

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

**CONTOOCOOK VALLEY SCHOOL BOARD**

**POLICY COMMITTEE MEETING**

**Tuesday, August 8, 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 June 6, 2023 Minutes**
- 3. Policy Review**
  - JICA: Student Dress Code
  - JBAB: Transgender and Gender Non-Conforming Procedure
  - IKFC: Alternate Diploma
  - JLCF: Wellness
  - KFA: Public Conduct on School Property
- 4. Non-Public Session RSA 91-A:3 II (If Required)**
- 5. Policy Status Update:**

**Scheduled for Next School Board Agenda:**

- KFA: Public Conduct on School Property (1st Read)

**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:**

- 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

## 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

**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.**

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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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***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, 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.

w/p-update/2022-U2 Fail/tmp-7-LkY7KTY2Wj1Y-.docx

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## **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 –**

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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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**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.).

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# JLCF – Wellness

The Contoocook Valley School District is committed to providing a school environment that enhances learning and the development of lifelong wellness practices.

To accomplish these goals, the Board directs the administration to implement rules and regulations aimed at ensuring:

- Child Nutrition Programs will comply with federal, state, and local requirements, and will be accessible to all children.
- Sequential and interdisciplinary nutrition education will be provided and promoted.
- Patterns of meaningful physical activity that connect to students' lives outside of physical education will be encouraged.
- Physical education programs will meet federal and state regulations and standards.
- School-based activities will be consistent with local wellness policy goals.
- All food made available on school grounds during school hours, including vending concessions, a' la carte, student stores, parties, and fund raising will be consistent with Competitive Food Guidelines for K-12 schools.
- At least 75% of all food made available on school grounds after school dismissal, including vending, concessions, a' la carte, student stores, parties, and fundraising will be consistent with the Competitive Food Guidelines for K-12 Schools.
- All beverages made available on school grounds, including vending concessions, a' la carte student stores, parties, and fund raising will be consistent with the Competitive Food Guidelines for K-12 Schools.
- All foods provided by the District will adhere to food safety and security guidelines.
- The school environment will be safe, pleasing, and comfortable, and will allow ample time and space for eating meals.
- Food will not be used as a reward or punishment, unless necessitated by a student's Individualized Education Plan/504 Plan.
- Implementation/monitoring of this policy will be reported to the School Board annually by the Superintendent's designee, with recommendations for guideline changes if necessary or appropriate.

## Legal References:

*RSA 189:11-a, Food and Nutrition Programs*

*Section 204 of Public Law 108-265, Child Nutrition and WIC Reauthorization Act of 2004*

*NH Code of Administrative Rules, Section Ed. 303.01 (g), Duties of School Boards*

*NH Code of Administrative Rules, Section Ed. 306.11, Food & Nutrition Services*

*NH Code of Administrative Rules, Section Ed. 306.40, Health Education Program*

*NH Code of Administrative Rules, Section Ed. 306.41, Physical Education Program*

*FDA Food Code*

Category: P

Adoption: May 17, 2011

Amended: February 5, 2013

Amended: February 4, 2014



**Category: Priority/Required by Law**

**Related Policies: EF, IMAH, JLC, JLCF & JLCI**

The Board recognizes the importance of proper nutrition and developmentally appropriate physical activity as ways of promoting healthy lifestyles, minimizing childhood obesity, and preventing other diet-related chronic diseases. The Board believes that health and student success are interrelated. The Contoocook Valley School District is committed to providing a school environment that enhances learning and the development of lifelong wellness practices.

This policy outlines the District's approach to ensuring environments and opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day- This policy should be deemed complementary to the other policies of the District pertaining to social and emotional wellness.

This policy applies to all students, staff and schools in the District.

### **Purpose**

A systemic wellness program that integrates both healthy nutrition and physical activity into the health and physical education curriculums and that consults with school health and the food service program.

An overall school environment before, during and after school hours that encourages students to make healthy food choices, develops healthy eating habits, and promotes opportunities for physical activity.

### **Goals**

- I. The District shall teach, encourage, support and model healthy eating habits for students.
- II. The District shall teach, encourage, support, and model age appropriate daily physical activity.
- III. The District shall educate students, employees, school board and community members to the important benefits of a healthy lifestyle.
- IV. The Schools shall comply with the nutrition guidelines outlined in this policy in a manner designed to facilitate the adoption of healthier eating habits.

## **DISTRICT WELLNESS COMMITTEE**

The Superintendent shall designate a Building Wellness Coordinator for each school to help ensure compliance with this policy at the building level. A building level wellness committee may be formed to assist the building coordinator in the implementation and evaluation of this policy.

The Superintendent shall convene a District Wellness Committee whose functions will include review and recommendations regarding implementation of and updates to this policy, and establishment of specific goals for nutrition promotion, education and physical activity.

The District Wellness Committee should represent each school and the diversity of the community. The committee shall consist of the Food Services director, each Building Wellness Coordinator, parents, students, school nurses, physical education teachers, health education teachers, school administrators and a school board member. It may also include outside health professionals such as registered dietitians, pediatricians, pediatric nurse practitioners and members of the public and others with expertise in nutrition and physical activity.

The Superintendent or his/her designee shall serve as the Chairperson of the District Wellness Committee, and shall maintain an updated roster of Building Wellness Coordinators and other persons serving on the Committee. Staff appointments to the Wellness Committee shall be made by the Superintendent or her designee. The School Board Chair shall appoint the School Board member. Remaining members, other than those who are ex officio shall be appointed and approved by the Wellness Committee.

The District Wellness Committee shall meet no less than three (3) times per school year.

As a statutory committee, the Wellness Committee shall comply with the requirements of RSA 91-A regarding meetings.

## **WELLNESS POLICY IMPLEMENTATION, MONITORING, ACCOUNTABILITY AND COMMUNITY ENGAGEMENT**

### **A. Implementation Plan.**

Each Building Wellness Coordinator, with the assistance of the Wellness Committee, will conduct an annual school level assessment based on the Centers for Disease Control and Prevention's School Health Index, using tools available through such programs as the Alliance for a Healthier Generation *Schools / Alliance for a Healthier Generation* and to create an action plan and generate an annual progress report. The school-level assessment/report should be completed by September 30<sup>th</sup> of each school year and provided to the Superintendent.

### **B. Annual Notification of Policy.**

The District will annually inform families and the public of basic information about this policy, including its content, any updates to the policy, and implementation status. The District will make this information available via the district website. This information will include the contact information of the chairperson of the Wellness Committee as well as how the public can get involved with the District Wellness Committee.

### **C. Triennial Progress Assessments.**

Every three years, the Wellness Committee will assess:

- . The extent to which each of the District's schools are in compliance with the wellness policy;
- . The extent to which the District Wellness Policy compares to model wellness policies; Wellness Committee And
- . A description of the progress made in attaining the goals of the District's Wellness Policy.

The Wellness Committee will make recommendations to update the District Wellness Policy based on the results of the annual School Health Index and triennial assessments and/or as District priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. The Board will review and act upon such assessments as required or as the Board deems appropriate.

**D. Recordkeeping.**

The Superintendent or his/her designee will retain records related to this Policy, to include at least the following:

- . The District Wellness Policy;
- . The most recent assessment on the implementation of the local school wellness policy;
- . Documentation on how the District Wellness Policy and Policy assessments are/were made available to the public;
- . Documentation confirming annual compliance with the requirement that District Wellness Policy, including updates, and the most recent assessment on the implementation of the Policy have been made available to the public; and
- . Documentation of efforts to review and update the District Wellness Policy; including who is/was involved in each update and methods the District uses to make stakeholders aware of opportunities to participate on the District Wellness Committee.

**E. Community Involvement, Outreach and Communications.**

The District will communicate ways in which representatives of the District Wellness Committee and others can participate in the development, implementation and periodic review and update of the wellness policy through a variety of means appropriate for that district. The District will also inform parents/guardians of the improvements that have been made to school meals and compliance with school meal standards, availability of child nutrition programs and how to apply, and a description of and compliance with Smart Snacks in School nutrition standards.

## **NUTRITION**

### **A. School Meals.**

All schools within the District participate in USDA child nutrition programs, including the National School Lunch Program (NSLP) and the School Breakfast Program (SBP). District schools are committed to offering school meals that:

- Are accessible to all students;
- Are appealing and attractive to children;
- Are served in clean and pleasant settings;
- Promote healthy food and beverage choices; and
- Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations. The District offers reimbursable school meals that meet USDA nutrition standards, which may be found at:

~~<https://www.fns.usda.gov/school-meals/nutrition-standards-school-meals>~~  
~~<https://www.fns.usda.gov/school-meals/nutrition-standards-school-meals>~~

### **B. Staff Qualifications and Professional Development**

The District shall meet or exceed the applicable state and federal qualifications and standards for its school food and nutrition personnel as well as the applicable hiring, professional standards and annual continuing education standards.

### **C. Water.**

To promote hydration, free, safe, unflavored drinking water will be available to all students at every school throughout the school day, including mealtimes. To the extent drinking water comes from well water, the well water shall be tested for potability in accord with state standards, but no less than on a triennial basis.

### **D. Competitive Foods and Beverages and Marketing of Same in Schools.**

"Competitive foods and beverages" (i.e., foods and beverages sold and served or marketed during the school day, but outside of the school meal programs) must meet the USDA Smart Snacks in School nutrition standards, which may be accessed at:

~~<https://www.fns.usda.gov/school-meals/smart-snacks-school>~~

These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias and vending machines.

Except as may be provided elsewhere in this Policy, any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the USDA Smart Snacks in School nutrition standards. Food and beverage marketing is defined as advertising and other promotions in schools, including, but is not limited to:

- Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container.
- Displays, such as on vending machine exteriors.
- Corporate brand, logo, name or trademark on school equipment, such as marquees, message boards, scoreboards or backboards (**note:** immediate replacement of these items are not required; however, districts will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is in financially possible over time so that items are in compliance with the marketing policy.).
- Corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, pupil assignment books or school supplies displayed, distributed, offered or sold by the District.
- Advertisements in school publications or school mailings.
- Free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

Corporate brand names, logos, and trademarks for companies that market products that comply with the USDA Smart Snacks in School nutrition standards will not be prohibited because they offer some non-compliant food or beverage items in their product line. Likewise, the marketing restrictions do not apply to clothing or other examples of expression which include brand information for non-compliant food or beverage items.

As the District, school athletic department, and parent teacher associations review existing contracts and consider new contracts, equipment and product purchasing (and replacement) decisions should reflect the applicable marketing guidelines established by the District wellness policy.

#### **E. Celebrations and Rewards.**

All foods offered during the school day on the school campus will meet or exceed the USDA Smart Snacks in School nutrition standards. Foods and beverages will not be used as a reward or withheld as punishment for any reason. Schools should limit celebrations that involve food during the school day. The District will make available a list of healthy party ideas to parents and teachers, including non-food celebration ideas, and a list of foods and beverages which meet Smart Snack nutrition standards. Each party should include no more than one food or beverage that does not meet nutrition standards for foods and beverages

#### **F. D. Food Sale Fundraising.**

Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus during the school day. Fundraising groups are encouraged to choose non-food fundraisers, and to consider healthy fundraising ideas. Notwithstanding this provision, each school may allow up to nine (9) bake sales or other fundraising food sales of non-compliant foods (i.e., that do not meet Smart Snack standards), which are no more than one day in duration each.

#### **G. Nutrition Promotion.**

The District will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion shall include:

Ensuring 100% of foods and beverages promoted to students during the school day meet the USDA Smart Snacks in School nutrition standards. Additional promotion techniques that the District and individual schools may use are available through the Smart Food Planner of the Alliance for a Healthier Generation, available at:

***<https://www.healthiergeneration.org/our-work/business-sector-engagement/improving-access-to-address-health-equity/smart-food-planner>.***

#### **H. Nutrition Education.**

The District will teach, model, encourage and support healthy eating by all students. Nutrition education shall be included in the health curriculum so that instruction is sequential and standards-based and provides students with the knowledge, attitudes, and skills necessary to lead healthy lives.

- Nutrition education posters will be displayed in each cafeteria or if no cafeteria, each room in which students regularly eat their lunches. .
- Consistent nutrition messages shall be disseminated throughout the school.

## **PHYSICAL ACTIVITY.**

The District will provide physical education consistent with national and state standards. Physical activity during the school day (including but not limited to recess, classroom physical activity breaks or physical education) **will not be withheld** as punishment for any reason.

### **A. Classroom Physical Activity Breaks.**

In addition to any recess periods provided in the ordinary daily schedule, students will be offered periodic opportunities to be active or to stretch throughout the day. The District recommends teachers provide short (3-5 minute) physical activity breaks to students during and between classroom time at least three days per week. These physical activity breaks will complement, not substitute, for physical education class, recess, and class transition periods.

### **B. Before and After School Activities.**

The District offers opportunities for students to participate in physical activity after school through interscholastic and intramural sports and clubs.

### **C. Walking and Biking to School.**

The District will support walking or biking to school by students or faculty only if determined safe by the building principal.

## **V. OTHER ACTIVITIES TO PROMOTE STUDENT WELLNESS.**

The District will endeavor to integrate wellness activities across the entire school setting, not just in the cafeteria or physical education and athletic facilities. In furtherance of this objective each school engage in at least one activity each school year that seeks to integrate wellness throughout the school community.

## **PROFESSIONAL LEARNING.**

When feasible, the District will offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom and school (e.g., increasing the use of kinesthetic teaching approaches or incorporating nutrition lessons into math class).



**Legal References:**

42 U.S.C. 1751, *Richard B. Russell National School Lunch Act*  
42 U.S.C. 1771, *Child Nutrition Act of 1966*  
Section 204 of Public Law 108-265, *Child Nutrition and WIC Reauthorization Act of 2004*  
*The Healthy Hunger-Free Kids Act of 2010*  
7 C.F.R 210, *National School Lunch Program*  
7 C.F.R 220, *School Breakfast Program*  
RSA 189:11-a, *Food and Nutrition Programs*  
N.H. Dept. of Education Administrative Rule – Ed 306.04 (a)(20), *Wellness*  
N.H. Dept. of Education Administrative Rule – Ed 306.11 (g), *Food and Nutrition Services*  
N.H. Dept. of Education Administrative Rule – Ed 306.38 (b)(1)b, *Family and Consumer  
Science Education Program (middle schools)*  
N.H. Dept of Education Administrative Rule – Ed 306.40, *Health Education Program*

***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.

**WELLNESS**

**Category: Priority/Required by Law**

**Related Policies: EF, IMAH, JLC & JLCI**

**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.*

The Board recognizes the importance of proper nutrition and developmentally appropriate physical activity as ways of promoting healthy lifestyles, minimizing childhood obesity, and preventing other diet-related chronic diseases. The Board also recognizes that health and student success are inter-related. It is, therefore, the goal of the Board that the learning environment positively influences a student's understanding, beliefs, and habits as they relate to good nutrition and physical activity.

This policy outlines the District’s approach to ensuring environments and opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. This policy applies to all students, staff and schools in the District.

**I. DISTRICT WELLNESS COMMITTEE.**

The Superintendent, in consultation with [the Director of Food Services, other \_\_\_\_\_], will facilitate development of updates to the District Wellness Policy, subject to School Board approval, and will oversee compliance with the policy. In addition, the Superintendent shall designate a Building Wellness Coordinator for each school to help ensure compliance with this policy at the building level.

The Superintendent shall convene a representative “District Wellness Committee” (or “Wellness Committee”), whose functions will include review and recommendations regarding implementation

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of and updates to this policy, and establishment of specific goals for nutrition promotion, education and physical activity.<sup>1</sup>

The Superintendent or his/her designee shall serve as the Chairperson of the District Wellness Committee, and shall maintain an updated roster of Building Wellness Coordinators and other persons serving on the Committee.

The District Wellness Committee shall meet no less than three times per school year.

The District Wellness Committee should represent each school and the diversity of the community, and to the extent feasible include the Superintendent or her/his designee, *[the Food Services Director/Director of School Nutrition \_\_\_\_\_]*, each Building Wellness Coordinator, parents, students, physical education teachers, health education teachers, school counselors, school administrators, a school board member, outside health professionals, individual school building representatives, and members of the public.

Staff appointments to the Wellness Committee will be made by the Superintendent. The School Board Chair shall appoint the School Board member. Remaining members, other than those who are ex officio, shall be appointed and approved by the Wellness Committee.

As a statutory committee, the Wellness Committee shall comply with the requirements of RSA 91-A regarding meetings.

## **II. WELLNESS POLICY IMPLEMENTATION, MONITORING, ACCOUNTABILITY AND COMMUNITY ENGAGEMENT.**

### **A. Implementation Plan.**

Each Building Wellness Coordinator, with the assistance of the Wellness Committee, will conduct a school level assessment based on the Centers for Disease Control and Prevention's School Health Index, using tools available through such programs as the Alliance for a Healthier Generation *Healthy Schools Program*, and to create an action plan and generate an annual progress report. The school-level assessment/report should be completed by September 30<sup>th</sup> of each school year and provided to the Superintendent.

### **B. Annual Notification of Policy.**

The District will annually inform families and the public of basic information about this policy, including its content, any updates to the policy, and implementation status. The District will make this information available via the district website. This information will include the contact information of the District official(s) chairing the Wellness Committee (i.e., the Superintendent or his/her designee) and any Building Wellness Coordinator(s), in addition to on how the public can get involved with the District Wellness Committee.

### **C. Triennial Progress Assessments.**

<sup>1</sup> Districts with more than 1-2 schools might also consider building level wellness committees, to assist the district committee in the assessment & implementation functions. *[Remove entire footnote before finalizing]*

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Every three years, the *[Food Services Director/Director of School Nutrition \_\_\_\_\_]* will assess:

- The extent to which each of the District's schools are in compliance with the wellness policy;
- The extent to which the District Wellness Policy compares to model wellness policies; and
- A description of the progress made in attaining the goals of the District's Wellness Policy.

The Wellness Committee will make recommendations to update the District Wellness Policy based on the results of the annual School Health Index and triennial assessments and/or as District priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. The Board will review and act upon such assessments as required or as the Board deems appropriate.

**D. Recordkeeping.**

The Superintendent will retain records related to this Policy, to include at least the following:

- The District Wellness Policy;
- The most recent assessment on the implementation of the local school wellness policy;
- Documentation on how the District Wellness Policy and Policy assessments are/were made available to the public;
- Documentation confirming annual compliance with the requirement that District Wellness Policy, including updates, and the most recent assessment on the implementation of the Policy have been made available to the public; and
- Documentation of efforts to review and update the District Wellness Policy; including who is/was involved in each update and methods the District uses to make stakeholders aware of opportunities to participate on the District Wellness Committee.

**E. Community Involvement, Outreach and Communications.**

The District will communicate ways in which representatives of DWC and others can participate in the development, implementation and periodic review and update of the wellness policy through a variety of means appropriate for that district. The District will also inform parents/guardians of the improvements that have been made to school meals and compliance with school meal standards, availability of child nutrition programs and how to apply, and a description of and compliance with Smart Snacks in School nutrition standards.

**III. NUTRITION.****A. School Meals.**

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All schools within the District participate in USDA child nutrition programs, including the National School Lunch Program (NSLP) *[and the School Breakfast Program (SBP)]*. District schools are committed to offering school meals that:

- Are accessible to all students;
- Are appealing and attractive to children;
- Are served in clean and pleasant settings;
- Promote healthy food and beverage choices; and
- Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations. The District offers reimbursable school meals that meet USDA nutrition standards, which may be found at:

<https://www.fns.usda.gov/school-meals/nutrition-standards-school-meals>

**B. Staff Qualifications and Professional Development.**

All school nutrition program directors, managers and staff will meet or exceed hiring and annual continuing education/training requirements in the USDA professional standards for school nutrition professionals, which may be found at:

<https://www.fns.usda.gov/school-meals/professional-standards>

**C. Water.**

To promote hydration, free, safe, unflavored drinking water will be available to all students at every school [throughout the school day, including mealtimes,] {OR}[at all places and times that school meals are served mealtimes, at every school].<sup>2</sup>

Students shall be permitted to bring water bottles to school that:

- (1) Are made of material that is not easily breakable;
- (2) Have lids to prevent spills; and
- (3) Are filled exclusively with water

School Principals may discipline students for the misuse of water bottles, consistent with Board policy {\*\*} JICD.

**D. Competitive Foods and Beverages and Marketing of Same in Schools.**

“Competitive foods and beverages” (i.e., foods and beverages sold and served or marketed during the school day, but outside of the school meal programs) must meet the USDA Smart Snacks in School nutrition standards, which may be accessed at:

<https://www.fns.usda.gov/school-meals/smart-snacks-school>

<sup>2</sup> The Healthy Hunger-Free Kids Act of 2010 requires that schools participating in the NSLP make potable (i.e. drinkable) water available at no charge to students in the places and times that school meals are served. Alliance for a Healthier Generation advocates that such water be available at all times during the school day. Districts are required only to meet the free water during meal time standard, but may adopt a more liberal one.

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These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias and vending machines.

Except as may be provided elsewhere in this Policy, any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the USDA Smart Snacks in School nutrition standards. Food and beverage marketing is defined as advertising and other promotions in schools, including, but is not limited to:

- Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container.
- Displays, such as on vending machine exteriors.
- Corporate brand, logo, name or trademark on school equipment, such as marquees, message boards, scoreboards or backboards (*note: immediate replacement of these items are not required; however, districts will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is financially possible over time so that items are in compliance with the marketing policy.*).
- Corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, pupil assignment books or school supplies displayed, distributed, offered or sold by the District.
- Advertisements in school publications or school mailings.
- Free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

Corporate brand names, logos, and trademarks for companies that market products that comply with the USDA Smart Snacks in School nutrition standards will not be prohibited because they offer some non-compliant food or beverage items in their product line. Likewise, the marketing restrictions do not apply to clothing or other examples of expression which include brand information for non-compliant food or beverage items.

As the District, school athletic department, and parent teacher associations review existing contracts and consider new contracts, equipment and product purchasing (and replacement) decisions should reflect the applicable marketing guidelines established by the District wellness policy.

**E. Celebrations and Rewards.**

All foods offered during the school day on the school campus will meet or exceed the USDA Smart Snacks in School nutrition standards.<sup>3</sup> Foods and beverages will not be used as a reward

<sup>3</sup> Federal law encourages, but does not require, Smart Snack standards to apply to foods or snacks that are NOT promoted or offered for sale during the school day. Individual districts may use alternative standards that are "more or less stringent" than the Smart Snack standards, but the Policy must include the guidelines for those snacks. Accordingly, if the district chooses to loosen the restrictions on food for such things as class celebrations or snacks, the policy should clearly articulate the alternative standards.

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or withheld as punishment for any reason. The District's School Nutrition Services will make available a list of healthy party ideas to parents and teachers, including non-food celebration ideas, and a list of foods and beverages which meet Smart Snack nutrition standards.

**F. Food Sale Fundraising.**

Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus during the school day. Fundraising groups are encouraged to choose non-food fundraisers, and to consider healthy fundraising ideas. Notwithstanding this provision, each school may allow up to nine<sup>4</sup> bake sales or other fundraising food sales of non-compliant foods (i.e., that do not meet Smart Snack standards), which are no more than one day in duration each.

**G. Nutrition Promotion.**

The District will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion will include.<sup>5</sup>

- Implementation of at least \_\_\_\_ or more evidence-based healthy food promotion techniques in the school meal programs using methods included in the Smarter Lunchroom Movement, which may be found at:  
*<https://www.smarterlunchrooms.org/scorecard-tools/smarter-lunchrooms-strategies>*
- Ensuring 100% of foods and beverages promoted to students during the school day meet the USDA Smart Snacks in School nutrition standards. Additional promotion techniques that the District and individual schools may use are available through the Smart Food Planner of the Alliance for a Healthier Generation, available at:

*<https://www.healthiergeneration.org/our-work/business-sector-engagement/improving-access-to-address-health-equity/smart-food-planner>*.

**H. Nutrition Education.**

The District will teach, model, encourage and support healthy eating by all students.<sup>6</sup>

- Nutrition education shall be included in the health curriculum so that instruction is sequential and standards-based and provides students with the knowledge, attitudes, and skills necessary to lead healthy lives.
- Nutrition education posters will be displayed in [each school cafeteria] {OR if no cafeteria} [each room in which students regularly eat their lunches].

<sup>4</sup> The nine bake sale exemption is found in a N.H. Dept. of Education Technical Advisory dated September 13, 2017. Districts may adopt more stringent limitations.

<sup>5</sup> The policy is required to have at least one "measurable goal for nutrition promotion in the school". The second bullet in this Section G articulates one such goal.

<sup>6</sup> The policy is required to have at least one "measurable goal for nutrition education". Included in the policy text above are examples.

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- Consistent nutrition messages shall be disseminated throughout the school.

Schools should provide additional nutrition education that<sup>7</sup>:

- Is designed to provide students with the knowledge and skills necessary to promote and protect their health;
- To the extent practicable is integrated into other classroom instruction through subjects such as math, science, language arts, social sciences and elective subjects;
- May include enjoyable, developmentally-appropriate, culturally-relevant and participatory activities, such as cooking demonstrations or lessons, promotions, taste-testing, farm visits and school gardens;
- Promotes fruits, vegetables, whole-grain products, low-fat and fat-free dairy products and healthy food preparation methods;
- Emphasizes caloric balance between food intake and energy expenditure (promotes physical activity/exercise);
- Links with school meal programs, cafeteria nutrition promotion activities, school gardens, Farm to School programs, other school foods and nutrition-related community services;
- Teaches media literacy with an emphasis on food and beverage marketing; and
- Includes nutrition education training for teachers and other staff.

#### **IV. PHYSICAL ACTIVITY.**

The District will provide physical education consistent with national and state standards. Physical activity<sup>8</sup> during the school day (including but not limited to recess, classroom physical activity breaks or physical education) **will not be withheld** as punishment for any reason.

##### **A. Classroom Physical Activity Breaks.**

In addition to any recess periods provided in the ordinary daily schedule, students will be offered **periodic opportunities** to be active or to stretch throughout the day. The District recommends teachers provide short ([\_\_\_\_\_ 3-5]-minute) physical activity breaks to students during and between classroom time at least three days per week. These physical activity breaks will complement, not substitute, for physical education class, recess, and class transition periods.

##### **B. Before and After School Activities.**

<sup>7</sup> These bulleted items may be refashioned into measurable goals and included immediately above.

<sup>8</sup> The policy is required to have at least one "measurable goal for physical activity". Classroom physical activity breaks are one such example. Before and after school activities are more likely to meet the "measurable goal" requirement if the provision includes specific activities. Other examples include such things as community use of school athletic facilities and equipment, "walk to school" days. Further suggestions, as well as more comprehensive and coordinated physical activity programs, may be found in materials on the Alliance for a Healthier Generation site: <https://www.healthiergeneration.org/resources/physical-activity>



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The District offers opportunities for students to participate in physical activity after school through interscholastic and intramural sports and clubs.

**C. Walking and Biking to School.**

The District will support walking or biking to school by students or faculty only if determined safe by the building principal.

**V. OTHER ACTIVITIES TO PROMOTE STUDENT WELLNESS.**

The District will endeavor to integrate wellness activities across the entire school setting, not just in the cafeteria or physical education and athletic facilities.<sup>9</sup> In furtherance of this objective, each school in the District will *identify at least one activity or list of options with a requirement to engage in one or more* each school year.

**VI. PROFESSIONAL LEARNING.**

When feasible, the District will offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom and school (e.g., increasing the use of kinesthetic teaching approaches or incorporating nutrition lessons into math class).

**District Policy History:**

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

**Legal References:**

42 U.S.C. 1751, Richard B. Russell National School Lunch Act  
 42 U.S.C. 1771, Child Nutrition Act of 1966  
 Section 204 of Public Law 108-265, Child Nutrition and WIC Reauthorization Act of 2004  
 The Healthy Hunger-Free Kids Act of 2010  
 7 C.F.R 210, National School Lunch Program  
 7 C.F.R 220, School Breakfast Program  
 RSA 189:11-a, Food and Nutrition Programs  
 N.H. Dept. of Education Administrative Rule - Ed 306.04 (a)(20), Wellness  
 N.H. Dept. of Education Administrative Rule - Ed 306.11 (g), Food and Nutrition Services

<sup>9</sup> The policy is required to include at least one measurable goal for "other school-based wellness activities". The range of options here is extremely broad, but the policy must state at least one measurable goal. Examples include information dissemination, family engagement, farm-to-table, health fairs, school gardens, partnerships with community health/nutrition organizations. Again, additional resources are available through the Alliance for a Healthier Generation site.

## WELLNESS

N.H. Dept. of Education Administrative Rule - Ed 306.38 (b)(1)b, Family and Consumer Science Education Program (middle schools)

N.H. Dept of Education Administrative Rule - Ed 306.40, Health Education Program

***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, June 2020, May 2014, September 2009, February 2006

**NHSBA revision notes, August 2022,** revised JLCF §III-C (“Water”) to reflect SB 233 (2022 N.H. Laws Ch. 149) which amended RSA 200:11-b, by (1) adding that students shall be permitted to bring certain types of water bottles to schools, (2) stating that Principals may enact discipline for misuse of water bottles; and (3) requiring all renovated or newly constructed public school buildings to have water bottle filling stations. **June 2020,** JLCF was completely revised to conform to current federal regulations pertaining to school lunch and school breakfast programs, and N.H. Department of Education guidelines.

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**DISCLAIMER:** This sample policy is copyrighted to the New Hampshire School Boards Association and is intended for the sole and exclusive use of NHSBA Policy Service Subscribers. This sample is provided for general information only and as a resource to assist subscribing Districts with policy development. School Districts and boards of education should consult with legal counsel and revise all sample policies and regulations to address local facts and circumstances prior to adoption. NHSBA continually makes revisions based on school Districts' needs and local, state and federal laws, regulations and court decisions, and other relevant education activity.

# UPDATED 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. 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);
5. 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;
6. Violate any New Hampshire law, or town or county ordinance;
7. Smoke or otherwise use tobacco products;
8. Consume, possess, distribute, or be under the influence of alcoholic beverages or illegal drugs, or possess dangerous devices or weapons (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);
9. Impede, delay, disrupt, or otherwise interfere with any school activity or function (including using cellular phones in a disruptive manner);
10. Enter upon any portion of school premises at any time for purposes other than those that are lawful and authorized by the School Board, the Superintendent, building Principal,, or their designees;
11. Operate a motor vehicle in violation of an authorized District employee’s directive or posted road signs.
12. Operate (either upon or over school property) a drone or other unmanned aircraft except as provided under Board policy
13. Violate other District policies or regulations, or an authorized District employee’s directive.\
14. Refuse to comply with or obey a directive of any Authorized District Personnel or posted rules or regulations.

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 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

***Category: Recommended***

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

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

Adopted: May 17, 2016

# 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

# **CONDUCT ON SCHOOL PROPERTY**

Category: Recommended

Related Policies: AC, JIC, JICI, JICK & KI

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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) **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.*

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## **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.

**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

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**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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