which includes those who have not graduated high school and is still attending school), asks District staff and/or administrators to keep information related to their transgender or gender nonconforming status from their parent(s)/guardian(s), the District staff/administrator should not make any promises concerning confidentiality to the minor student. While the District recognizes that it is important to speak with the student prior to involving parents, guardians, or other family members to determine whether doing so would be safe and support the student's health and well-being, these determinations related to disclosure should be made on a case-by-case basis in conjunction with the Director of Student Services. Individual considerations will need to be made based on the age of the student and any other mitigating circumstances, including the safety and wellbeing of the student. In these cases, schools should develop a plan for information sharing which supports the student, while balancing the parents right to information under FERPA.

The District notes that studies show, in most cases, parental involvement is beneficial to children who are in transition. Therefore, wherever possible, provided no concerns for the student's safety or wellbeing would arise from the disclosure, the administrator should, with the student's consent, arrange a meeting with the family to discuss the student's transition. The planning for this meeting should involve the student to determine what role, if any, the student would like to play during the meeting. For example, in some instances a student may want to disclose their transgender status themselves, while in others the student may not want to be at the meeting at all. In either scenario, the administrator should be prepared to discuss how this issue is affecting the student in school and the importance of family acceptance to a student's short- and long-term well-being. Additionally, where appropriate, the school counselor may participate in this meeting with the student's consent.

#### **Guidance on Specific Issues:**

- 1.) Privacy: The student's Gender Support Plan should address how to deal with disclosures that the student is transgender or gender nonconforming. In some cases, a student may want school staff and students to know, and in other cases the student may not want this information to be widely known. School staff should take care to follow the student's Gender Support Plan and not to inadvertently disclose information that is intended to be kept private or that is protected from disclosure. The breadth of disclosure of the Gender Support Plan should be consistent with the student privacy concerns.

School staff should keep in mind that under FERPA, student records may only be accessed and disclosed to staff with a legitimate educational interest in the information. Disclosures to others should only be made with appropriate authorization from the Administration and/or parents/guardians in a manner consistent with FERPA.

- 2.) Official Records: Schools are required to maintain a permanent record for each student which includes legal name and gender. This information is also required for standardized tests and official school unit reports. This official information will only be changed upon receipt of documentation that a student's name or gender has been changed in accordance with any applicable laws. Any requests to change a student's legal name (not to include adoption) or gender in official records should be referred to the Superintendent

To the extent that the school is not required to use a student's legal name or gender on school records or other documents, the school should use the name and gender identified in the student's Gender Support Plan.

- 3.) Names/Pronouns: A student who has been identified as transgender or gender nonconforming under this procedure should be addressed by school staff and other students by the name and pronouns corresponding to their gender identity that is consistently asserted in school.
- 4.) Restrooms: As a general rule, all students, including students who have been identified as transgender or gender nonconforming under this procedure, should be permitted to use the restrooms consistent with the gender which the student consistently asserts at school. Any student who expresses a need for additional privacy will be provided with reasonable alternative facilities or accommodations such as using a separate single-occupancy or a staff facility. However, a student shall not be required to use a separate single-occupancy facility.
- 5.) Locker Rooms: As a general rule, all students, including transgender or gender nonconforming students, will be permitted to use the locker room assigned to the gender which the student consistently asserts at school. No student will be required to use the locker room that conflicts with the gender identity consistently asserted in school. Any student who expresses a need for privacy will be provided with reasonable alternative facilities or accommodations, such as using a separate stall, a staff facility or separate schedule.
- 6.) Other Gender-Segregated Facilities or Activities: As a general rule, in any other facilities or activities when students may be separated by gender, all students, including transgender, and gender nonconforming students, may participate in accordance with the gender identity consistently asserted in school. Any unique considerations that need to be expanded regarding overnight field trips should be brought to the attention of the Administration. Interscholastic athletic activities should be addressed through the NHIAA participation policy, Article II, Section 21.
- 7.) If there are no facilities (restrooms, locker rooms, or other gender-segregated facilities) that align with the gender which the student consistently asserts at school (ie. in the case

of a student who is gender non-binary), recommendations of the student, parent(s)/guardian(s) and medical or mental health professionals should be obtained by the school and considered into the Plan developed for the student.

- 8.) All students, including transgender and gender nonconforming students, may dress in accordance with their consistently asserted gender identity, consistent with any applicable requirements in the dress code or school rules.
- 9.) Safety and Support for Transgender, Gender Nonconforming Students and Transitioning Students: School staff are expected to comply with any Plan developed for a transgender, gender nonconforming, and/or transitioning student and to notify the building administrator or other designated support person for the student if there are concerns about the Plan, or about the student's safety or welfare.

School staff should be sensitive to the fact that transgender, gender nonconforming and transitioning students may be at a higher risk for being bullied or harassed or self harm to include suicidality, and should immediately notify the appropriate administrator upon becoming aware of any related concerns.

**Staff Training and Informational Materials This area will be expanded as we implement this guidance and evaluate what more is needed.**

- 1.) The Superintendent or designee (such as building principal) may institute in-service training and/or distribute educational materials about transgender and/or gender nonconforming matters to school staff as deemed appropriate.
- 2.) Teachers and other staff who have responsibilities for a transgender and/or gender nonconforming student with a Gender Support Plan will receive support in implementing the Plan.
- 3.) A template of the Gender Support Plan will be provided as the process is rolled out.
- 4.) A Gender Support Plan, if developed, should be filed in a file separate from the student's other educational records, and should be kept in a manner that protects the student's privacy with respect to their transgender or gender nonconforming status.

# **ALTERNATE DIPLOMA FOR STUDENTS WITH SIGNIFICANT COGNITIVE DISABILITIES**

**Category: Recommended**

**Related Policies: IHBA, IHBI, IKF**

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## **ADOPTION/REVISION NOTES –**

*Text between the highlighted lines “~~~~”, and highlights in this sample should be removed prior to FINAL adoption, but policy committee and/or board should review before removal.*

- (a) **USER SUGGESTION** – Because of ADA compliance requirements, and other technological restrictions, some intended formatting does not appear on sample policies available through the NHSBA main policy database page. For MS Word versions of the samples (after 2008), we recommend accessing samples through the “Previous Policy Updates” link on the bottom of the NHSBA policy homepage. The password is the same as for the main policy database page.*
- (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) **General** – 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) **General** – {\*\*} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.*
- (e) **General** – Withdrawn & earlier versions of revised policies should be maintained separately as part of the permanent records of the District.*

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**A. PURPOSE.** The purpose of this policy is to meet the requirements of the federal Every Student Succeeds Act ("ESSA") to establish and allow the awarding of a District Alternate Diploma to certain students with the most significant cognitive disabilities.

**B. INTRODUCTION.** Under ESSA, states may adopt alternate content standards and alternate assessments for students with the most significant cognitive disabilities. In states that have adopted such alternative content standards, ESSA allows local school boards to adopt policies allowing certain students with significant cognitive disabilities the ability to earn an Alternate Diploma based on the alternative content standards.

An Alternate Diploma provides students who may have ordinarily earned certificates of attendance, or completion under New Hampshire Administrative Rule Ed 306.27(q), with the option to earn a diploma.

New Hampshire has adopted Dynamic Learning Maps (DLM) as an alternate assessment tool. The DLM assessment measures yearly student progress, and provides independent standards which align with the NH Statewide Assessment.

Accordingly, this policy authorizes the District to award an Alternate Diploma in accordance with the below requirements and conditions.

## **C. ELIGIBILITY.**

Consistent with ESSA, the Alternate Diploma may be awarded to students who:

**ALTERNATE DIPLOMA FOR STUDENTS WITH SIGNIFICANT  
COGNITIVE DISABILITIES**

1. Have significant cognitive disabilities;
2. Have a current Individualized Education Program ("IEP"); and
3. Participate in the state authorized alternate assessment (currently DLM).

The Alternate Diploma is NOT available to students without IEP's, including students with Section 504 plans.

**D. DETERMINATION OF AWARD.**

The determination to award the Alternate Diploma is the responsibility of the student's IEP team, including the student's parent(s)/guardian(s). The IEP team's consideration of the appropriateness of an Alternate Diploma should be included in transition planning beginning at age sixteen (16). Details of this decision shall be included in the student's IEP transition plan in accordance with Ed 1109.03.

**E. TIME OF AWARD.**

The student may choose (individually or through the IEP team) to receive the Alternate Diploma at one (1) of three (3) times:

1. At graduation with common age peers;
2. At the conclusion of the student's IEP; or
3. Upon reaching age twenty-two (22).

If the student participates in the traditional graduation ceremony, the student will be included in the graduation program with no difference in listing from his/her peers awarded a regular diploma.

**F. EFFECT OF AWARD AND CONTINUED ELIGIBILITY.**

1. Under 34 CFR 300.102 (a)(3), the awarding of any document other than regular high school diploma shall not terminate a child's eligibility for a free and appropriate public education ("FAPE"). Accordingly, earning an Alternate Diploma does not end a student's eligibility for special education services. Rather, students who have earned the Alternate Diploma, and are otherwise eligible for special education services, may continue to receive such services and may continue working towards meeting the requirements for the regular high school diploma.
2. Alternate Diplomas awarded under this policy are counted in the state graduation rate, while certificates of attendance or equivalency are not.

**G. IMPLEMENTATION.**

The Superintendent, with the assistance of the [Director of Special Education/Student Services Director] is directed to establish and make available procedures and administrative rules to implement this policy.



## **ALTERNATE DIPLOMA FOR STUDENTS WITH SIGNIFICANT COGNITIVE DISABILITIES**

**District Policy History:**

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

**Legal References:**

20 U.S.C. §7801 (23) - Every Student Succeeds Act (§ 8101(a)(23))  
 34 CFR 300.102 (a)(3); 300.43; and 300.320(b)  
 RSA 193-E - Adequate Public Education  
 RSA 186-C:2, Definitions  
 Ed 306.27(q)(4)- Minimum Standards/High School Requirements/Equivalency Diplomas  
 Ed 1109.03- When and IEP is in Effect...Transition Services

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

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***When adopting this sample or variation of the same, a district should not include the NHSBA history or NHSBA policy notes 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 – August 2022; New policy – May 2018.

**NHSBA revision notes, August 2022**, revised to reflect 2022's SB 394 and HB 1513 which both amend the definition in RSA 186-C:2 of "child with a disability" to include persons up to 21 years of age (inclusive). **May 2018** This is a new policy intended to adopt the provisions of the federal Every Student Succeeds Act ("ESSA") which allow the awarding of a "state-defined" Alternate Diploma to certain students with the most significant cognitive disabilities. NHSBA adoption consideration: If adopting this sample policy, language of the designated parties should be checked for consistency with District personnel (e.g., Director of Special Education, Student Services Director, etc.).

w/p-update/2022-U2 Fall/tmp-7-Ri8w1Hv48gyj-.docx

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# CM – School District Annual Report

An annual report covering the business and educational programs of the school system and the administration's recommendations for their improvement shall be prepared by the Superintendent and presented to the School Board prior to the annual Deliberative Session. Upon Board approval, the report shall be made available to the public and used as one means for informing parents and citizens, the state education agency, and other school districts in the area of the programs and conditions of the schools.

**Legal Reference:**

RSA 193-E:3.I, (a), (b), Delivery of an Adequate Education

RSA 193-H:4, School Performance and Accountability

RSA 194:31, Register; Reports

RSA 197:7 Posting Warrant

*Category: R*

1st Read: June 4, 2013

2nd Read: June 18, 2013

Adopted: June 18, 2013

< CHD - Administration In Policy Absence

DA - Fiscal Management Plan (<https://schoolboard.convalsd.net/district-policies/d-fiscal-management/da-fiscal-management-plan/>)