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**SECTION A: FOUNDATIONS AND BASIC COMMITMENTS**

Section A contains policies on the District's legal role in providing public education and the basic principles underlying School Board governance and certain non-discrimination policies.

<b><u>Code</u></b>	<b><u>Title/Content</u></b>
AA .....	School District Legal Status
ACAA.....	Harassment and Sexual Harassment of Students
ACAB.....	Harassment and Sexual Harassment of School Employees
AC *	Nondiscrimination/Equal Employment Opportunity
ACE.....	Nondiscrimination on the Basis of Handicap/Disability
	...Non-Discrimination
	...Grievance Procedure
	...Procedural Safeguards
AD .....	Mission Statement of the District
ADB.....	Drug Free Schools (See SRSD Policy GBEC)
ADC.....	Tobacco Products Ban
	...Use of Tobacco Products Strictly Prohibited
	...Students
	...Employees
	...All Other Persons
ADD.....	Safe Schools

\*  
The Superintendent of Schools has published Rules and Procedures related to this policy.

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2

### **SECTION B: SCHOOL BOARD GOVERNANCE AND OPERATIONS**

3

Section B contains policies on the School Board - how it is appointed or elected; how it is organized; how it conducts meetings, and how it operates.

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<u><b>Code</b></u>	<u><b>Title/Content</b></u>
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6

BAAA	..... School Board Policies and Administrative Rules and Procedures
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	... Generally
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8

	... Contents of Board Policy and Administrative Procedure
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9

	... Limitations of Policy
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10

	... Exceptions
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BBA	..... School Board Powers and Duties
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BBAA	..... Board Member Authority
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BBBA	..... Board Member Qualifications
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BBBF	..... Student-Members of the School Boar
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BCA	..... Board Members - Ethics Policy Statement
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BCB	..... Board Member Conflict of Interest
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BDB	..... Board Officers
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BDC	..... Appointed Board Officials
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BDD	..... Board-Superintendent Relationship
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BDDA	..... Emergency Superintendent Succession
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BDE	..... Committees and Delegates
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BDF	..... Citizens Advisory Committees
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	... Types
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	... Organization and Dissolution
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	... Appointments
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	... Communication
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BDG	..... School Attorney Use
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BEA	..... Regular Board Meetings
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BEB	..... Emergency Board Meetings
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BEC	..... Non Public Sessions
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BEDC	..... Quorum (See SRSD Policy BEA)
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BEDG	..... Minutes
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BEDH	..... Public Participation at Board Meetings
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1	BFE .....	Administration in Policy Absence (See SRSD Policy CHD)
2	BG .....	Board Policy Development
3	BGA.....	Board Policy Development and Procedure
4		...Responsibility for System Maintenance
5		...Classification and Coding of Policies
6		...Criteria for Development of a Policy Statement
7		...Content of a Policy Statement
8	BGB.....	Ratification of Policies/Policy Adoption
9		...Procedure for Adoption
10		...Adoption Policy
11		...Record of Adoption and Effective Date
12		...Procedure for Immediate Action
13	BGC .....	Policy Review and Evaluation
14	BGD .....	Board Review of Published Administrative Rules and Procedures
15	BGE.....	Policy Dissemination
16	BGF .....	Repeal/Suspension of Policies
17		...Repeal
18		...Suspension
19	BHC.....	Board Communications with Staff
20		... Staff Communications to the Board
21		... Board Communications to Staff
22		... Visits to Schools
23	BHD.....	Communication with the Public by the Board
24	BHE .....	School Board Use of Electronic Information
25	BIE .....	Board Member Insurance/Liability

26 \* The Superintendent of Schools has published Rules and Procedures related to this  
 27 policy.

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**SECTION C: GENERAL SCHOOL ADMINISTRATION**

Section C contains policies on school management, administrative organization, and school building administration. Section C also includes personnel policies on the Superintendent and School Principals.

<b><u>Code</u></b>	<b><u>Title</u></b>
CA.....	Administration Goals
CB.....	Superintendent of Schools
CBG .....	Superintendent's Professional Development Opportunities
CBI <sup>*</sup> .....	Evaluation of Superintendent
CFA.....	Principals
	...Appointment
	...Functions
CFB.....	Evaluation of Principals/Building Administrators
CHCA.....	Approval of Handbooks
CHD .....	Administration in Policy Absence

<sup>\*</sup>The Superintendent of Schools has published Rules and Procedures related to this policy.

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### **SECTION D: FISCAL MANAGEMENT**

Section D contains policies, on school finances and the management of funds. Policies on the financing of school construction and renovation, however, are contained in Section F, Facilities Development.

<u>Code</u>	<u>Title</u>
DAF.....	Administration of Federal Grants
DB *	Annual Budget
DBJ .....	Transfer of Funds/Budget
DFA *	Revenues from Investments/Investment Policy
	...Objectives
	...Account Categories
	...Delegation of Authority
	...Eligible Investments
DGA .....	Authorized Signatures
DH.....	Bonded Employees and Officers
DI *	Fiscal Accounting and Reporting
DIA *	Fund Balance
DID *	Fixed Assets Accounting/Inventories
DIE .....	Audits
DJ *	Purchasing
DJC *	Purchasing from Petty Cash
DJD .....	Cooperative Purchasing
DJE *	Bidding Procedures
DJF .....	Local Purchasing
DK.....	Payment Procedures
DKA *	Payroll Procedures
	...Pay Day Schedule
	...Salary Deductions
DKC .....	Expense Reimbursements
DM .....	Cash In School Buildings
DN.....	School Properties Disposition

\*  
The Superintendent of Schools has published Rules and Procedures related to this policy.

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### **SECTION E: SUPPORT SERVICES**

Section E contains policies on non-instructional services and programs, particularly those on business management such as safety, building and grounds management, transportation, and food services.

<b><u>Code</u></b>	<b><u>Title/Content</u></b>
<b>*</b>	
EB	Safety Program
EBBB	Accident Reports
EBBC	Emergency Care and First Aid (See SRSD Policies JLCD & JLCE)
EBBD	Indoor Air Quality and Water Quality
EBCC	Bombs and Bomb Threats
	...Bombs
	...Bomb Threats
	...No Action
	...Search of District Property
	...Evacuation
	...Re-entry
EBCE	School Closings
EC	Operation of Drones on School Property
<b>*</b>	
ECA	Buildings & Grounds Security
EEA	Student Transportation Services
EEAA	Video and Audio Surveillance on School Property/Transportation
EEAE	School Bus Safety Program
EEAEA	Mandatory Drug and Alcohol Testing for Bus Drivers
<b>*</b>	
EEAF	Buses Authorized for Special Use (See SRSD Policy IJOA)
EEBA	District Owned Vehicles
EEBB	Use of Private Vehicles in School Business
<b>*</b>	
EF	Food Service Management
EFA	Availability and Distribution of Healthy Foods
<b>*</b>	
EFC	Free and Reduced-Price Meals
<b>*</b>	
EFDA	Collection of Money for Food Services
EFE	Vending Machines
<b>*</b>	
EGA	Communication Services – Computer Systems and Internet Access
<b>*</b>	
EGAA	Personally Owned Network Communication Devices
<b>*</b>	
EGAD	Copyright Compliance
EH	Public Access to District Records
EHAB	Data Governance and Security

1	EHB *	Retention of Records
2	EI.....	Risk Management
3		
4		
5	EIB .....	Liability Insurance
6		...Commercial General Liability
7		...Automobile Liability
8		...Errors and Omissions Liability
9		...Workers Compensation Coverage by Contractors
10		
11	EID .....	Insurance/Fidelity Bonds
12	*	
13		The Superintendent of Schools has published <u>Rules and Procedures</u> related to this
14		policy.
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2   **SECTION F: FACILITIES**

3   **Code**                      **Title/Content**

4    FF.....Naming of Facilities & Programs



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### **SECTION G: PERSONNEL**

Section G contains policies on all school employees except for the Superintendent (for policies on the Superintendent see Section C). This section has policies applying to all school employees and general personnel matters, instructional and administrative staff, and support or classified staff.

<b><u>Code</u></b>	<b><u>Title</u></b>
GADA	Employment References and Verification (Prohibiting Aiding and Abetting of Sexual Abuse)
GBAA *	Sexual and Other Harassment
	...General Statement of Policy
	...Sexual Harassment Defined
	...Reporting Procedures
	...Retaliation
	...Investigation and Recommendation
	...Discipline
GBCD	Background Investigation, Criminal Records Check and Fingerprinting Policy
	...Background Investigation
	...Fingerprinting
	...Criminal Background Check
GBD	Board Communication with Staff (See BHC)
GBEA	Staff Ethics
GBEB	Conduct of Employees
GBEBA	Employee Dress Code
GBEBC	Employee Gifts and Solicitations
GBEBD	Employee Use of Social Networking Websites and the Internet
GBEC *	Drug-Free Workplace/Drug Free Schools
GBED	Tobacco Products Ban (See ADC)
GBEE	Conflict of Interest
GBEF	School District Internet Access for Staff (See EGA)
GBG	Protection of Staff
GBGA	Physical Examinations/Staff Health
GBGAA	HIV/AIDS Policy (See JLCC)
GBGD *	Worker's Compensation Temporary Alternative
GBI	Staff Participation in Political Activities
GBJ *	Personnel Records and Files
GBJA *	Health Insurance Portability and Accountability Act
GBK *	Employee Complaints and Grievances
GCAA	Highly Qualified Teachers
GCCBC *	Family and Medical Leave Act
GCF	Professional Staff Hiring
GCG	Substitute Professional Staff Employment
GCID	Training of Professional Staff
GCO	Evaluation of Professional Staff
GCQC	Resignation of Professional Staff
GCR	Non-School Employment by Professional Staff

1 GDO ... .....Evaluation of Support Staff

2 \* The Superintendent of Schools has published Rules and Procedures related to this policy.

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### **SECTION H: NEGOTIATIONS**

4

Section H of the classification system contains policies on the process of negotiations, with bargaining units recognized by the school board.

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#### **Code**

#### **Title/Content**

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**HPA.....Employee Job Actions**

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### **SECTION I: INSTRUCTION**

Section I contains policies on the instructional program: basic curricular subjects, special programs, instructional resources, and academic achievement.

<u>Code</u>	<u>Title/Content</u>
IAB	Video and Audio Recording in School Classrooms
IC	School Year
	...Days
	...Make Up Days
	...School Calendar
IF	Instructional Approach
IFA	Instructional Needs of Students with Different Talents (See IF)
IG	Curriculum Development
IGD	Curriculum Adoption
IGE	Parental Objection to Specific Course Materials
IHAE	Physical Education
IHAK	Citizenship Education/Values Education
	*
IHAM	Health Education and Exemption from Instruction
IHAMA	Teaching about Drugs, Alcohol, Drugs and Tobacco
IHAMC	HIV/AIDS Education (See JLCC)
	*
IHBA	Handicapped Students/Students with Disabilities
IHBAA	Evaluation Requirements for Children with Specific Learning
	Disabilities
IHBB	Gifted and Talented Education Programs
IHBCA	Pregnant Students (See JIE)
	*
IHBEA	English As a Second Language/Limited English Proficient
	*
IHBG	Home Education Instruction
	*
IHBH	Extended Learning Opportunities
	*
IHBI	Alternative Learning Plans
IHCA	Summer Activities
IHCD	Advanced College Placement
	*
IJ	Instructional Materials
	...Definition of Instructional Materials
	...Responsibility and Criteria for Selection
IJL	Library Materials Selection and Adoption
IJNDB	Use of Technology Resources in Instruction (See EGA)
IJO	School, Community and Home Relations (See KA)

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### **SECTION J: STUDENTS**

Section J contains policies on students -- admissions, attendance, rights and responsibilities, conduct, discipline, health and welfare, and school-related activities.

<b><u>Code</u></b>	<b><u>Title/Content</u></b>
JBAA *	Sexual and Other Harassment
	...General Statement of Policy
	...Sexual Harassment Defined
	...Reporting Procedures
	...Investigation and Recommendation
	...Discipline
	...Right to Alternate Complaint Procedures
JBAB	Transgender and Gender Non- Conforming Students
JCA	Assignment of Students to a School
JEB	Entrance Age Requirement
JEC	Manifest Educational Hardship (See SRSD Policy JCA)
JF	Enrollment of Students
JFAA	Admission Procedures
JFAB	Admission of Non Resident and Tuition Students
JFABB *	Admission of Exchange and Foreign Students
	...Purpose
	...Authority
	...Delegation of Responsibility
JFABC	Admission of Transfer Students
JFABD	Admission of Homeless Students
JG	Assignment of Students to Classes and Grade Levels
JH	Attendance, Absenteeism and Truancy
JI	Student Rights and Responsibilities
JIBB	Board Members--Student Member
JIC	Student Conduct
JICA *	Dress Code for Students
JICC	Student Conduct on School Buses
JICD	Student Discipline and Due Process
JICE	Student Publications
JICF *	Gang Activity
JICFA	Hazing
JICG	Tobacco Use by Students (See ADC)
JICH	Drug and Alcohol Use by Students
JICI	Weapons on School Property
JICJ	Electronic Communication Devices
JICK *	Pupil Safety and Violence Prevention - Bullying
JICL	School District Internet Access for Students (See EGA)
JIE	Pregnant Students
JIH	Searches of Students and Their Property
	...Student Searches
	...Establishing Reasonable Suspicion
	...Conducting the Search

1	...	Locker Searches
2	...	Searches of Student Automobiles
3	JIHD .....	Student Interviews and Interrogations
4	JIJ .....	Student Demonstrations
5	JJA *	Student Clubs and Organizations
6	...	School Sponsored Student Organizations
7	...	Non-School Sponsored Student Organizations
8	...	Application for Authorization of Student Organizations
9	...	Organizational Charter
10	...	Organization Supervision
11	...	Meetings of Student Organizations
12	...	Use of Public Funds and Fundraising
13	...	Compliance with Law and Policy
14	JJD *	Student Participation Fees
15	JJE *	Fund-Raising Activities by Students
16	JJF *	Student Activities Funds
17	JJG .....	Non-School Sponsored Contests for Students
18	JJI *	Athletics
19	JJIC .....	Eligibility for High School Athletics/Extra-Curricular Activities
20	JJIF .....	Guidelines for Proper Sportsmanship
21	JK *	Discipline of Students (See JIC)
22	JKA .....	Corporal Punishment
23	JKAA .....	Use of Restraints
24	JLA .....	Student Insurance Program
25	JLC *	Student Health Services
26	JLCA .....	Physical Examinations of Students
27	...	Physical Examinations Upon Entry
28	...	Physical Examinations for Interscholastic Athletic Participation
29	...	Physical Examinations in Special Classes
30	JLCB .....	Immunization of Students
31	...	Immunizations Required
32	...	Exemptions
33	JLCC *	Communicable Diseases
34	...	Universal Precautions
35	...	Instruction
36	...	Immunization Compliance
37	...	Exclusion from School
38	...	Closing Schools
39	...	Medical Records
40		
41	JLCCA .....	Students with HIV/AIDS (See JLCC)
42	JLCD *	Administering Medicines to Students
43	JLCE *	Emergency Medical Care

1	JLCF *	Wellness Policy
2	JLCJ	Concussion and Head Injury
3	JLCK	Special Physical Health Needs of Students
4	JLD	School Guidance and Counseling Program
5	JLDBA	Behavior Management and Intervention
6	JLDBB	Suicide Prevention and Response
7	JLF	Child Abuse Reporting
8	JLI	Safety Programs (See SRSD Policy EB)
9	JLIA *	Supervision of Students
10	JLIB *	Student Dismissal Precautions
11	JLIE *	Automobile Use By Students
12	JM	Awards and Scholarships
13	JRA *	Student Records and Access
14	JRAA	Family Educational Rights and Privacy Act (FERPA)
15		
16	* The Superintendent of Schools has published <u>Rules and Procedures</u> related to this	
17	policy.	

1	JLCK .....	Special Physical Health Needs of Students
2	JLD.....	School Guidance and Counseling Program
3	JLDBA.....	Behavior Management and Intervention
4	JLDBB .....	Suicide Prevention and Response
5	JLF .....	Child Abuse Reporting
6	JLI .....	Safety Programs (See SRSD Policy EB)
7	JLIA *	Supervision of Students
8	JLIB *	Student Dismissal Precautions
9	JLIE *	Automobile Use By Students
10	JM .....	Awards and Scholarships
11	JRA *	Student Records and Access
12	JRAA .....	Family Educational Rights and Privacy Act (FERPA)
13		
14	*	The Superintendent of Schools has published <u>Rules and Procedures</u> related to this
15		policy.



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**SECTION K: SCHOOL - COMMUNITY - HOME RELATIONS**

Section K contains policies, regulations, and exhibits on parent and community involvement in schools. Except for policies concerning education agencies, statements on public sector relations with the school district are located in this section, too.

<b><u>Code</u></b>	<b><u>Title/Content</u></b>
KA	Parent and Community Involvement
KB *	Title 1 Parent Involvement
KBE	Parent Organizations
KCBB	Surveys and Polling
KCD	Public Gifts/Donations
KDC *	Website Publishing
KE	Public Concerns
KEC *	Reconsideration of Instructional Materials
KED	Facilities or Services – Grievance Procedure (Section 504)
KF *	Community Use of School Buildings and Grounds
KFA	Public Conduct on School Property
KH *	Solicitations in the Schools by the Public
KI *	Visitors to the Schools

**\* The Superintendent of Schools has published Rules and Procedures related to this policy.**

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**SECTION L: EDUCATION AGENCY RELATIONS**

Section L contains policies, regulations, and exhibits on the school district's relationship with other education agencies -- including other school systems, regional or service districts, private schools, colleges and universities, education research organizations, and state and national education agencies.

**Code**                      **Title**

LDA .....Student Teaching and Internships

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**SECTION A: FOUNDATIONS AND BASIC COMMITMENTS**

Section A contains policies on the District's legal role in providing public education and the basic principles underlying School Board governance and certain non-discrimination policies.

<b><u>Code</u></b>	<b><u>Title/Content</u></b>
AA .....	School District Legal Status
AC *	Nondiscrimination/Equal Employment Opportunity
ACE .....	Nondiscrimination on the Basis of Handicap/Disability
	...Non-Discrimination
	...Grievance Procedure
	...Procedural Safeguards
AD .....	Mission Statement of the District
ADB .....	Drug Free Schools (See SRSD Policy GBEC)
ADC .....	Tobacco Products Ban
	...Use of Tobacco Products Strictly Prohibited
	...Students
	...Employees
	...All Other Persons
ADD .....	Safe Schools

\* The Superintendent of Schools has published Rules and Procedures related to this policy.

1

Code AA

2 **SCHOOL DISTRICT LEGAL STATUS**

3 The Shaker Regional School District (SRSD) is a political subdivision of the State of  
4 New Hampshire and is considered a "municipal corporation".<sup>1,2</sup>

5 SRSD is a cooperative school district created by the Articles of Agreement between the  
6 pre-existing School Districts of Belmont and Canterbury.<sup>3</sup>

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<sup>1</sup> RSA 194:2

<sup>2</sup> RSA 33:1-I

<sup>3</sup> "Articles of Agreement Between the School Districts of Belmont and Canterbury" (1971), as amended.

**NONDISCRIMINATION/EQUAL OPPORTUNITY**

The Shaker Regional School District does not discriminate on the basis of sex or other protected categories in its education programs and activities, as required by federal and state laws/regulations.

Discrimination against and harassment of school employees because of age, sex, gender identity, sexual orientation, race, creed, color, ancestry or national origin, marital status, familial status, physical or mental disability, religion, or genetic information are prohibited.

Discrimination against and harassment of students because of age, sex, gender identity, sexual orientation, race, creed, color, ancestry or national origin, marital status, familial status, physical or mental disability, religion or economic status are prohibited.

The Board directs the school administration to create and implement a continuing program designed to prevent, assess the presence of, intervene in, and respond to incidents of discrimination against all applicants, employees, students and other individuals having access rights to school premises and activities.

The school district has designated and authorized a Human Rights Officer (HRO)/Title IX Coordinator who is responsible for ensuring compliance with all federal and state requirements relating to nondiscrimination, including sexual harassment. The HRO/Title IX Coordinator is a person with direct access to the Superintendent.

The school district has implemented complaint procedures for resolving complaints of discrimination/harassment and sexual harassment under this policy. The school district provides required notices of these complaint procedures and how they can be accessed, as well as the school district's compliance with federal and state civil rights laws and regulations to all applicants for employment, employees, students, parents and other interested parties.

**Legal Reference:**

Equal Employment Opportunities Act of 1972 (P.L. 92-261) amending Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000(e) et seq.)  
Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.)  
Title VI of the Civil Rights Act of 1964 (P.L. 88-352)  
Age Discrimination in Employment Act of 1967 (29 U.S.C. § 621 et seq.)  
Equal Pay Act of 1963 (29 U.S.C. § 206)  
Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq.); 34 CFR § 104.7, as amended  
Americans with Disabilities Act (42 U.S.C. § 12101 et seq.), as amended  
Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. § 2000ff et seq.)  
NH RSA 186:11; 193:38; 193:39; 354-A  
NH Code Admin. R. Ed. 303.01(i)

**Cross Reference:**

ACAA – Harassment and Sexual Harassment of Students  
ACAA-R – Student Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures

- 1 ACAB – Harassment and Sexual Harassment of School Employees
- 2 ACAB-R – Employee Discrimination/Harassment and Title IX Sexual Harassment
- 3 Complaint Procedures

**HARASSMENT AND SEXUAL HARASSMENT OF STUDENTS**

Harassment of students because of age, sex, gender identity, sexual orientation, race, creed, color, ancestry or national origin, marital status, familial status, physical or mental disability, religion or economic status is prohibited. Such conduct is a violation of Board policy and may constitute illegal discrimination under state and federal laws.

School employees, fellow students, volunteers, visitors to the schools, and other persons with whom students may interact in order to pursue or engage in education programs and activities, are required to refrain from such conduct.

Harassment and sexual harassment of students by school employees is considered grounds for disciplinary action, up to and including discharge. Harassment and sexual harassment of students by other students is considered grounds for disciplinary action, up to and including expulsion. The Superintendent will determine appropriate sanctions for harassment of students by persons other than school employees and students.

**A. Harassment**

Harassment includes, but is not limited to, verbal abuse and other offensive conduct based on of age, sex, gender identity, sexual orientation, race, creed, color, ancestry or national origin, marital status, familial status, physical or mental disability, religion or economic status. Harassment that rises to the level of physical assault, battery and/or abuse and bullying behavior are also addressed in Board Policy JICK – Bullying and/or other applicable policies.

**B. Sexual Harassment**

Sexual harassment is addressed under federal and state laws/regulations. The scope and definitions of sexual harassment under these laws differ, as described below.

**1. Title IX Sexual Harassment**

Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of the school district's education programs and activities:

- a. "Quid pro quo" sexual harassment by a school employee: Conditioning a school aid, benefit or service (such as a better grade or a college recommendation) on an individual's participation in unwelcome sexual conduct;
- b. "Hostile environment" sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive *and* objectively offensive that it effectively denies an individual's equal access to the school unit's education programs and activities; or
- c. Sexual assault, dating violence, domestic violence and stalking as these terms are defined in federal laws.

## 2. Other Forms of Sexual Harassment

Some forms of sexual harassment may not meet the definition under Title IX (see paragraph 1, above) but is still prohibited under New Hampshire law.

The District defines other forms of “sexual harassment” as unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature in the following situations:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of a student’s educational benefits;
- b. Submission to or rejection of such conduct by a student is used as the basis for decisions on educational benefits; or
- c. Such conduct has the purpose and effect of substantially interfering with a student’s academic performance or creates an intimidating, hostile or offensive environment.

## C. Reports and Complaints of Harassment or Sexual Harassment

All school employees are required to report possible incidents of harassment or sexual harassment involving students to the Human Rights Officer (HRO)/Title IX Coordinator. Failure to report such incidents may result in disciplinary action.

Students, parents/legal guardians and other individuals are strongly encouraged to report possible incidents of harassment or sexual harassment involving students to the HRO/Title IX Coordinator. The HRO/Title IX Coordinator is also available to answer questions and provide assistance to any individual who is unsure whether harassment or sexual harassment has occurred.

All reports and complaints of harassment or sexual harassment against students shall be addressed through the Student Discrimination/Harassment and Title IX Sexual Harassment Procedures (ACAA-R).

### Legal Reference:

Americans with Disabilities Act (42 U.S.C. §12101 et seq., as amended; 28 C.F.R. § 35.107)  
Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq., as amended; 34 C.F.R. § 104.7)  
Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.); 34 C.F.R. Part 106 Clery Act (20 U.S.C. §1092(f)(6)(A)(v) - definition of sexual assault)  
Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v) – definition of sexual assault; 34 U.S.C. § 12291(a)(10) – dating violence; 34 U.S.C. §12291(a)(3) – definition of stalking; 34 U.S.C. §12291(a)(8) – definition of domestic violence)  
Title VI of the Civil Rights Act of 1964 (42 USC § 2000d)  
NH RSA 186:11; 193:38; 193:39; 354-A  
NH Code Admin. R. Ed. 303.01(i) and (j)



- 1 Cross Reference:
- 2 ACAA-R – Student Discrimination/Harassment and Title IX Sexual Harassment
- 3 Complaint Procedures
- 4 AC – Nondiscrimination/Equal Opportunity
- 5 JICFA – Hazing
- 6 GBEB – Staff Conduct with Students
- 7 JICK – Bullying
- 8 JIC – Student Conduct

**HARASSMENT AND SEXUAL HARASSMENT OF SCHOOL EMPLOYEES**

Harassment of school employees because of sex, gender identity, sexual orientation, race, creed, color, ancestry or national origin, marital status, familial status, physical or mental disability, religion, or genetic information are prohibited. Such conduct is a violation of Board policy and may constitute illegal discrimination under state and federal laws.

Any employee who engages in harassment or sexual harassment shall be subject to disciplinary action, up to and including discharge.

**A. Harassment**

Harassment includes, but is not limited to, verbal abuse, threats, physical assault and/or battery based on race, color, sex, sexual orientation, gender identity, religion, ancestry or national origin, age, genetic information or disability.

**B. Sexual Harassment**

Sexual harassment is addressed under federal and state laws and regulations. The scope and definitions of sexual harassment under these laws differ, as described below.

**1. Title IX Sexual Harassment**

Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of the school unit's education programs and activities:

- a. "Quid pro quo" sexual harassment by a school employee: Conditioning a school aid, benefit or service (such as a promotion or favorable evaluation) on an individual's participation in unwelcome sexual conduct;
- b. "Hostile environment" sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies an individual's equal access to the school unit's education programs and activities; or
- c. Sexual assault, dating violence, domestic violence and stalking as these terms are defined in federal laws.

**2. Sexual Harassment Under Title VII and New Hampshire Law**

Under another federal law, Title VII, and under New Hampshire law/regulations, sexual harassment is defined differently. The New Hampshire Commission for Human Rights law states that "unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature constitutes sexual harassment when:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

(b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

(c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.”

### **C. Reports and Complaints of Harassment or Sexual Harassment**

Any employee who believes they have been harassed or sexually harassed is encouraged to make a report to the Human Rights Officer (HRO)/Title IX Coordinator. The HRO/Title IX Coordinator is also available to answer questions and provide assistance to any individual who is unsure whether harassment or sexual harassment has occurred.

All reports and complaints regarding harassment or sexual harassment of employees shall be addressed through the Employee Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures (ACAB-R).

#### **Legal References:**

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.); 34 C.F.R. Part 106  
Clery Act (20 U.S.C. §1092(f)(6)(A)(v) - definition of sexual assault)  
Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v) – definition of sexual assault; 34 U.S.C. § 12291(a)(10) – dating violence; 34 U.S.C. §12291(a)(3) – definition of stalking; 34 U.S.C. §12291(a)(8) – definition of domestic violence)  
Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d)  
Americans with Disabilities Act (42 U.S.C § 12101 et seq.), as amended  
Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq.), as amended  
Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e, et. seq.; 29 C.F.R. § 1604.11)  
Age Discrimination in Employment Act (29 U.S.C. § 623 et seq.)  
Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. § 2000ff et seq.)  
RSA 354-A:7  
NH Code Admin. R. Ed. 303.01(i) and (j)

#### **Cross Reference:**

ACAB-R- Employee Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedure  
AC - Nondiscrimination/Equal Opportunity  
JICFA - Hazing

## **PROCEDURAL SAFEGUARDS: NON-DISCRIMINATION ON THE BASIS OF HANDICAP/DISABILITY**

The Shaker Regional School District (SRSD) does not discriminate on the basis of disability in admission or access to, or treatment of or employment in, its programs and activities.

The SRSD provides a grievance procedure with appropriate due process rights. The SRSD's Director of Student Services is the designated employee, charged with coordinating efforts to comply with Section 504. The parent/guardian of handicapped students or any handicapped person may use the grievance procedure established by the Shaker Regional School Board (SRSB).

### Grievance Procedure

Parents/guardians of a student with a disability have the right to notify the above-designated employee with their complaint. Additionally, any disabled individual also has the right to notify the above-designated employee with their complaint.

The designated employee will provide an initial response within ten (10) working days of receipt of the complaint. The parties will attempt to work out their differences informally in a prompt and equitable manner. A written record of the complaint resolution should be made within ten (10) working days of completion. Both parties will receive a copy of the written record. Additionally, the Superintendent will keep a copy on file.

If the issue is not resolved after the informal resolution process, the complainant may request that the SRSB places this matter on its agenda. This request may be made through the Superintendent.

If the SRSB schedules the matter for a hearing, the complainant may be represented by any person the complainant chooses, including legal counsel. The complainant may present information through documents and other evidence and witnesses, and may examine witnesses presented by the SRSD.

Within ten (10) working days of either of the above options, a written record should be made of the decision. Both parties will receive a copy of the written record. Additionally, the Superintendent will keep a copy on file.

### Procedural Safeguards

As required by 34 C.F.R. Section 104.36, parents/guardians of a student who needs or is believed to need special instruction and related services have the right, with respect to any action regarding identification, evaluation, and placement to:

1. Notice of referral/identification, evaluation, and placement process, with appropriate consent form.
2. Examine all relevant records.
3. An impartial hearing, at any time, with respect to any actions regarding identification, evaluation, or placement of persons who need or are believed to need special education and related services; an opportunity for participation by the parent/guardian and representation of counsel as provided under the Individuals with Disabilities Education Act.

1           4. A process for reviewing complaints raised under these Procedural  
2           Safeguards. Such review process need not be formal.

3       **Legal References:**

4           *34 C.F.R. Part 104, Nondiscrimination on the Basis of Handicap*  
5       Section 504 of The Rehabilitation Act of 1973

1

**Code AD**

2 **MISSION STATEMENT OF THE DISTRICT**

3 The mission of the Shaker Regional School District is “Engaging All Learners to  
4 Succeed in Their Ever-Changing World.”

## **TOBACCO PRODUCTS BAN USE AND POSSESSION IN AND ON SCHOOL FACILITIES AND GROUNDS**

No person shall use any tobacco product in any facility maintained by the Shaker Regional School District (SRSD), on any of the grounds of SRSD, or in any vehicles or property engaged in service to and for students.

"Tobacco products" means cigarettes, cigars, snuff, smokeless tobacco, smokeless tobacco, smokeless cigarettes, products containing tobacco, and tobacco in any other form.

"Facility" is any place which is supported by public funds and which is used for the instruction of students enrolled in preschool programs and in all grades maintained by SRSD. This definition shall include all administrative buildings and offices and areas within facilities supportive of instruction and subject to educational administration, including, but not limited to, lounge areas, passageways, rest rooms, laboratories, classrooms, study areas, cafeterias, gymnasiums, maintenance rooms, and storage areas.

Signs shall be placed by SRSD in all buildings, facilities and SRSD vehicles stating that the use of tobacco products is prohibited.

Building Principal(s) shall enforce this policy initially by requesting that any person who is violating this policy to immediately cease the use of tobacco products. After this request is made, if any person refuses to refrain from using tobacco products in violation of this policy, the Principal or designee may call the local police who shall then be responsible for all enforcement.

### **Students**

No student shall purchase, attempt to purchase, possess, distribute or use any tobacco product in any facility, in any school vehicle or anywhere on school grounds maintained by SRSD.

Enforcement of this prohibition shall initially rest with building principals, who will impose consequences according to SRSD Policy JIC and who may report any violation to the local police department.<sup>1</sup> If reported to the police, the police department shall be responsible for all proceedings, applicable fines and penalties, if any.

### **Employees**

No employee shall use any tobacco product in any facility, in any SRSD vehicle or anywhere on SRSD property.

Initial responsibility for enforcement of this prohibition shall rest with building Principals, or their designees.

Employees who violate this policy are subject to disciplinary action, which may include warning, suspension or dismissal. In addition, fines or other penalties may result from enforcement of these prohibitions by other law enforcement officials.

1 **All Other Persons**

2 No visitor shall at any time use tobacco products in any facility, in any SRSD vehicle, or  
3 anywhere on SRSD property.

4 Responsibility for enforcement of this prohibition shall rest with all SRSD employees  
5 who may report violations to the building administration. If reported to the police, the  
6 police department shall be responsible for all proceedings, applicable fines and  
7 penalties, if any.  
8

9 **Legal References:**

10 *RSA 126 – K:6, Possession and Use of Tobacco Products by Minors*

11 *RSA 155:64 to 77 (Indoor Smoking Act)*

12 *RSA 126 K:7, Use of Tobacco Products on Public Educational Grounds*

13 *Prohibited*



1

2 **SAFE SCHOOLS**

3 Shaker Regional School District property<sup>1</sup> shall be a "Safe School Zone".<sup>2</sup>

4 The District shall respond with appropriate discipline techniques to violations of the safe  
5 school zone.<sup>3</sup>

6 The District shall have a memorandum of understanding with the Belmont Police  
7 Department and Canterbury Police Department to provide for full involvement of local  
8 police authorities in acts of "theft, destruction, violence."<sup>4</sup> Such memorandum of  
9 understanding shall be executed through the Superintendent of Schools.

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<sup>1</sup> RSA 193-D:1 V

<sup>2</sup> RSA 193-D:1 II.. See also Ed 317

<sup>3</sup> See Policy JIC

<sup>4</sup> RSA 193-D:1 I

# SHAKER REGIONAL SCHOOL DISTRICT

## MEMORANDUM OF UNDERSTANDING

### 1. General Principles

The Shaker Regional School District and the Police Departments of Belmont and Canterbury agree to work in a cooperative effort to provide a safe and healthy school environment for students, staffs and visitors. In furtherance of that effort, this Memorandum of Understanding is intended to comply with the provisions of RSA 193-D Safe School Zones. The District and the Police Department further agree to respond effectively to incidents of school delinquency or criminal behavior in school, on school grounds, and at school sponsored events.

This memorandum deals with the law enforcement response to any incident involving the possession, use, sale or distribution of alcohol and other drugs in a school setting or during any school sponsored activity. This memorandum also addresses the efforts by the school and police to respond to incidents of violence; weapons possession; or acts of theft, violence or destruction, on school property and at school functions, under the provisions of and in concert with the implementation of the Safe Schools Act, RSA 193-D. This Memorandum applies to reportable behavior of adults, as well as, children.

The School District and the Police Department agree to coordinate these efforts with the local prosecuting Attorney's Office and the New Hampshire Department of Education.

The School District recognizes that in cases of an emergency situation or imminent danger to students, staff or the community, the Police Department and the School District may act without regard to the Memorandum of Understanding. Nothing contained in this Memorandum is intended to limit the events that may be reported to the Police Department or limit school employees from requesting police assistance on matters not referred to in this Memorandum.

In the event either the School Board or the Police Department desires to amend this Memorandum, the agency seeking changes will arrange for meeting with the other.

### 2. Definitions

The following terms, as defined in RSA 193:D-1 apply to this Memorandum:

- "Safe School Zone" means an area inclusive to any school property or school buses.
- "School" means any public or private elementary, secondary or secondary vocational-technical school in New Hampshire. It shall not include home schools.
- "School Employee" means any school administrator, teacher, or other employee of any public or private school, school district, school department, or school administrative unit, or any person providing, or performing continuing contract services for any public or private school, school districts school department or school administrative unit.

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## MEMORANDUM OF UNDERSTANDING

(continued)

- "School property" means all real property, physical plan and equipment used for school purposes, including but not limited to school playgrounds and buses, whether public or private.
- "School purposes" means school-sponsored programs, including but not limited to educational or extra-curricular activities.

### **3. School/Police Liaisons**

In order to facilitate prompt and clear communication of incidents the School Board and the Police Department will designate individuals to serve as primary contact liaisons. The Superintendent of Schools shall designate the Principal at each school as that school's Reporting Official. He/she shall be responsible for handling all reportable incidents of: (1) drug/alcohol use, possession, sale and/or distribution; (2) assault or violence; (3) possession of weapons; and/or (4) theft or destruction of property. The School District liaison will communicate information on such incidents to the Police Department.

The Chief of Police may designate a police officer(s) who shall be responsible for handling all reportable incidents brought to the attention of the Police Department by the school's Reporting Officials. In addition to communication between the Reporting Official and the Police Officer on the specific incidents mentioned above, it is recommended that Official and Officer meet regularly to discuss the scope of these problems, and to identify strategies aimed at reducing them.

### **4. Reportable Acts**

#### **A. School Reports to Police Department**

1. Mandatory: Notwithstanding the provisions of RSA 193-D, the Safe School Zone Act, the following incidents must be reported to the Police Department by the designated school employee:
  - a. Possession of alcohol by a minor or if it appears that a student is under the influence of alcohol or drugs on school property, or at school functions;
  - b. Possession, selling or distribution of any controlled substance (including drug paraphernalia) as defined in NH RSA 318-B, by an individual on school property, or at school functions;
  - c. Any incident in which any individual who is responsible for, suspected of, or determined to be selling or distributing drugs or alcohol on school property, or at school functions.
  - d. Unlawful possession, sale, or use of firearms or other dangerous or prohibited weapons, fireworks and explosives, as defined in NH RSA's 208, 644 and 159, on school property, or at school functions;

## **MEMORANDUM OF UNDERSTANDING (continued)**

- e. Arson under RSA 634:1 any person who knowingly starts any fire or causes any explosion which results in injury, damage to property of another, or is done with intentional disregard for the safety of others;
- f. Burglary under RSA 635: any person who enters a building to separately secured section of a building, with a purpose to commit a crime;
- g. Robbery under RSA 636: including any theft that is accomplished by the physical force or the threat of imminent use of force;
- h. Thefts of property where the value is more than \$50.00, repeated occurrences of theft by one student, (thefts by students who are in the third grade or lower are generally not reported to the Police);
- i. Homicides under RSA 630: any death shall immediately be reported to the Police Department, regardless of suspected cause;
- j. Any first or second degree assault under RSA 63 1, whereby an injury occurs to a person, requiring medical treatment beyond basic first aid or requiring outside medical follow up, caused by another person. Investigation may reveal that not all if these incidents constitute an actual crime. Reporting will allow an investigation to be conducted;
- k. Any sexual assault under RSA 632-A. Any sexual contact with a person who is under 13 years of age will be reported;
- l. Criminal Mischief under RSA 634:2, purposely or recklessly damaging the property of another, resulting in a value of \$50 or more of damage. This includes vandalism to school property;
- m. Threatening behavior under RSA 631:4 which purposely places or attempts to place another in fear of imminent bodily injury or physical contact.

### **2. Discretionary Reporting Events are up to the Discretion of the Building Principal.**

- a. Refusal or neglect to conform to reasonable rules of the school or to clear non-injurious directions given by staff member.

**MEMORANDUM OF UNDERSTANDING**  
**(continued)**

- b . Simple assault incidents (which don't meet the criteria as stated in j. above), depending upon the nature of the incident, as determined by the school administration.
- c. Theft, under RSA 637, of property under \$49.
- d. Criminal Mischief under RSA 634:2, purposely or recklessly damaging the property of another, resulting in a value of \$49 or less of damage. This includes vandalism to school property.

**B . Police Department Reports to School**

- 1 . The following information shall be reported by the Police Department to the School Principal:
  - a. An arrest made by the Police Department of a student, when such information is relevant to the safety of that student, or of other students in the school, where the law allows.
- 2 . The following information may be shared with school Administration by the Police Department, subject to applicable statutes and regulations governing confidentiality:
  - a. The arrest and filing of a delinquency complaint against any student under the age of 17 years.
  - b . Other non-criminal activity that the Police Department deems pertinent to the student's well-being, including but not limited to threatening to attempt suicide; victimization of the student by a parent, caretaker or other individual).

**5. Procedures for Reporting**

- A. It is agreed that every school employee who has witnessed, or has information from the victim of an act of theft, destruction, or violence in a safe school zone shall report such act immediately to a supervisor. A supervisor receiving such report shall immediately forward such information to the school Principal. The Principal shall then contact the Police Department by telephone and report the incident. The Principal shall also provide the Police Department with a written report within 48 hours of the incident.
- B. The report required shall include:
  - 1. Identification of the act of theft, destruction, or violence that was alleged.
  - 2. The name and address of witnesses to the alleged act.
  - 3. The name and home address of any person suspected of committing the act.

**MEMORANDUM OF UNDERSTANDING**  
**(continued)**

- C. The written report required above shall be waived when there is a law enforcement response at the time of the incident which results a written police report.
- D. School Response
1. A teacher or other school employee who has reasonable grounds to believe that a student has committed a reportable act shall:
    - a. Confront the student with the nature of the offense;
    - b. Take the student to the Principal's office;
    - c. Retrieve and turn over any physical evidence to the Principal.
  2. For Mandatory Reportable acts, the Principal shall:
    - a. Notify the police and student's parent/guardian, and inform them of the nature of the incident;
    - b. Turn over any physical evidence seized and a written fact summary to the Police Department;
    - c. Initiate disciplinary action in accordance with Board policies.
  3. For Discretionary Reportable Acts, the Principal shall:
    - a. Determine if the police and parent/guardian should be notified and, if so, make the calls as soon as reasonably possible. Any incident reported to the Police shall also be reported to the student's parent/ guardian;
    - b. Initiate disciplinary action in accordance with Board policies.
- E . Police Response
- (1) The Police Officer will make contact with the school as soon as possible after receiving a report from the Principal to investigate the incident, or take any other appropriate action.
  - (2) During the investigation, the Police Officer may meet with the Principal, the student, the student's parent/guardian and appropriate persons with knowledge of pertinent facts, if required.

- (3) If at the conclusion of the investigation, the student is found to have committed the alleged offense, the Police Officer may initiate the formal complaint process.
- (4) When the Police Officer is called to the school in response to offenses involving the sale and/or distribution of drugs or alcohol, violent behavior, or the possession of a weapon, and when probable cause exists for arrest, the Officer shall take the appropriate action to initiate the formal complaint process.
- (5) To the extent possible, precautions will be taken by both Police and school officials at all times to ensure the education process is not disrupted.

\_\_\_\_\_  
Chief of Police – Town of Belmont

\_\_\_\_\_  
Date

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Chief of Police – Town of Canterbury

\_\_\_\_\_  
Date

\_\_\_\_\_  
School Board Chair

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Date

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Superintendent

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**SECTION B: SCHOOL BOARD GOVERNANCE AND OPERATIONS**

Section B contains policies on the School Board - how it is appointed or elected; how it is organized; how it conducts meetings, and how it operates.

<b><u>Code</u></b>	<b><u>Title/Content</u></b>
BAAA *	School Board Policies and Administrative Rules and Procedures
	... Generally
	... Contents of Board Policy and Administrative Procedure
	... Limitations of Policy
	... Exceptions
BBA	School Board Powers and Duties
BBAA	Board Member Authority
BBBA	Board Member Qualifications
BBBF	Student-Members of the School Boar
BCA	Board Members - Ethics Policy Statement
BCB	Board Member Conflict of Interest
BDB	Board Officers
BDC	Appointed Board Officials
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BDDA	Emergency Superintendent Succession
BDE	Committees and Delegates
BDF	Citizens Advisory Committees
	... Types
	... Organization and Dissolution
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BEDG	Minutes
BEDH	Public Participation at Board Meetings



1	BFE .....	Administration in Policy Absence (See SRSD Policy CHD)
2	BG .....	Board Policy Development
3	BGA.....	Board Policy Development and Procedure
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25	BIE .....	Board Member Insurance/Liability

26 \* The Superintendent of Schools has published Rules and Procedures related to this  
 27 policy.

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## SCHOOL BOARD POLICIES AND ADMINISTRATIVE RULES AND PROCEDURES

The policies of the **Shaker Regional School Board (SRSB)** direct the general and overall day-to-day operations of the **Shaker Regional School District (SRSD)**. Rules and procedures for carrying out and implementing the broad policies of the **SRSB** on a day-to-day basis are to be fashioned and adopted by the administration, under the direction of the Superintendent. As applicable, members of the **SRSD** community are expected to comply with both **SRSB** policy and administrative rules and procedures, subject to the limitations and exceptions set forth herein. However, the failure of the **SRSB** or the Administration to comply with policy shall not invalidate any lawful action taken.

### Contents of **SRSB** Policy and Administrative Rules and Procedures

The policies of the **SRSD** are those contained in this Policy Manual.

Administrative rules and procedures are an extension of **SRSD** policy. Rules and procedures may be altered by the administration without **SRSB** action. Administrative rules and procedures, however, shall not conflict with **SRSD** policy.

### Limitations of Policy

Neither the policies of the **SRSD** nor the rules and procedures of the administration are intended, nor shall they be construed, to supersede or preempt any applicable laws, whether constitutional, statutory, regulatory, or common law in origin. Consequently, all policies and administrative rules and procedures shall be given both an interpretation and application, which is lawful. The **SRSB** shall have the final interpretation of **SRSD** policies and the administration shall have the final interpretation of its rules and procedures.

As **SRSD** policies and administrative rules and procedures are limited by legal constraints, so too are the rights of those to whom the **SRSB** policies and administrative rules and procedures apply. Neither the policies of the **SRSD** nor the rules and procedures of the administration are intended to expand the rights of individuals beyond those established by law or to give to any individual a cause of action not independently established in law. Enforcement of policy shall rest exclusively with the **SRSB**, and enforcement of administrative rules and procedures shall rest exclusively with the administration.

**SRSB** policy and administrative rules and procedures shall not preempt, create, supplant, expand or restrict the rights or liabilities of students, employees, taxpayers, or others within the **SRSD** beyond those that are established in law and are not intended to restrict or limit students, employees, or other members of the **SRSD** community from pursuing any claims or defenses available under law.

1    Exceptions<sup>1</sup>

2    Exceptions to any policy or the application of any policy may be made if requested or  
3    recommended in accordance with the following procedures:

          -Any person may request an exception to any **SRSD** policy or the application of  
          same by writing a letter to the Superintendent. The request shall identify:

4               --the name, address and telephone number of the person making the  
5               request;

6               --the policy for which the exception is being requested;

7               --the action that the requesting individual desires, and

8               --the rationale supporting the need for an exception.

9           -The Superintendent, or his/her designee, shall conduct a sufficient investigation  
10          of any request for an exception so as to be able to formulate a recommendation  
11          for the **SRSB**. Among the factors to be evaluated are the relevant facts related  
12          to the request, the rationale of both the policy and the request for the exception  
13          and the disposition of prior requests for exceptions to the same or similar  
14          policies.

15          -Following the Superintendent's investigation, the Superintendent may place the  
16          request for exception on the **SRSB's** agenda and shall report to the **SRSB** the  
17          circumstances surrounding the request and his/her recommended disposition.  
18          The person requesting the exception shall be notified in advance of this agenda  
19          item and shall be given a reasonable opportunity to address the **SRSB** before  
20          the **SRSB** determines whether to grant the request for an exception.

21          -The **SRSB** shall have final and exclusive authority to determine whether to grant  
22          any request for an exception and shall be the sole judge of whether the rationale  
23          for the exception is sufficient, taking into consideration the recommendation of  
24          the Superintendent.

25  
26          -The granting of exceptions in the same or similar cases shall not constitute  
27          binding precedent or practice.

28          -Exceptions to administrative rules and procedures shall be made in accordance  
29          with the procedures established by the Superintendent.

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<sup>1</sup> See SRSD Policy BGF

### **SCHOOL BOARD POWERS AND DUTIES**

The **Shaker Regional School Board (SRSB)** shall exercise all the powers and duties prescribed to them by-applicable state and federal laws and rules of the State Board of Education.<sup>1,2,3</sup>

Legal action may be taken only at a duly noticed meeting with a quorum present.

School district policies are established by the **SRSB**.<sup>4</sup>

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<sup>1</sup> RSA 195:5

<sup>2</sup> RSA 189: 1-a

<sup>3</sup> RSA 186:5

<sup>4</sup> "By Laws of the Shaker Regional School District" (1971), as amended.

<sup>6</sup> N.H. Code of Administrative Rules, Section Ed. 303.01

**BOARD MEMBER AUTHORITY<sup>1,2, 3, 4</sup>**

The authority of individual **Shaker Regional School Board (SRSB)** members is limited to participating in actions taken by the **SRSB** as a whole when legally in session. **SRSB** members shall not assume responsibilities of administrators or other staff members. The **SRSB** or staff shall not be bound in any way by any action taken or statement made by any individual **SRSB** member except when such statement or action is pursuant to specific instructions and official action taken by the **SRSB**.

Each **SRSB** member shall review the agenda and any study materials distributed prior to the meeting and be prepared to participate in the discussion and decision-making for each agenda item. Each agenda will provide an opportunity for **SRSB** members to comment on **Shaker Regional School District (SRSD)** activities and/or educational issues. These comments may become topics for future **SRSB** discussions.

**SRSB** members may occasionally serve on committees or organizations for the purpose of reciprocal communication and reporting back to the **SRSB**. Committee assignments will be made by the Chairperson with **SRSB** approval.

Each member is obligated to attend **SRSB** meetings regularly. Whenever possible, each **SRSB** member shall give advance notice to the Chairperson or Superintendent of his/her inability to attend a **SRSB** meeting.

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<sup>1</sup> "Shaker Regional School District By Laws: (1971), as amended, at Article II

<sup>2</sup> RSA 91-A:2, Meetings Open to Public

<sup>3</sup> RSA 91-A:2-a, Communication Outside Meetings

<sup>4</sup> N.H. Code of Administrative Rules, Section Ed. 303.01, Substantive Duties of School Boards

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**BOARD MEMBER QUALIFICATIONS<sup>1</sup>**

To become a candidate for the **Shaker Regional School Board (SRSB)**, a person must be a registered voter in the **Shaker Regional School District (SRSD)**. No person holding the office of **SRSB** member shall at the time hold the office of school district moderator, treasurer, or auditor. No person employed on a salaried basis by the **SRSD** shall be a School Board member of **SRSD**. Salaried positions shall include, but are not limited to, the following: teacher, custodian, administrator, secretary, nurse, school bus driver (if paid by the district), school lunch worker and teacher's aide.

Candidates for the **SRSB** should be mindful that the position requires significant time, effort and commitment to the school and community. Individuals who do not feel they will be able to provide significant time, effort and commitment are discouraged from seeking candidacy.

The same qualifications shall exist when the **SRSB** seeks to fill vacancies.<sup>2</sup>

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<sup>1</sup>NH RSA 671:14

<sup>2</sup> NH RSA 197:26

**BBBF STUDENT-MEMBERS OF THE SCHOOL BOARD**

The Shaker Regional School Board (SRSB) shall have a non-voting student member as elected by the student body of the high school. The SRSB may have a non-voting student member from the middle school. Student-members will serve one-year terms. Student-members will not have the right to vote. Student-members will be excluded from all non-public sessions the Board enters.

Student Council in both schools shall facilitate this election, in accordance with the provisions of RSA 194: 23-f.

Student-members are expected to:

- (1) Attend the first meeting of the SRSB each month;
- (2) Represent all high school or middle school students within the District;
- (3) Work with the Building Principal to present specific proposals and ideas from the student body;
- (4) Serve as a liaison between students, and the SRSB; and
- (5) Keep the student body informed of relevant SRSB business and actions;
- (6) Comply with all SRSB policies relative to students and Board members, when applicable.

The SRSB reserves the right to discontinue the addition of student-members at any time.

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<sup>1</sup> RSA 189: 1-c

<sup>2</sup> RSA 194: 23-f

**BOARD MEMBERS/ETHICS POLICY STATEMENT**

Each **Shaker Regional School Board (SRSB)** member shall comply with the following ethical provisions:

1. Attend all regularly scheduled **SRSB** meetings, insofar as possible, and become informed concerning issues to be considered at those meetings.
2. Make decisions only after full discussion at public **SRSB** meetings; render all decisions based on the available facts and by independent judgment, and refuse to surrender that judgment to individuals or special interest groups.
3. Seek systematic communications with students, staff, and members of the community.
4. Work respectfully with other **SRSB** members to achieve the educational goals of the school district by encouraging the free expression of opinions by all **SRSB** members.
5. Communicate to other **SRSB** members (only as consistent with the Right to Know Law) and the Superintendent expressions of public reaction to **SRSB** policies and school programs.
6. Be informed about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the state and national school board associations.
7. Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff.
8. Respect the confidentiality of information that is privileged under applicable law or is received in confidence or executive session.
9. Recognize that no individual member has authority to speak or act for the entire **SRSB**, except as specifically designated to do so by **SRSB** action.
10. Recognize that final **SRSB** actions will be supported by all members of the **SRSB**; take no private action that will compromise the **SRSB** or administration; and refrain from private actions which undermine or compromise official **SRSB** action.
11. Display and demonstrate courtesy and decorum toward fellow **SRSB** members at all public meetings and in all public statements.
12. To avoid being placed in a position of conflict of interest, and refrain from using a **SRSB** position for personal or partisan gain.



- 1    13. Understand that the Board, as governing body, does not manage the District, but  
2    rather sets the broad goals and standards for the District by way of policies adopted  
3    by a quorum of the Board at proper meetings under the Right-to-Know law.  
4
- 5    14. Understand the chain of command and refer problems or complaints to the proper  
6    administrative office per applicable School Board policies.

**BOARD MEMBER CONFLICT OF INTEREST<sup>1</sup>**

A **Shaker Regional School Board (SRSB) Member** shall not have any direct personal and pecuniary interest in a contract with the School District, nor shall the **SRSB** member furnish directly any labor, equipment, or supplies to the District.<sup>2</sup>

In the event a **SRSB** member is employed by a corporation or business or has a secondary interest in a corporation or business which furnishes goods or services to the School District, the **SRSB** member shall declare the **SRSB** member's interest and refrain from debating, discussing, or voting upon the question of contracting with the company.

It is not the intent of this policy to prevent the District from contracting with corporations or businesses because a **SRSB** member is an employee of the firm. The policy is designed to prevent placing a **SRSB** member in a position where member's interest in the public schools and member's interest in the members place of employment (or other indirect interest) might conflict, and to avoid appearances of conflict of interest even though such conflict may not exist. Through the use of open competitive bidding or recusal of any **SRSB** member who has a conflict of interest, the Board will seek to obtain the best value for the SRSD while avoiding impropriety or the appearance of impropriety.<sup>3</sup>

**Nepotism**

If an employee or applicant is the father, mother, brother, sister, wife, husband, son, daughter, son-in-law, daughter-in-law, sister-in-law or brother-in-law of the Superintendent or any member of the **SRSB**, the **SRSB** member or the Superintendent shall declare his/her relationship with the job applicant. In the case of a declared relationship, the **SRSB** member is expected to refrain from debating, discussing or voting on a nomination or other employment related issue. A job applicant is also expected to declare his/her relationship with the **SRSB** member as well.

This policy shall not apply to any person within such relationship or relationships who has been regularly employed by the **SRSB** prior to the inception of the relationship, the adoption of this policy or a **SRSB** member's election.

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<sup>1</sup> See also RSA 31:39-a

<sup>2</sup> State EX REL THOMSON v. State Board of Parole, 115N.H.414 (1975)

<sup>3</sup> NH RSA 95:1

**BOARD OFFICERS**

The officers of the **Shaker Regional School Board (SRSB)** shall be a Chairperson and a Vice-Chairperson. The officers shall be elected at the annual organization meeting to serve until the next annual organization meeting or until a successor is elected. Any vacancy in any of such offices may be filled at any meeting of the **SRSB** provided that all members of the **SRSB** have been notified prior to the meeting that the vacancy will be filled at such meeting. Officers will remain in their respective offices until new successors are elected.

**CHAIRPERSON**

The Chairperson shall preside at all meetings and shall not originate or second motions, unless he/she has ceded the chair. The Chairperson shall have the right to vote on all matters before the **SRSB**. The chairperson shall consult with the Superintendent on the preparation of the agenda for each meeting, shall have authority to sign contracts and other instruments as approved by the **SRSB** in its name and on its behalf, and shall have such other powers and duties as the **SRSB** may from time to time determine.

**VICE-CHAIRPERSON:**

The Vice-Chairperson shall have the powers and duties of the Chairperson in his/her absence or for the duration of the disability, and such other powers and duties as the **SRSB** may from time to time determine.

The presiding officer may cede the chair temporarily to any other **SRSB** officer at any point during a meeting.

1

2 **APPOINTED BOARD OFFICIALS**

3

4 **CLERK OF THE DISTRICT**

5 The Clerk of the **Shaker Regional School District (SRSD)** will be appointed by the  
6 **Shaker Regional School Board (SRSB)** for a term of one year or until a successor  
7 is appointed and will not be a member of the **SRSB**. The Clerk will keep a true  
8 record of each **SRSD** meeting and make any reports to the State of New Hampshire  
9 as may be required and will carry out duties as required by law.<sup>1</sup>

10

11 **TREASURER**

12 The Treasurer of the **SRSD** will be appointed by the **SRSB** for a term of one year or  
13 until a successor is appointed and will not be a member of the **SRSB**. The treasurer  
14 will receive such remuneration as the **SRSD** may determine and perform such duties  
15 pertaining to the fiscal affairs of the **SRSD** as outlined in the New Hampshire statutes  
16 relating to public schools.<sup>2</sup>

17

18 A Deputy Treasurer will be appointed<sup>3</sup> by the Treasurer subject to approval from the  
19 **SRSB**.<sup>4</sup>

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<sup>1</sup> NH RSA 195:5, I

<sup>2</sup> NH RSA 195:5, II

<sup>3</sup> Shaker Regional School District Annual Meeting per Warrant Article on March 18, 2005

<sup>4</sup> NH RSA 197:24-a

1

2 **BOARD-SUPERINTENDENT RELATIONSHIP**<sup>1,2</sup>

3 Enacting of policies is a primary function of the **Shaker Regional School Board**  
4 **(SRSB)** and the execution of such policies is a primary function of the  
5 Superintendent.

6 The Superintendent is responsible for the implementation of **SRSB** policies, the  
7 execution of **SRSB** decisions, the operation of school programs, for keeping the  
8 **SRSB** informed about school operations and issues, for satisfactory fulfillment of the  
9 duties required by statute and rules of the State Board of Education, and for  
10 supervision and direction of all district employees.

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<sup>1</sup> *N.H. Code of Administrative Rules, Section Ed. 302*

<sup>2</sup> *See also SRSD Policy CB*

**EMERGENCY SUPERINTENDENT SUCCESSION**

In order to protect the **Shaker Regional School District (SRSD)** from sudden loss of superintendent services, the **Shaker Regional School Board (SRSB)** will have two administrators within the district sufficiently qualified and familiar with **SRSD** and Superintendent responsibilities and are capable of assuming superintendent duties in his or her absence. The Superintendent will submit as information at the first **SRSB** meeting in November a primary and secondary administrator who are capable of assuming superintendent responsibilities in his or her absence. The Superintendent will notify the **SRSB** Chair of any planned absence extending beyond three (3) days. In the event of a sudden absence extending beyond three days, the primary or secondary administrator, or interim superintendent will report immediately to the **SRSB** Chair.

**BOARD COMMITTEES**

The Shaker Regional School Board (SRSB) shall have the following standing committees, with the charge and objectives noted:

**1. Buildings and Grounds**

Charge: To advise and make recommendations to the SRSB as to Shaker Regional School District (SRSD) facilities, including the buildings and the grounds, so as to maintain and promote the best use of such facilities.

Objectives:

1. To identify any life/safety issues that may exist and make recommendations to address them.
2. To prioritize buildings and grounds improvements.
3. To develop and maintain a Capital Improvement Program (CIP).
4. To annually inspect all SRSD facilities.
5. To oversee administration of all SRSD construction projects.
6. To make recommendations to the SRSB regarding budget for facilities, maintenance, and improvement.

**2. Internal Policy<sup>123</sup>**

Charge: To advise and make recommendations to the SRSB as to internal SRSD policies.

Objectives:

1. As required by federal and state law, New Hampshire Department of Education regulations, and as recommended by appropriate sources or as requested by SRSB, the committee shall review existing policies and shall recommend amendments to the SRSB.
- ~~2.~~ As required by federal and state law, New Hampshire Department of Education regulations, and as recommended by appropriate sources or as requested by SRSB, the committee shall review any proposed policies and shall recommend new policies to the SRSB.

The SRSB Chairperson may create ad hoc and special committees as needed.

The SRSB Chairperson shall appoint all members of a committee.

Committees shall meet as needed on issues pertaining to said committee. A committee shall make reports to and recommendations to the SRSB.

1

2 **CITIZENS ADVISORY COMMITTEES**

3 Types

4 The **Shaker Regional School District (SRSB)** shall adopt whatever advisory  
5 committee structure and organization it deems appropriate to the assignment at  
6 hand.

7 Organization and Dissolution

8 Specific topics for study or well-defined areas of activity shall be assigned to each  
9 committee following its appointment. Each committee shall be instructed as to the  
10 service the **SRSB** wishes it to render. Any advisory committee shall only have those  
11 duties and powers as the **SRSB** determines. The ultimate authority to make  
12 decisions will continue to reside with the **SRSB**.

13 The **SRSB** shall have sole power to dissolve any of its advisory committees and shall  
14 reserve the right to exercise this power at any time during the life of any committee.

15 Appointments

16 All appointments of citizens to advisory committees shall be made by the **SRSB**  
17 Chair.

18 All nominations for appointment of staff or faculty members to citizen advisory  
19 committees shall be made by the Superintendent.

20 Communication

21 An advisory committee shall reasonably inform the **SRSB** of the Committee's  
22 activities and progress.



1

2 **SCHOOL ATTORNEY USE**

3 A decision to seek legal advice or assistance on behalf of the District shall normally  
4 be made by the Superintendent or by persons specifically authorized by the  
5 Superintendent. Such action shall occur when consistent with approved District policy  
6 or standard practice and meets an obvious need of the District. It may also take  
7 place as a consequence of formal **Shaker Regional School Board (SRSB)** direction.

8 When the Superintendent concludes that unusual types or amounts of professional  
9 legal service may be required, **SRSB** authorization of such service shall be promptly  
10 requested.

11 The **SRSB** may direct that legal advice be provided directly to the **SRSB**.

1

**2 REGULAR BOARD MEETINGS**

3 The Shaker Regional School Board shall meet at least once a month. Unless  
4 otherwise altered by SRSB action, regular meetings of the SRSB shall be held during  
5 the second week and fourth of each month in a handicapped accessible location.  
6 The SRSB will determine the day of the week for its meeting at the annual SRSB  
7 Organizational Meeting to be effective July 1<sup>st</sup>. The SRSB chairperson may call  
8 additional board meetings, as necessary.

9

10 Notice of all board meetings will be posted in two appropriate places at least twenty-  
11 four (24) hours prior to the meeting. The Superintendent is authorized to post notice  
12 of the meeting on the District website.

13

14 All regular meetings shall be open to the public.<sup>1</sup> All changes of regular meetings  
15 from normal dates shall be advertised at least 24 hours prior to the date of the  
16 meeting.

17

18 The SRSB will establish the agenda of each meeting. The SRSB reserves the right  
19 to amend the agenda during the meeting, should a majority of the SRSB vote to do  
20 so.

21

22 Should the SRSB offer time for public comments, such comments may be restricted  
23 to agenda items only, and the SRSB may decline members of the public the  
24 opportunity to speak on items not on the agenda.

25

26 A simple majority of the SRSB shall constitute a quorum. A member may participate  
27 via electronic means in accordance with RSA 91-A:2, III.

28

29 All minutes will be kept in accordance with state laws<sup>2</sup> and will be in the custody of  
30 the Superintendent. Draft minutes of all public meetings will be made available for  
31 public inspection no later than five (5) business days after the meeting. The minutes  
32 of each meeting shall reflect the attendance of board members.

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<sup>1</sup> NH RSA 91-A:2, II, III

<sup>2</sup> NH RSA 91-A:2 and 3

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11

**EMERGENCY BOARD MEETINGS**

Shaker Regional School Board emergency meetings may be called by the Chairperson or Vice Chairperson (if chairperson is unavailable) or by action of a majority of the SRSB. For the purposes of this policy, an emergency is defined as a situation where immediate undelayed action is deemed to be imperative by the Chairperson. In the event of an emergency meeting, the SRSB will post notice of time and place of the emergency meeting as soon as possible and will also use other reasonable means to inform the public that an emergency meeting is to be held. Minutes of an emergency meeting will clearly state the need and purpose for the emergency meeting.

1

2 **NON-PUBLIC SESSIONS**

3 The **Shaker Regional School Board (SRSB)** reserves the right to sit in non-  
4 public session when a majority of the members present so vote. The vote to  
5 enter non-public session will be a recorded roll call vote made in public  
6 session. The **SRSB** may entertain a motion to hold a non-public session only  
7 for those purposes that the law recognizes. <sup>1</sup> A non-public session may occur  
8 during a duly notice meeting irrespective of whether a non-public session  
9 appeared on either the meeting notice or meeting agenda.

10

11

12 The **SRSB** shall record minutes of all non-public sessions. Those minutes will  
13 be made publicly available within 72 hours of the non-public session, unless  
14 the **SRSB** votes to seal those minutes. The **SRSB** may vote to seal minutes  
15 of a non-public session only by a two-thirds vote. The **SRSB** will only vote to  
16 seal minutes of non-public sessions if divulging such information would:

17

- 18 1. Adversely affect the reputation of a person other than a member of the  
19 **SRSB**;
- 20 2. Render a proposed board action ineffective; or
- 21 3. Thwart safety considerations pertaining to terrorism or other emergency  
22 functions of the **SRSB**.<sup>2</sup>

23

24 **SRSB** members and district personnel attending a non-public session shall  
25 not disclose any details of the discussion held.

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<sup>1</sup> NH RSA 91-A:3

<sup>2</sup> NHRSA 91-A:4

**BEDG - MINUTES**

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

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

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

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

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

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

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

3  
4 Approved minutes, except those non-public session minutes which are sealed, shall  
5 be consistently posted on the District's web site in a reasonably accessible location or  
6 the web site shall contain a notice describing where the minutes may be reviewed  
7 and copies requested. Draft minutes will be available for inspection at the District's  
8 administrative office.

9  
10 Sealed minutes shall be reviewed periodically and unsealed by majority vote of the  
11 Board if the circumstances justifying sealing the minutes no longer apply. The  
12 Superintendent shall identify and bring to the Board's attention minutes which have  
13 been sealed because disclosure would render the proposed action ineffective where  
14 the action has been completed and the minutes no longer need to be sealed. The  
15 Superintendent will also identify any other sealed minutes where the justification for  
16 sealing no longer applies due to the passage of time. Generally, non-public session  
17 minutes sealed because divulgence of the information would likely affect adversely  
18 the reputation of a person other than a member of the School Board, will remain  
19 sealed.

20  
21 **Legal References:**

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

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

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

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

1

**2 PUBLIC PARTICIPATION AT BOARD MEETINGS**

3 The **Shaker Regional School Board (SRSB)** encourages citizens of the District to  
4 attend **SRSB** sessions so that citizens may become better acquainted with the  
5 operation and programs of the schools and so that the **SRSB** may have opportunity  
6 to hear the desires and ideas of the public.

7 All meetings of the **SRSB** shall be open to the press and public.<sup>1</sup> However, the  
8 **SRSB** reserves the right to meet and to adjourn or recess a meeting at any time to  
9 discuss such matters as are properly considered in non-public session.<sup>2</sup>

10 To assure that persons who desire to appear before the **SRSB** may be reasonably  
11 heard, public participation at **SRSB** meetings shall occur as determined by the  
12 Chairperson or under Public Communication listed on the agenda.

13 All speakers are to conduct themselves in a civil manner. Obscene, libelous,  
14 defamatory or violent statements will be considered out of order and will not be  
15 tolerated. The **SRSB** Chair may terminate the speaker's privilege of address if the  
16 speaker does not follow this rule of order.

17

18 Complaints regarding individual employees, personnel or students will be directed to  
19 the Superintendent in accord with Policies KE and KEB.

20

21 The **SRSB** Chair, or other presiding officer, may terminate the remarks of any  
22 individuals as is reasonable and appropriate.

23 A person appearing before the **SRSB** may direct questions to individual **SRSB**  
24 members, but answers to such may be deferred pending consideration by the full  
25 **SRSB**.

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<sup>1</sup> RSA 91-A:2

<sup>2</sup> RSA 91-A:3

1

2 **BOARD POLICY DEVELOPMENT**

3 The **Shaker Regional School Board (SRSB)** shall develop written policies as  
 4 guidelines and goals for the successful and efficient functioning of **Shaker Regional**  
 5 **District School District (SRSD)**.<sup>1,2</sup>

6 Policy development is the **Shaker Regional School Board (SRSB's)** chief function  
 7 and the **SRSB** provides resources such as personnel, buildings, materials and  
 8 equipment, for the successful implementation, interpretation and evaluation of its  
 9 policies.<sup>3</sup>

10 The **SRSB** accepts the definition of "policy" set forth by the National School Boards  
 11 Association (NSBA):<sup>4</sup>

12 -School Board policies are statements that set forth the purposes and prescribe  
 13 in general terms the organization and system of the school system. They  
 14 create a framework within which the superintendent and staff can discharge  
 15 their assigned duties with positive direction. They tell what is wanted. They  
 16 may also indicate why and how much.

17 -Policies are principles adopted by the **SRSB** to chart a course of action. Policies  
 18 should be broad enough to indicate a line of action to be followed by the  
 19 administration in meeting a number of problems; narrow enough to give clear  
 20 guidance. Policies are for action by the administration, who then set the rules and  
 21 regulations to provide specific directions to **SRSD** personnel.

22 -**SRSB** policies serve as sources of information and guidance for all people who  
 23 are interested in, or connected with, the public schools.

24 The policies of the **SRSB** are based and are meant to be interpreted in terms of New  
 25 Hampshire laws, rules and regulations of the State Board of Education, and all other  
 26 regulatory agencies within our local, county, state and federal levels of government.

27 The policies are also based on, and are meant to be interpreted in terms of those  
 28 educational objectives, procedures, and practices which are broadly accepted by  
 29 leaders and authorities in the public education field.

30 Changes in needs, conditions, purposes and goals will require new policies and  
 31 revisions, deletions and additions to existing policies. Action on new or changed  
 32 proposals, whatever their source, is taken finally by the **SRSB** after receiving the  
 33 recommendation of the Superintendent. The Superintendent bases his/her  
 34 recommendations upon the outcomes of study and upon the judgment of the  
 35 professional staff and appropriate study committees. The Superintendent shall seek  
 36 counsel of the school attorney when there may be a question of legality or proper legal  
 37 procedure in the development of a proposed **SRSD** policy.

<sup>1</sup> See NH Const. Pt. II, Art. 83 for the government's duty to educate.

<sup>2</sup> The statutory basis for Board policy making can generally be found at RSA Title XV and especially at RSA 189.

<sup>3</sup> N.H. Code of Administrative Rules, Section Ed. 303

<sup>4</sup> NSBA "Becoming a Better Board Member", 2<sup>nd</sup> Edition, Page 62



1

2 **BOARD POLICY DEVELOPMENT AND PROCEDURE<sup>1</sup>**3 Responsibility for System Maintenance

4 The Superintendent shall designate a specific person or office to maintain the  
 5 **Shaker Regional School District (SRSD's)** policy reference files, to maintain  
 6 the **Shaker Regional School Board (SRSB)** policy manual, and to serve as  
 7 liaison between the District, the New Hampshire School Boards Association,  
 8 State Board of Education, and other sources of policy research information.  
 9 Such designee shall maintain an archive of any and all adopted and amended  
 10 policies.

11 Classification and Coding of Policies

12 A policy shall be classified and coded in accordance with the National School  
 13 Board's Association (NSBA) classification and coding system.<sup>2</sup>

14 Criteria for Development of a Policy Statement

15 A policy may be developed

- 16 -if required by law,
- 17 -if there is an inadequate or insufficient statement in law or regulations,
- 18 -if the **SRSB** articulates a need or desire for a policy, or
- 19 -if recommended by the Superintendent.

20 Content of a Policy Statement

21 A policy statement should:<sup>3</sup>

- 22 -clearly define a goal or objective.
- 23 -define roles and responsibilities (who is supposed to do what).
- 24 -if possible, state measurable outcomes.
- 25 -identify relevant authority for statements or concepts.

26 A policy statement should NOT:

- 27 -be a restatement or paraphrase a federal or state law or regulation<sup>4</sup>

28 A policy statement may simply (and only) reference a law or regulation if such  
 29 is an adequate statement of a policy (e.g. "District practices regarding xyz shall  
 30 conform to RSA ###").

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<sup>1</sup> See NHSBA Model Policy BGA, May 1998

<sup>2</sup> See NSBA "Code-Finder Index", 6<sup>th</sup> Edition

<sup>3</sup> See NSBA "Becoming a Better Board Member", 2<sup>nd</sup> Edition, Page 62

<sup>4</sup> See NSBA "Becoming a Better Board Member", 2<sup>nd</sup> Edition, Page 67

## RATIFICATION OF POLICIES/POLICY ADOPTION

### Regular Procedure for Adoption

Except for good cause shown, the adoption or amendment of a **Shaker Regional School District (SRSD)** policy statement should follow this sequence:

- Proper publication to the **Shaker Regional School Board (SRSB)** of proposed new or revised policy as an item of information.

- **SRSB** consideration of the published proposed policy, with action for adoption only if:

- the policy content is within the scope of the **SRSB's** authority.
- the statement is not contrary to local, state and federal law.
- the statement is not contrary to the **SRSD's** mission, guiding principles and strategic plan.
- the policy is not contrary to any **SRSD** contractual obligation.
- the policy promotes sound educational, business or personnel practice.
- the policy is reasonable.
- the policy is not arbitrary or capricious.
- the statement adequately addresses related to the policy.
- the statement covers only one policy topic.
- the policy is consistent with existing policies.
- the policy can be reasonably administered.
- the **SRSD** has the ability to pay for the implementation of the policy.
- there has been or will be adequate opportunity offered to concerned groups or individuals to react to the policy proposal.

Final action by the **SRSB** on a proposed policy shall be at a duly called meeting after the one at which the Policy was first considered.

### Procedure for Immediate Action

On matters of unusual urgency, the **SRSB** may, after stating the reason for so doing, waive the expectations of the above adoption procedure and take immediate action to adopt or amend a policy. When such immediate action is completed, the Superintendent shall publish the **SRSB's** action through the meeting minutes.

### Adoption Policy

An affirmative vote of a majority of all Members of the **SRSB** is required for a policy to be adopted.

### Record of Adoption and Effective Date

Policies and amendments adopted by the **SRSB** shall be attached to and made a part of the minutes of the meeting at which they are adopted and shall also be included in the policy manual of the **SRSD** marked with the date of adoption and/or amendment.

Policies and amendments to policies shall be effective immediately upon adoption unless a specific effective date is provided in the adoption resolution.

1

2 **POLICY REVIEW AND EVALUATION**

3 The **Shaker Regional School District (SRSD)** shall review its policies on a  
4 continuing basis and evaluate them for efficacy and efficiency in meeting the **SRSD's**  
5 mission and responsibilities.

6 The **Shaker Regional School Board (SRSB)** shall annually review a portion of  
7 adopted policies with the intent that all policies will have been reviewed in a three (3)  
8 year period.

9

10 The Superintendent is given the continuing responsibility of calling to the **SRSB's**  
11 attention all policies that appear to need revision.

1

2 **BOARD REVIEW OF PUBLISHED ADMINISTRATIVE RULES AND PROCEDURES**

3 The **Shaker Regional School Board (SRSB)** shall rescind any administrative rules  
4 and procedures as published and promulgated by the Superintendent if the rules and  
5 procedures, in the **SRSB's** judgment, are inconsistent with the policies adopted by  
6 the **SRSB**.<sup>1,2</sup>

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<sup>1</sup> N.H. Code of Administrative Rules, Section Ed. 303

<sup>2</sup> N.H. Code of Administrative Rules, Section Ed. 302

1

2 **POLICY DISSEMINATION**

3 The Policy Manual is a public document.

4 The Superintendent is directed to establish, publish, and maintain an orderly plan for  
5 preserving and making accessible the policies adopted by the **Shaker Regional**  
6 **School Board (SRSB)** and the administrative rules and procedures needed to place  
7 them into effect.<sup>1</sup>

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<sup>1</sup> See also SRSD Policy CB

1

2 **REPEAL/SUSPENSION OF POLICIES<sup>1</sup>**

3 Repeal

4 A district policy may be repealed upon a majority vote of all members of the **Shaker**  
5 **Regional School Board (SRSB)** at a duly called meeting of the **SRSB**.

6 Suspension

7 A **Shaker Regional School District (SRSD)** policy may be suspended for good  
8 cause and a period to be stated, upon a majority vote of the **SRSB** present at a duly  
9 convened **SRSB** meeting. Any **SRSB** action taken during the time of suspension  
10 shall survive the end of the suspension.

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<sup>1</sup> See also Policy BAAA ("Exceptions")

1

2 **BOARD COMMUNICATIONS WITH STAFF**

3 The **Shaker Regional School Board (SRSB)** shall maintain open channels of  
4 communication between the **SRSB** and **Shaker Regional School District (SRSD)**  
5 employees, through the Superintendent of Schools.

6 Staff Communications to the SRSB

7 All communications or reports to the **SRSB**, or any **SRSB** committee, by principals,  
8 supervisors, teachers, or other employees shall be through the Superintendent.

9 SRSB Communications to Staff

10 All official communications, policies, and directives of employee interest and concern  
11 will be communicated to **SRSD** employees through the Superintendent. The  
12 Superintendent shall employ all such media as are appropriate to keep employees fully  
13 informed of the **SRSB's** actions and concerns.

14 Visits to Schools

15 Individual **SRSB** members interested in visiting schools or classrooms will inform the  
16 building principal of such visits and make arrangements for visitations in advance if  
17 reasonable. Such visits shall be regarded as informal expressions of interest in school  
18 affairs and not as "inspections" or visits for supervisory or administrative purposes.  
19 Official visits by **SRSB** members will be carried on only under **SRSB** authorization and  
20 with the full knowledge of the Superintendent and the building principals.

21

22 Social Interaction

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

1

2 **COMMUNICATION WITH THE PUBLIC BY THE BOARD<sup>1</sup>**

3 The Chairperson of the **Shaker Regional School Board (SRSB)**, or designee, is  
4 authorized to speak to all news media regarding **SRSB** actions. An individual **SRSB**  
5 member communicating with the media shall clearly state that the member is  
6 providing a personal opinion and such does not necessarily reflect the opinion of the  
7 **SRSB**.

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<sup>1</sup> See also SRSD Policy BBAA



## SCHOOL BOARD USE OF ELECTRONIC COMMUNICATION

Use of electronic communication by **Shaker Regional School Board (SRSB)** members must conform to the same standards of judgment, propriety, and ethics as other forms of **SRSB**-related communication.<sup>1</sup> The **SRSB** shall not use electronic communication as a substitute for deliberations at **SRSB** meetings or for other communications or business properly confined to **SRSB** meetings.

Electronic communications received or prepared for use in **SRSB** meetings or containing information relating to **SRSB** business are public records which may be inspected by any person upon request, unless otherwise made confidential by law.<sup>2</sup>

An e-mail originated by a **SRSB** member, communicated to a quorum of the **SRSB**, and discussing official **SRSB** business will be considered a public document under the Right to Know Law. The contents of the email communication will be disclosed and included in the minutes of the next regularly scheduled **SRSB** meeting.

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<sup>1</sup> NH RSA 91-A

<sup>2</sup> NH RSA 91-A:5

1

2 **BOARD MEMBER INSURANCE/LIABILITY**

3 The **Shaker Regional School District (SRSD)** shall defend, and indemnify, and  
4 save harmless for loss or damage each **Shaker Regional School Board (SRSB)**  
5 member and other agents of the **SRSD** in their official action in the service of the  
6 **SRSD**.<sup>1</sup>

7 The **SRSD** shall purchase and maintain, from public school funds, in the absence of  
8 governmental immunity or in coordination with governmental immunity<sup>2</sup>, adequate  
9 insurance to provide for such defense and indemnification.<sup>3</sup>

10

11 Nothing herein, however, shall be construed as obligating the Board to defend,  
12 indemnify, or hold harmless any person who violates the oath of office, or otherwise  
13 engages in criminal activity, official misconduct, fraud, intentional or willful and  
14 wanton misconduct, or acts beyond the authority properly vested in the individual.

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<sup>1</sup> *NH RSA 31:105*

<sup>2</sup> *RSA 31:104, 105, 106 and 107*

<sup>3</sup> *See also Policy EIB*

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**TABLE OF CONTENTS**

**SECTION C: GENERAL SCHOOL ADMINISTRATION**

Section C contains policies on school management, administrative organization, and school building administration. Section C also includes personnel policies on the Superintendent and School Principals.

<b><u>Code</u></b>	<b><u>Title</u></b>
CA.....	Administration Goals
CB.....	Superintendent of Schools
CBG .....	Superintendent's Professional Development Opportunities
CBI <sup>*</sup> .....	Evaluation of Superintendent
CFA.....	Principals
	...Appointment
	...Functions
CFB.....	Evaluation of Principals/Building Administrators
CHCA.....	Approval of Handbooks
CHD .....	Administration in Policy Absence

<sup>\*</sup> The Superintendent of Schools has published Rules and Procedures related to this policy.

**ADMINISTRATION GOALS<sup>1</sup>**

The **SRSB** directs the Superintendent to coordinate and supervise the educational programs of the District, under the policies of the District, to provide an environment in which students learn most effectively. The Superintendent, each principal and all other administrators shall have the authority and responsibility necessary for his/her specific administrative assignment. Each shall likewise be accountable for the effectiveness with which the administrative assignment is carried out.

Major goals of administration shall be:

1. To implement and manage functions to assure the best and most effective learning programs, through achieving such objectives as (a) providing leadership in keeping abreast of current educational developments; (b) arranging for the staff development necessary to the establishment and operation of learning programs that better meet more learner needs; (c) coordinating cooperative efforts at improvement of learning programs, facilities, equipment, and materials; and (d) providing access to the decision-making process for improvement ideas of staff, students, parents, and others, and (e) implementing procedures to ensure that the differing needs and talents of students are fully considered when planning educational programs
2. To manage the District's various departments, units, and programs effectively.
3. To provide professional advice and counsel to the **SRSB** and to advisory groups established by **SRSB** action.

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<sup>1</sup> NH Code of Administrative Rules – Section Ed. 306.10 (a) (6)

**SUPERINTENDENT OF SCHOOLS<sup>1</sup>**

The Superintendent of Schools shall be elected by the **SRSB**.

The duties of the Superintendent are defined in his/her contract of employment, individual **SRSB** policies, state statutes and New Hampshire Department of Education Rules.<sup>2</sup> The Superintendent, as the chief executive officer, is responsible for:

1. Planning and administering district activities, subject to statutory requirements, the regulations of the State Board of Education and **SRSB** established policies of the District
2. The execution of **SRSB** policies
3. The management of the work of all school departments, the duties of which, apart from those required by law, the Superintendent shall assign
4. The observance of all **SRSB** policies by all those persons employed by the district
5. The enforcement of all provisions of the law relating to the operation of the schools or other educational, social and recreational agencies, or activities under the charge of the **SRSB**.
6. All other duties as outlined in Ed. 302 – Duties of School Superintendents.

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<sup>1</sup> See also *SRSD Policy BDD*

<sup>2</sup> <sup>2</sup> *N.H. Code of Administrative Rules, Section Ed. 302.02*

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# SHAKER REGIONAL SCHOOL DISTRICT

## *Job Description*

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**POSITION:** Superintendent of Schools

**REPORTS TO:** Shaker Regional School Board

**TERMS OF EMPLOYMENT:** Per Contract Letter

**JOB SUMMARY:** Responsible for the education of the children of the Shaker Regional School District.

**PERFORMANCE RESPONSIBILITIES:**

1. *Planning*
2. *Supervision*
3. *Instructional Leadership*
4. *Fiscal Management*
5. *SAU Office Management*
6. *Personnel Management*
7. *Facilities Management*
8. *Grant Writing and Administration*
9. *Communication with Administrative Team, **SRSB** and Communities of Belmont & Canterbury*
10. *Personal Qualities*

**QUALIFICATIONS:**

- Proper certification by the NH Department of Education.
- An advanced degree in school administration or similar area of study.
- Previous experience as a classroom teacher.
- Previous experience as a building administrator.

**DISCLAIMER:**

This job description lists the general duties and is not intended to list every specific function required.

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# SHAKER REGIONAL SCHOOL DISTRICT

## *Job Description*

---

**POSITION:** Superintendent of Schools

**REPORTS TO:** Shaker Regional School Board

**TERMS OF EMPLOYMENT:** Per Contract Letter

**JOB SUMMARY:** Responsible for the education of the children of the Shaker Regional School District.

### **PERFORMANCE RESPONSIBILITIES:**

#### **1. Planning**

- ⇒ Leads the effort to develop District goals and objectives for **SRSB** approval
- ⇒ Clearly defines the tasks which are necessary to achieve the goals of the District
- ⇒ Establishes written action plans to achieve the goals set for the district

#### **2. Supervision**

- ⇒ Effectively plans, schedules and directs the work of others
- ⇒ Responds to issues and circumstances appropriately

#### **3. Instructional Leadership**

- ⇒ Demonstrates knowledge in the field of education
- ⇒ Keeps abreast of trends and developments in curriculum and instruction
- ⇒ Organizes a planned program of curriculum development and improvement
- ⇒ Monitors and assesses the effectiveness of instruction
- ⇒ Develops, supports and monitors programs for staff professional development focused on improvement of instruction, with higher student achievement as the goal
- ⇒ Possesses a sound, working knowledge of state and federal statutes that apply to day-to-day operations of the district
- ⇒ Make decisions that foster excellence in the schools
- ⇒ Maintains his/her own professional development by reading, course work, conference attendance, participation on professional committees and memberships in professional organizations

#### **4. Fiscal Management**

- ⇒ Oversees and monitors the development and implementation of the annual budget
- ⇒ Develops effective and user friendly financial management and reporting procedures
- ⇒ Reports periodically to the **SRSB** on the fiscal condition of the School District
- ⇒ Keeps informed of needs of the school programs, facilities, equipment and supplies
- ⇒ Administers expenditures consistent with appropriations
- ⇒ Ensures that financial resources are utilized cost effectively and according to **SRSB** objectives

#### **5. SAU Office Management**

- ⇒ Oversees SAU office staff, systems, functions
- ⇒ Manage the daily operational activities of the Shaker School District
- ⇒ Prepares reports and documents required by State and Federal agencies

## 6. Personnel Management

- ☐ Sets high performance expectations for himself and others
- ☐ Coordinates the recruitment and hiring of all personnel
- ☐ Ensures that all personnel are supervised and evaluated regularly
- ☐ Promotes teamwork and collaboration
- ☐ Adheres to all federal and state regulations that govern employment activities
- ☐ Conducts employee relationships skillfully
- ☐ Promotes a positive working relationship with staff
- ☐ Delegates authority and responsibility to staff members appropriate to the positive each holds

## 7. Facilities Management

- ☐ Ensure the proper and efficient operation and maintenance of facilities to maintain a safe, healthy and educationally conducive environment for students and staff
- ☐ Plans for the present and future facilities needs of the District

## 8. Grant Writing and Administration

- ☐ Actively seeks and obtains state and federally funded entitlement grants
- ☐ Actively seeks and obtains competitive grants
- ☐ Supervises fiscal and programmatic grant activities

## 9. Communication

### A. Communicates effectively with Administrative Team

- ☐ Articulates and evaluates job expectations and performance
- ☐ Assists and advises team members when necessary and appropriate
- ☐ Articulates district goals and supports the development of school goals
- ☐ Identifies and involves local schools' leadership in educational decisions
- ☐ Supports building administration in their efforts to improve education in District schools

### B. Communicates effectively with the **SRSB**

- ☐ Keeps the **SRSB** informed of district issues and events
- ☐ Develops, with the **SRSB** chairperson, the **SRSB** meeting agenda and prepares corresponding informational packets
- ☐ Prepares other information reports for the **SRSB**, as requested
- ☐ Provides the **SRSB** with the necessary information to make informed decisions
- ☐ Provides timely responses to **SRSB** queries and concerns
- ☐ Respects the **SRSB's** policy making authority
- ☐ Assists the **SRSB** in maintaining updated policies and procedures and implements all **SRSB** policies

### C. Communicates effectively with the Community

- ☐ Knows the school community and keeps abreast of its changing needs by consistently seeking the input of constituent groups
- ☐ Provides a systematic public relations design to keep the community informed of district plans and programs
- ☐ Portrays a positive public image
- ☐ Maintains a cooperative relationship with town officials
- ☐ Is visible in the schools and in both communities
- ☐ Is sensitive and responsive to parental concerns



1 **10. Personal Qualities**

- 2       ☐ Maintains high standards of ethics, honesty and integrity in all professional matters
- 3       ☐ Demonstrates the ability to make decisions
- 4       ☐ Maintain poise and emotional stability in the full range of professional activities
- 5       ☐ Exercises good judgment
- 6       ☐ Devotes the time and energy needed to meet the expectations of the position
- 7       ☐ Exhibits confidence in his/her ability to do the job
- 8       ☐ Speaks well and expresses views and ideas in a logical and forthright manner
- 9       ☐ Writes well and expresses views and ideas in a logical and forthright manner

**QUALIFICATIONS:**

- Proper certification by the NH Department of Education.
- An advanced degree in school administration or similar area of study.
- Previous experience as a classroom teacher.
- Previous experience as a building administrator.

**DISCLAIMER:** This job description lists the general duties and is not intended to list every specific function required.

1

**Code CBG**

2 **SUPERINTENDENT'S PROFESSIONAL DEVELOPMENT OPPORTUNITIES**

3 The Superintendent shall make every effort to stay abreast of educational trends and to  
4 seize opportunities for exploring new ideas and programs that may be used to  
5 advantage in the School District.

6 For the benefit of the entire school system, the Superintendent shall each year attend  
7 seminars and conferences and visit other school systems in which promising ideas are  
8 emerging.

## SUPERINTENDENT EVALUATION AND GOAL SETTING

The Board will annually evaluate the Superintendent based on written criteria as established by the Board. Coextensive with the Superintendent evaluation, the Board and Superintendent will jointly establish annual goals and objectives. Establishing annual goals and objectives will serve as a benchmark and criteria for the Superintendent's annual evaluation.

The Superintendent is responsible for the services described in applicable statute and Department of Education rules. In addition to and related to those responsibilities, the following standards are representative of those in which objectives may be set and progress appraised:

1. Strategic Leadership
2. Instructional Leadership
3. Cultural Leadership
4. Human Resource Leadership
5. Managerial Leadership
6. Collaborative Leadership
7. Influential Leadership

The annual Superintendent evaluation goal setting will clarify the Superintendent's role within the school community, address areas for the Superintendent to improve, and address areas for which the Superintendent should be commended.

The Superintendent shall publish rules and procedures related to this policy.

---

<sup>1</sup> NH Code of Administrative Rules, Section Ed 303.01 (k), Substantive Duties of School Boards, Superintendent Evaluation

**PRINCIPALS<sup>1</sup>****Appointment**

The Principals shall be elected by the School Board following nomination by the Superintendent. Should the School Board fail to accept the nomination of the Superintendent, the Superintendent will be directed to present another name in nomination.

Candidates for position of Principal will file a formal, written application with the Superintendent of Schools. All applications will be screened by the Superintendent and a number will be selected for interview by the Superintendent or his/her designee.

The Superintendent and School Board will promote candidates from within the District when such a promotion is in the best interests of the School. All such candidates must meet requirements as established by the Superintendent and School Board.

**Functions**

All building Principals shall be responsible for the school buildings and grounds to which they are assigned. They shall be responsible for and shall have authority over the actions of students, professional and non-professional employees, visitors, volunteers, and persons hired to perform special tasks.

All Principals shall keep the Superintendent informed of activities in their buildings by whatever means the Superintendent deems appropriate.

Principals will file a monthly written report, on a date designated by the Superintendent, to the Superintendent of Schools.

The Principal shall attend School Board meetings if requested by the Superintendent or the School Board.

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<sup>1</sup> NH Code of Administrative Rules, Section Ed. 304

**EVALUATION OF ADMINISTRATORS**

The Superintendent shall conduct an ongoing process of evaluating the Administrator(s) on his/her skills, abilities, and competence.<sup>1,2</sup> Annually, the Superintendent or his/her designee will formally evaluate the Administrator(s). The goal of the formal evaluation process is to ensure the education program for the students is carried out, promote growth in effective administrative leadership for the school district, clarify the Administrator's role as the Board and the Superintendent see it, ascertain areas in need of improvement, and focus the immediate priorities of the principal(s) responsibilities.

The formal evaluation shall include written criteria related to the job duties.<sup>3</sup> The Administrator may make comments responding to the formal evaluation.

The formal evaluation shall also include an opportunity for the Administrator and the Superintendent to discuss the written criteria, the past year's performance and the future areas of growth. The evaluation shall be completed by the Superintendent, signed by the Administrator, filed in the Administrator's personnel file.

This policy supports and does not preclude the ongoing informal evaluation of the Administrator's skills, abilities and competence.

Administrators shall formally be evaluated at least once a year and informally as deemed appropriate by the Superintendent.

---

<sup>1</sup> *Littkey v. Winchester School District*, 129 NH 626 (1987)

<sup>2</sup> *NH Code of Administrative Rules, Section Ed. 302 Superintendents*

<sup>3</sup> *NH Code of Administrative Rules, Section Ed. 304 School Principals*

**APPROVAL OF HANDBOOKS**

In order that pertinent **SRSB** policies and Superintendent's Rules and Procedures may be known by all staff members and students affected by them, District Administrators shall publish and issue staff and student handbooks.

A student handbook shall:

- Refer to District policies, Superintendent's Rules and Procedures, and school regulations;
- Be a statement of expectations of all involved in a school's educational process; and
- Be an explanation of the programs and resources available through the school.

The contents of all school handbooks must conform with District policies and regulations. Student handbooks shall be approved by the **SRSB** prior to publication.

1

2 **ADMINISTRATION IN POLICY ABSENCE** <sup>1</sup>

3 In the absence of established District policy or **SRSB** direction, the Superintendent  
4 shall assume responsibility for whatever decision or action is or must be taken.

5 The Superintendent's decisions or actions shall be subject to review and evaluation  
6 by the **SRSB** at its regular meeting. The Superintendent shall promptly inform the  
7 **SRSB** of any action or decision made in the absence of District policy or **SRSB**  
8 direction.

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<sup>1</sup> *N.H. Code of Administrative Rules, Section Ed. 302*

## TABLE OF CONTENTS

### **SECTION D: FISCAL MANAGEMENT**

Section D contains policies, on school finances and the management of funds. Policies on the financing of school construction and renovation, however, are contained in Section F, Facilities Development.

<u>Code</u>	<u>Title</u>
DAF.....	Administration of Federal Grants
DB *	Annual Budget
DBJ .....	Transfer of Funds/Budget
DFA *	Revenues from Investments/Investment Policy
	...Objectives
	...Account Categories
	...Delegation of Authority
	...Eligible Investments
DGA .....	Authorized Signatures
DH.....	Bonded Employees and Officers
DI *	Fiscal Accounting and Reporting
DIA *	Fund Balance
DID *	Fixed Assets Accounting/Inventories
DIE .....	Audits
DJ *	Purchasing
DJC *	Purchasing from Petty Cash
DJD .....	Cooperative Purchasing
DJE *	Bidding Procedures
DJF .....	Local Purchasing
DK.....	Payment Procedures
DKA *	Payroll Procedures
	...Pay Day Schedule
	...Salary Deductions
DKC .....	Expense Reimbursements
DM .....	Cash In School Buildings
DN.....	School Properties Disposition

\*  
The Superintendent of Schools has published Rules and Procedures related to this policy.



## ADMINISTRATION OF FEDERAL GRANT FUNDS

The Shaker Regional School Board (SRSB) accepts federal funds, which are available, provided that there is a specific need for them and that the required matching funds are available on behalf of the Shaker Regional School District (SRSD). The SRSB intends to administer federal grant awards efficiently, effectively and in compliance with all requirements imposed by law, the awarding agency and the New Hampshire Department of Education (NHDOE) or other applicable pass-through entity.

This policy establishes the minimum standards regarding internal controls and grant management to be used by the SRSD in the administration of any funds received by the SRSD through Federal grant programs as required by applicable NH and Federal laws or regulations, including, without limitation, the Uniform Grant Guidance (UGG).

Notwithstanding any other policy of the District, all funds awarded directly or indirectly through any Federal grant or subsidy programs shall be administered in accordance with this Policy, and any administrative procedures adopted implementing this Policy.

The SRSB directs the Superintendent or his/her designee to develop, monitor, and enforce effective administrative procedures and other internal controls over federal awards as necessary in order to provide reasonable assurances that the SRSD is managing the awards in compliance with all requirements for federal grants and awards. Systems and controls must meet all requirements of federal and/or law and regulation and shall be based on best practices.

The Superintendent is directed to assure that all individuals responsible for the administration of a federal grant or award shall be provided sufficient training to carry out their duties in accordance with all applicable requirements for the federal grant or award and this policy.

To the extent not covered by this Policy, the administrative procedures and internal controls must provide for:

- 1.identification of all federal funds received and expended and their program source;
- 2.accurate, current, and complete disclosure of financial data in accordance with federal requirements;
- 3.records sufficient to track the receipt and use of funds;
- 4.effective control and accountability over assets to assure they are used only for authorized purposes and
- 5.comparison of expenditures against budget.

## ALLOWABILITY

The Superintendent is responsible for the efficient and effective administration of grant funds through the application of sound management practices. Such funds shall be administered in a manner consistent with all applicable Federal, State and local laws, the associated agreements/assurances, program objectives and the specific terms and conditions of the grant award.

A. **Cost Principles:** Except whether otherwise authorized by statute, costs shall meet the following general criteria in order to be allowable under Federal awards:

1. Be “necessary” and “reasonable” for proper and efficient performance and administration of the Federal award and be allocable thereto under these principles.

a. To determine whether a cost is “reasonable”, consideration shall be given to:

- i. whether a cost is a type generally recognized as ordinary and necessary for the operation of the SRSD or the proper and efficient performance of the Federal award;
- ii. the restraints or requirements imposed by such factors as sound business practices, arm’s length bargaining, Federal, State, local, tribal and other laws and regulations;
- iii. market prices for comparable goods or services for the geographic area;
- iv. whether the individuals concerned acted with prudence in the circumstances considering their responsibilities; and
- v. whether the cost represents any significant deviation from the established practices or SRSB policy which may increase the expense. While Federal regulations do not provide specific descriptions of what satisfied the “necessary” element beyond its inclusion in the reasonableness analysis above, whether a cost is necessary is determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the SRSD can demonstrate that the cost addresses an existing need and can prove it.

b. When determining whether a cost is “necessary”, consideration may be given to whether:

- i. the cost is needed for the proper and efficient

- 1 performance of the grant program;
- 2
- 3 ii. the cost is identified in the approved budget or application;
- 4
- 5 iii. there is an educational benefit associated with the cost;
- 6
- 7 iv. the cost aligns with identified needs based on results and
- 8 findings from a needs assessment; and/or
- 9
- 10 v. the cost addresses program goals and objectives and is
- 11 based on program data.
- 12
- 13 c. A cost is allocable to the Federal award if the goods or services involved
- 14 are chargeable or assignable to the Federal award in accordance with
- 15 the relative benefit received.
- 16
- 17 2. Conform to any limitations or exclusions set forth as cost principles in 2
- 18 C.F.R. Part 200 or in the terms and conditions of the Federal award.
- 19
- 20 3. Be consistent with policies and procedures that apply uniformly to both
- 21 Federally-financed and other activities of the SRSD.
- 22
- 23 4. Be afforded consistent treatment. A cost cannot be assigned to a Federal
- 24 award as a direct cost if any other cost incurred for the same purpose in like
- 25 circumstances has been assigned as an indirect cost under another award.
- 26
- 27 5. Be determined in accordance with generally accepted accounting principles.
- 28
- 29 6. Be representative of actual cost, net of all applicable credits or offsets.
- 30
- 31 The term “applicable credits” refers to those receipts or reductions of
- 32 expenditures that operate to offset or reduce expense items allocable to the
- 33 Federal award. Typical examples of such transactions are: purchase
- 34 discounts; rebates or allowances; recoveries or indemnities on losses; and
- 35 adjustments of overpayments or erroneous charges. To the extent that such
- 36 credits accruing to/or received by the State relate to the Federal award, they
- 37 shall be credited to the Federal award, either as a cost reduction or a cash
- 38 refund, as appropriate.
- 39
- 40 7. Be not included as a match or cost-share, unless the specific Federal
- 41 program authorizes Federal costs to be treated as such.
- 42
- 43 8. Be adequately documented:
- 44 a. in the case of personal services, the Superintendent shall implement a
- 45 system for SRSD personnel to account for time and efforts expended on
- 46 grant funded programs to assure that only permissible personnel
- 47 expenses are allocated;
- 48
- 49 b. in the case of other costs, all receipts and other invoice materials shall be

retained, along with any documentation identifying the need and purpose for such expenditure if not otherwise clear.

**B. Selected Items of Cost:** The SRSD shall follow the rules for selected items of cost at 2 C.F.R. Part 200, Subpart E when charging these specific expenditures to a Federal grant. When applicable, SRSD staff shall check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, State, SRSD and program-specific rules, including the terms and conditions of the award, may deem a cost as unallowable and SRSD personnel shall follow those rules as well.

**C. Cost Compliance:** The Superintendent shall require that grant program funds are expended and are accounted for consistent with the requirements of the specific program and as identified in the grant application. Compliance monitoring includes accounting for direct or indirect costs and reporting them as permitted or required by each grant.

**D. Determining Whether A Cost is Direct or Indirect**

1. "Direct costs" are those costs that can be identified specifically with a particular final cost objective, such as a Federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

These costs may include: salaries and fringe benefits of employees working directly on a grant-funded project; purchased services contracted for performance under the grant; travel of employees working directly on a grant-funded project; materials, supplies, and equipment purchased for use on a specific grant; and infrastructure costs directly attributable to the program (such as long distance telephone calls specific to the program, etc.).

2. "Indirect costs" are those that have been incurred for a common or joint purpose benefitting more than one (1) cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs.

These costs may include: general data processing, human resources, utility costs, maintenance, accounting, etc.

Federal education programs with supplement not supplant provisions must use a restricted indirect cost rate. In a restricted rate, indirect costs are limited to general management costs. General management costs do not include divisional administration that is limited to one (1) component of the SRSD, the governing body of the SRSD, compensation of the Superintendent, compensation of the chief executive officer of any component of the SRSD, and operation of the immediate offices of these officers.

1  
2 The salaries of administrative and clerical staff should normally be treated as indirect  
3 costs. Direct charging of these costs may be appropriate only if **all** the following  
4 conditions are met:

- 5
- 6 a. Administrative or clerical services are integral to a project or activity.
  - 7
  - 8 b. Individuals involved can be specifically identified with the project or activity.
  - 9
  - 10 c. Such costs are explicitly included in the budget or have the prior written
  - 11 approval of the Federal awarding agency.
  - 12
  - 13 d. The costs are not also recovered as indirect costs.
  - 14

15 Where a Federal program has a specific cap on the percentage of  
16 administrative costs that may be charged to a grant, that cap shall include  
17 all direct administrative charges as well as any recovered indirect  
18 charges.

19  
20 Effort should be given to identify costs as direct costs whenever practical,  
21 but allocation of indirect costs may be used where not prohibited and  
22 where indirect cost allocation is approved ahead of time by NHDOE or the  
23 pass-through entity (Federal funds subject to 2 C.F.R Part 200 pertaining  
24 to determining indirect cost allocation).

25  
26 **E. Timely Obligation of Funds:** Obligations are orders placed for property and  
27 services, contracts and subawards made, and similar transactions during a given  
28 period that require payment by the non-Federal entity during the same or a  
29 future period.

30  
31 The following are examples of when funds are determined to be “obligated”  
32 under applicable regulation of the U.S. Department of Education:

33  
34 When the obligation is for:

- 35
- 36 1. Acquisition of property – on the date which the SRSD makes a
  - 37 binding written commitment to acquire the property.
  - 38
  - 39 2. Personal services by an employee of the SRSD – when
  - 40 the services are performed.
  - 41
  - 42 3. Personal services by a contractor who is not an employee of the
  - 43 SRSD – on the date which the SRSD makes a binding written
  - 44 commitment to obtain the services.
  - 45
  - 46 4. Public utility services – when the SRSD received the services.
  - 47

5. Travel – when the travel is taken.
6. Rental of property – when the SRSD uses the property.
7. A pre-agreement cost that was properly approved by the SRSB under the cost principles in 2 C.F.R. Part 200, Subpart E – Cost Principles – on the first day of the project period.

**F. Period of Performance:** All obligations must occur on or between the beginning and ending dates of the grant project. This period of time is known as the period of performance. The period of performance is dictated by statute and will be indicated in the Grant Award Notification (“GAN”). As a general rule, State-administered Federal funds are available for obligation within the year that Congress appropriates the funds for. However, given the unique nature of educational institutions, for many Federal education grants, the period of performance is twenty- seven (27) months. This maximum period includes a fifteen (15) month period of initial availability, plus a twelve (12) month period of carry over. For direct grants, the period of performance is generally identified in the GAN.

In the case of a State-administered grant, obligations under a grant may not be made until the grant funding period begins or all necessary materials are submitted to the granting agency, whichever is later. In the case of a direct grant, obligations may begin when the grant is substantially approved, unless an agreement exists with NHDOE or the pass-through entity to reimburse for pre-approval expenses.

For both State-administered and direct grants, regardless of the period of availability, the SRSD shall liquidate all obligations incurred under the award not later than forty-five (45) days after the end of the funding period unless an extension is authorized. Any funds not obligated within the period of performance or liquidated within the appropriate timeframe are said to lapse and shall be returned to the awarding agency. Consistently, the SRSD shall closely monitor grant spending throughout the grant cycle.

## **CASH MANAGEMENT AND FUND CONTROL**

Payment methods must be established in writing that minimize the time elapsed between the drawdown of federal funds and the disbursement of those funds. Standards for funds control and accountability must be met as required by the Uniform Guidance for advance payments and in accordance with the requirements of NHDOE or other applicable pass-through-entity.

In order to provide reasonable assurance that all assets, including Federal, State, and local funds, are safeguarded against waste, loss, unauthorized use, or misappropriation, the Superintendent shall implement internal controls in the area of cash management.

1  
2 The SRSD's payment methods shall minimize the time elapsing between the  
3 transfer of funds from the United States Treasury or the NHDOE (pass-through  
4 entity) and disbursement by the SRSD, regardless of whether the payment is  
5 made by electronic fund transfer, or issuance or redemption of checks,  
6 warrants, or payment by other means.

7  
8 The SRSD shall use forms and procedures required by the NHDOE, grantor  
9 agency or other pass-through entity to request payment. The SRSD shall  
10 request grant fund payments in accordance with the provisions of the grant.  
11 Additionally, the SRSD's financial management systems shall meet the  
12 standards for fund control and accountability as established by the awarding  
13 agency.

14  
15 The Superintendent or designee is authorized to submit requests for advance  
16 payments and reimbursements at least monthly when electronic fund transfers  
17 are not used, and as often as deemed appropriate when electronic transfers  
18 are used, in accordance with the provisions of the Electronic Fund Transfer Act  
19 (15 U.S.C. 1693-1693r).

## 20 21 **PROCUREMENT** 22

23 All purchases for property and services made using federal funds must be  
24 conducted in accordance with all applicable Federal, State and local laws and  
25 regulations, the Uniform Guidance, and the SRSD's written policies and  
26 procedures.

27  
28 Procurement of all supplies, materials equipment, and services paid for from  
29 Federal funds or SRSD matching funds shall be made in accordance with all  
30 applicable Federal, State, and local statutes and/or regulations, the terms and  
31 conditions of the Federal grant, SRSD policies, and procedures.

32  
33 The Superintendent shall maintain a procurement and contract administration  
34 system in accordance with the USDOE requirements (2 CFR 200.317-.326) for  
35 the administration and management of Federal grants and Federally-funded  
36 programs. The SRSD shall maintain a contract administration system that  
37 requires contractors to perform in accordance with the terms, conditions, and  
38 specifications of their contracts or purchase orders. Except as otherwise noted,  
39 procurement transactions shall also conform to the provisions of the SRSD's  
40 documented general purchase Policy DJ – Purchasing.

41  
42 The SRSD avoids situations that unnecessarily restrict competition and avoids  
43 acquisition of unnecessary or duplicative items. Individuals or organizations that  
44 develop or draft specifications, requirements, statements of work, and/or  
45 invitations for bids, requests for proposals, or invitations to negotiate, are  
46 excluded from competing for such purchases. Additionally, consideration shall be  
47 given to consolidating or breaking out procurements to obtain a more

1 economical purchase. And, where appropriate, an analysis shall be made to  
2 lease versus purchase alternatives, and any other appropriate analysis to  
3 determine the most economical approach. These considerations are given as  
4 part of the process to determine the allowability of each purchase made with  
5 Federal funds.

6  
7 Contracts are awarded only to responsible contractors possessing the ability to  
8 perform successfully under the terms and conditions of a proposed  
9 procurement. Consideration is given to such matters as contractor integrity,  
10 compliance with public policy, record of past performance, and financial and  
11 technical resources. No contract is awarded to a contractor who is suspended or  
12 debarred from eligibility for participation in federal assistance programs or  
13 activities.

14  
15 Purchasing records are sufficiently maintained to detail the history of all  
16 procurements and must include at least the rationale for the method of  
17 procurement, selection of contract type, and contractor selection or rejection; the  
18 basis for the contract price; and verification that the contractor is not suspended  
19 or debarred.

20  
21 To foster greater economy and efficiency, the SRSD may enter into State and  
22 local intergovernmental agreements where appropriate for procurement or use  
23 of common or shared goods and services.

24  
25 **A. Competition:** All procurement transactions shall be conducted in a manner  
26 that encourages full and open competition and that is in accordance with  
27 good administrative practice and sound business judgement. In order to  
28 promote objective contractor performance and eliminate unfair competitive  
29 advantage, the SRSD shall exclude any contractor that has developed or  
30 drafted specifications, requirements, statements of work, or invitations for  
31 bids or requests for proposals from competition for such procurements.

32  
33 Some of the situations considered to be restrictive of competition include, but are  
34 not limited to, the following:

- 35 1. unreasonable requirements on firms in order for them to qualify to do business;
- 36 2. unnecessary experience and excessive bonding requirements;
- 37 3. noncompetitive contracts to consultants that are on retainer contracts;
- 38 4. organizational conflicts of interest;
- 39 5. specification of only a "brand name" product instead of allowing for an "or  
40 equal" product to be offered and describing the performance or other  
41 relevant requirements of the procurement; and/or
- 42 6. any arbitrary action in the procurement process.

43  
44 Further, the SRSD does not use statutorily or administratively imposed  
45 State, local, or tribal geographical preferences in the evaluation of bids or



proposals, unless (1) an applicable Federal statute expressly mandates or encourages a geographic preference; (2) the SRSD is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

To the extent that the SRSD uses a pre-qualified list of persons, firms or products to acquire goods and services, the pre-qualified list must include enough qualified sources as to ensure maximum open and free competition. The SRSD allows vendors to apply for consideration to be placed on the list as requested.

**B. Solicitation Language:** The SRSD shall require that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it shall conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offers shall be clearly stated; and identify all requirements which the offerors shall fulfill and all other factors to be used in evaluating bids or proposals.

The SRSB will not approve any expenditure for an unauthorized purchase or contract.

**C. Procurement Methods:** The SRSD shall utilize the following methods of procurement:

1. Micro-purchases

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$10,000. To the extent practicable, the SRSD shall distribute micro-purchase equitably among qualified suppliers. Micro-purchases may be made without soliciting competitive quotations if the Superintendent considers the price to be reasonable. The SRSD maintains evidence of this reasonableness in the records of all purchases made by this method.

2. Small Purchases (Simplified Acquisition)

Small purchase procedures provide for relatively simple and informal procurement methods for securing services, supplies, and other property that does not exceed the competitive bid threshold of \$250,000. Small purchase procedures require that price or rate quotations shall be obtained from an adequate number of qualified sources.

### 3. Sealed Bids

Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment which amounts to \$250,000 and when the SRSB determines to build, repair, enlarge, improve, or demolish a school building/facility the cost of which will exceed \$250,000.

a. In order for sealed bidding to be feasible, the following conditions shall be present:

- i. a complete, adequate, and realistic specification or purchase description is available;
- ii. two (2) or more responsible bidders are willing and able to compete effectively for the business; and
- iii. the procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

b. When sealed bids are used, the following requirements apply:

- i. Bids shall be solicited in accordance with the provisions of State law and Policy DJE – Bidding Requirements. Bids shall be solicited from an adequate number of qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.
- ii. The invitation for bids will include product/contract specifications and pertinent attachments and shall define the items and/or services required in order for the bidder to properly respond.
- iii. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.
- iv. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine the low bid when prior experience indicates that such discounts are usually

1 taken.

2  
3 v. The SRSB reserves the right to reject any and all bids for  
4 sound documented reason.

5  
6 vi. Bid protests shall be handled pursuant to the process set forth in  
7 Procurement I (Bid Protest).

8  
9 4. Competitive Proposals

10  
11 Procurement by competitive proposal, normally conducted with more than  
12 one sources submitting an offer, is generally used when conditions are not  
13 appropriate for the use of sealed bids or in the case of a recognized  
14 exception to the sealed bid method.

15  
16 If this method is used, the following requirements apply:

- 17  
18 a. Requests for proposals shall be publicized and identify all evaluation  
19 factors and their relative importance. Any response to the publicized  
20 requests for proposals shall be considered to the maximum extent  
21 practical.  
22  
23 b. Proposals shall be solicited from an adequate number of sources.  
24  
25 c. The SRSD shall use its written method for conducting technical  
26 evaluations of the proposals received and for selecting recipients.  
27  
28 d. Contracts shall be awarded to the responsible firm whose proposal is  
29 most advantageous to the program, with price and other factors  
30 considered.

31  
32 The SRSD may use competitive proposal procedures for qualifications-  
33 based procurement of architectural/engineering (A/E) professional  
34 services whereby competitors' qualifications are evaluated, and the most  
35 qualified competitor is selected, subject to negotiation of fair and  
36 reasonable compensation. The method, where price is not used as a  
37 selection factor, can only be used in procurement of A/E professional  
38 services. It cannot be used to purchase other types of services though  
39 A/E firms are a potential source to perform the proposed effort.

40  
41 5. Noncompetitive Proposals

42  
43 Procurement by noncompetitive proposals allows for solicitation of a  
44 proposal from only one source and may be used only when one or more  
45 of the following circumstances apply:

- 46  
47 a. the item is available only for a single source;

- b. the public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- c. the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the SRSD; and/or
- d. after solicitation of a number of sources, competition is determined to be inadequate.

**D. Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms:** The SRSD must take necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps must include:

1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
2. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
6. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

**E. Contract/Price Analysis:** The SRSD shall perform a cost or price analysis in connection with every procurement action in excess of \$250,000 (i.e., the Simplified Acquisition/Small Purchase limit), including contract modifications. (See 2 CFR 200.323(a)). A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the SRSD shall come to an independent estimate prior to receiving bids or proposals.

When performing a cost analysis, the SRSD shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

**F. Time and Materials Contracts:** The SRSD shall use a time and materials type contract only (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to the SRSD is the sum of the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit. Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiently. Therefore, the SRSD sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the SRSD shall assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls, and otherwise performs in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

**G. Suspension and Disbarment:** The SRSD will award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. All purchasing decisions shall be made in the best interests of the SRSD and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the SRSD shall consider such factors as (1) contractor integrity; (2) compliance with public policy; (3) record of past performance/ and (4) financial and technical resources.

The Superintendent shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts. The SRSD is subject to and shall abide by the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 CFR Part 180.

Suspension is an action taken by the SRSD that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 CFR chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensure. A person so excluded is suspended. (See 2 CFR Part 180 Subpart G).

Debarment is an action taken by the Superintendent to exclude a person from participating in covered transactions and transactions covered under the Federal

Acquisition Regulation (48 CFR chapter 1). A person so excluded is debarred.  
(See 2 CFR Part 180 Subpart H).

The SRSD shall not subcontract with or award sub-grants to any person or company who is debarred or suspended. For contracts over \$25,000 the SRSD shall confirm that the vendor is not debarred or suspended by either checking the Federal government's System for Award Management ("SAM"), which maintains a list of such debarred or suspended vendors at [www.sam.gov](http://www.sam.gov) (which replaced the former Excluded Parties List System or EPLS); or collecting a certification from the vendor. (See 2 CFR Part 180 Sub part C).

Documentation that debarment/suspension was queried must be retained for each covered transaction as part of the documentation required in accordance with Maintenance of Procurement Records, paragraph J. This documentation should include the date(s) queried and copy(ies) of the SAM result report/screen shot, or a copy of the or certification from the vendor. It should be attached to the payment backup and retained for future audit review.

#### **H. Additional Requirements for Procurement Contracts Using Federal Funds:**

1. For any contract using Federal funds under which the contract amount exceeds the upper limit for Simplified Acquisition/Small Purchases (see Procurement Methods; 2- Small Purchases [Simplified Acquisition]), the contract must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and must provide for sanctions and penalties. (See 2 CFR 200, Appendix II(A)).
2. For any contract using Federal funds under which the contract amount exceeds \$10,000, it must address the SRSD's authority to terminate the contract for cause and for convenience, including the manner by which termination will be effected and the basis for settlement. (See 2 CFR 200, Appendix II(B)). For any contract using Federal funds under which the contract amount exceeds \$150,000, the contract must include clauses addressing the Clean Air Act and the Federal Water Pollution Control Act. (See 2 CFR 200, Appendix II(G)).
3. For any contract using Federal funds under which the contract exceeds \$100,000, the contract must include an anti-lobbying clause, and require bidders to submit Anti-Lobbying Certification as required under 2 CFR 200, Appendix II (J).
4. For each contract using Federal funds and for which there is no price competition, and for each Federal fund contract in which a cost analysis is performed, the SRSD shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of the

contractor's past performance, and industry profit rates in the surrounding geographical area for similar work. (See 2 CFR 200.323(b)).

- I. **Bid Protest:** The SRSD maintains the following protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency.

A bidder who wishes to file a bid protest shall file such notice and follow procedures prescribed by the Request For Proposals (RFPs) or the individual bid specifications package, for resolution. Bid protests shall be filed in writing with the Superintendent within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Superintendent shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the SRSB and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed, shall constitute a waiver of proceedings.

- J. **Maintenance of Procurement Records:** The SRSD shall maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price (including a cost or price analysis), and records regarding disbarment/suspension queries or actions. Such records shall be retained consistent with SRSD Policy EHB- Data/Records Retention and SRSD Administrative Procedures R & P – EHB – Local Records Retention Schedule.

### **PROCUREMENT – ADDITIONAL PROVISIONS PERTINENT TO FOOD SERVICE PROGRAM**

The following provisions shall be included in all cost reimbursable contracts for food services purchases, including contracts with cost reimbursable provisions, and in solicitation documents prepared to obtain offers for such contracts: (7 CFR Sec. 210.21, 215.14a, 220.16)

- A. **Mandatory Contract Clauses:** The following provisions shall be

1 included in all cost reimbursable contracts for food services  
2 purchases, including contracts with cost reimbursable provisions, and  
3 in solicitation documents prepared to obtain offers for such contracts:  
4

- 5 1. Allowable costs will be paid from the nonprofit school food service account to  
6 the contractor net of all discounts, rebates and other applicable credits  
7 accruing to or received by the contractor or any assignee under the contract,  
8 to the extent those credits are allocable to the allowable portion of the costs  
9 billed to the school food authority;  
10
- 11 2. The contractor must separately identify for each cost submitted for payment to  
12 the school food authority the amount of that cost that is allowable (can be paid  
13 from the nonprofit school food service account) and the amount that is  
14 unallowable (cannot be paid from the nonprofit school food service account);  
15 or  
16
- 17 3. The contractor must exclude all unallowable costs from its billing documents  
18 and certify that only allowable costs are submitted for payment and records  
19 have been established that maintain the visibility of unallowable costs,  
20 including directly associated costs in a manner suitable for contract cost  
21 determination and verification;  
22
- 23 4. The contractor's determination of its allowable costs must be made in  
24 compliance with the applicable departmental and program regulations and  
25 Office of Management and Budget cost circulars;  
26
- 27 5. The contractor must identify the amount of each discount, rebate and other  
28 applicable credit on bills and invoices presented to the school food authority  
29 for payment and individually identify the amount as a discount, rebate, or in  
30 the case of other applicable credits, the nature of the credit. If approved by  
31 the state agency, the school food authority may permit the contractor to  
32 report this information on a less frequent basis than monthly, but no less  
33 frequently than annually;  
34
- 35 6. The contractor must identify the method by which it will report discounts,  
36 rebates and other applicable credits allocable to the contract that are not  
37 reported prior to conclusion of the contract; and  
38
- 39 7. The contractor must maintain documentation of costs and discounts,  
40 rebates and other applicable credits, and must furnish such  
41 documentation upon request to the school food authority, the state  
42 agency, or the department.  
43

44 **B. Contracts with Food Service Management Companies:** *Procedures for*  
45 *selecting and contracting with a food service management company*  
46 *shall comply with guidance provided by the NHDOE, including standard*  
47 *forms, procedures and timelines for solicitation, selection and approval*  
48 *of proposal and contracts.*  
49



1     **C. “Buy American” Requirement:**  
2

3     Under the “Buy American” provision of the National School Lunch Act (the  
4     “NSLA”), school food authorities (SFAs) are required to purchase, to the  
5     maximum extent practicable, *domestic commodity or product*. As an SFA, the  
6     SRSD is required to comply with the “Buy American” procurement standards set  
7     forth in 7 CFR Part 210.21(d) when purchasing commercial food products served  
8     in the school meals programs. This requirement applies whether the SRSD is  
9     purchasing the products directly or when the products are purchased by third  
10    parties on the SRSD’s behalf (e.g., food service management companies, group  
11    purchasing cooperatives, shared purchasing, etc.).  
12

13    Under the NSLA, “*domestic commodity or product*” is defined as an agricultural  
14    commodity or product that is produced or processed in the United States using  
15    “*substantial*” agricultural commodities that are produced in the United States. For  
16    purposes of the act, “*substantial*” means that over 51 percent of the final  
17    processed product consists of agricultural commodities that were grown  
18    domestically. Products from Guam, American Samoa, Virgin Islands, Puerto  
19    Rico, and the Northern Mariana Islands are allowable under this provision as  
20    territories of the United States.  
21

22    1.     Exceptions: The two main exceptions to the Buy American  
23            requirements are:

- 24           a) The product is not produced or manufactured in the U.S. in  
25           sufficient and reasonably available quantities of a satisfactory  
26           quality; or  
27           b) Competitive bids reveal the costs of a U.S. product are  
28           significantly higher than the non-domestic product.

29    2.     Steps to Comply with Buy American Requirements: In order to  
30            help assure that the SRSD remains in compliance with the  
31            Buy American requirement, the Business Administrator shall

- 32           a) Include a Buy American clause in all procurement documents  
33           (product specifications, bid solicitations, requests for proposals,  
34           purchase orders, etc.);  
35           b) Monitor contractor performance;  
36           c) Require suppliers to certify the origin of the product;  
37           d) Examine product packaging for identification of the country of origin;  
38           and  
39           e) Require suppliers to provide specific information about the  
40           percentage of U.S. content in food products from time-to-time.  
41  
42

43    **CONFLICT OF INTEREST AND MANDATORY DISCLOSURES**  
44

1 The SRSD complies with the requirements of State law and the Uniform  
2 Guidance for conflicts of interest and mandatory disclosures for all  
3 procurements with federal funds.

4  
5 Each employee, SRSB member, or agent of the school system who is  
6 engaged in the selection, award or administration of a contract supported by a  
7 federal grant or award and who has a potential conflict of interest must  
8 disclose that conflict in writing to the Superintendent, who, in turn, shall  
9 disclose in writing any such potential conflict of interest to NHDOE or other  
10 applicable pass-through-entity.

11  
12 A conflict of interest would arise when the covered individual, any member of  
13 his/her immediate family, his/her partner, or an organization, which employs  
14 or is about to employ any of those parties has a financial or other interest in or  
15 received a tangible personal benefit from a firm considered for a contract. A  
16 covered individual who is required to disclose a conflict shall not participate in  
17 the selection, award, or administration of a contract supported by a federal  
18 grant or award.

19  
20 Covered individuals will not solicit or accept any gratuities, favors, or items  
21 from a contractor or a party to a subcontractor for a federal grant or award.  
22 Violations of this rule are subject to disciplinary action.

23  
24 The Superintendent shall timely disclose in writing to NHDOE or other  
25 applicable pass-through- entity, all violations of federal criminal law involving  
26 fraud, bribery, or gratuities potentially effecting any federal award. The  
27 Superintendent shall fully address any such violations promptly and notify the  
28 SRSB with such information as is appropriate under the circumstances (e.g.,  
29 taking into account applicable disciplinary processes).

30 **INVENTORY MANAGEMENT - EQUIPMENT AND SUPPLIES PURCHASED**  
31 **WITH FEDERAL FUNDS**  
32

33 Equipment and supplies acquired ("property" as used in this policy under  
34 Inventory Management) with federal funds will be used, managed, and  
35 disposed of in accordance with applicable state and federal requirements.

36 Property records and inventory systems shall be sufficiently maintained to  
37 account for and track equipment that has been acquired with federal funds.  
38 In furtherance thereof, the following minimum standards and controls shall  
39 apply to any equipment or pilferable items acquired in whole or in part under a  
40 Federal award until such property is disposed in accordance with applicable  
41 laws, regulations and SRSB policies:

- 42  
43 A. **"Equipment" and "Pilferable Items" Defined:** For purposes of this  
44 policy, "equipment" means tangible personal property (including  
45 information technology systems) having a useful life of more than one  
46 year and a per-unit acquisition cost which equals or exceeds the lesser of

1 \$5,000, or the capitalization level established by the SRSD for financial  
2 statement purposes. "Pilferable items" are those items, *regardless of*  
3 *cost*, which may be easily lost or stolen, such as cell phones, tablets,  
4 graphing calculators, software, projectors, cameras and other video  
5 equipment, computer equipment and televisions.

6  
7 **B. Records:** The Superintendent or designee shall maintain records that  
8 include a description of the property; a serial number or other  
9 identification number; the source of the funding for the property (including  
10 the federal award identification number (FAIN)); who holds title; the  
11 acquisition date; the cost of the property; the percentage of the federal  
12 participation in the project costs for the federal award under which the  
13 property was acquired; the location, use, and condition of the property;  
14 and any ultimate disposition data, including the date of disposition and  
15 sale price of the property.

16  
17 **C. Inventory:** No less than once every two years, the Superintendent or  
18 designee shall cause a physical inventory of all equipment and pilferable  
19 items must be taken and the results reconciled with the property records  
20 at least once every two years. Except as otherwise provided in this policy  
21 under Administration of Federal Grant Funds, inventories shall be  
22 conducted consistent with SRSB Policy DID – Capital Assets Policy.

23  
24 **D. Control, Maintenance and Disposition:** The Superintendent shall  
25 develop administrative procedures relative to property procured in  
26 whole or in part with Federal funds to:

- 27  
28 1. prevent loss, damage, or theft of the property; Any loss,  
29 damage, or theft must be investigated;  
30  
31 2. to maintain the property and keep it in good condition; and  
32  
33 3. to ensure the highest possible return through proper sales  
34 procedures, in those instances where the SRSD is authorized to  
35 sell the property.

## 36 **TRAVEL REIMBURSEMENT – FEDERAL FUNDS**

37 The SRSB shall reimburse administrative, professional and support  
38 employees, and school officials, for travel costs incurred in the course of  
39 performing services related to official business as a federal grant recipient.

40  
41 For purposes of this policy, "travel costs" shall mean the expenses for  
42 transportation, lodging, subsistence, and related items incurred by employees  
43 and school officials who are in travel status on official business as a federal  
44 grant recipient.

1 School officials and SRSD employees shall comply with applicable SRSB  
2 policies and administrative regulations established for reimbursement of travel  
3 and other expenses.

4  
5 The validity of payments for travel costs for all SRSD employees and school  
6 officials shall be determined by the Business Administrator.

7  
8 Travel costs shall be reimbursed on a mileage basis for travel using an  
9 employee's personal vehicle and on an actual cost basis for meals, lodging  
10 and other allowable expenses, consistent with those normally allowed in like  
11 circumstances in the SRSD's non-federally funded activities, and in  
12 accordance with the SRSD's travel reimbursement policies and administrative  
13 regulations.

14  
15 Mileage reimbursements shall be at the rate approved by the SRSB or SRSB  
16 policy for other SRSD travel reimbursements. Actual costs for meals, lodging  
17 and other allowable expenses shall be reimbursed only to the extent they are  
18 reasonable and do not exceed the per diem limits established by SRSB policy  
19 DKC – Expense Reimbursements, or, in the absence of such policy, the federal  
20 General Services Administration for federal employees for locale where  
21 incurred.

22  
23 All travel costs must be presented with an itemized, verified statement prior to  
24 reimbursement.

25  
26 In addition, for any costs that are charged directly to the federal award, the  
27 Business Administrator shall maintain sufficient records to justify that:

28  
29 A. Participation of the individual is necessary to the federal award.

30  
31 B. The costs are reasonable and consistent with SRSB policy.  
32

### 33 34 **ACCOUNTABILITY AND CERTIFICATIONS** 35

36 All fiscal transactions must be approved by the Business Administrator  
37 who can attest that the expenditure is allowable and approved under the  
38 federal program. The Business Administrator submits all required  
39 certifications.

### 40 41 42 **TIME-EFFORT REPORTING / OVERSIGHT** 43

44 The Superintendent will establish sufficient oversight of the operations of  
45 federally supported activities to assure compliance with applicable federal

requirements and to ensure that program objectives established by the awarding agency are being achieved. The SRSD will submit all reports as required by federal or state authorities.

As a recipient of Federal funds, the SRSD shall comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Section 200.430 of the Code of Federal Regulations requires certification of effort to document salary expenses charged directly or indirectly against Federally-sponsored projects. This process is intended to verify the compensation for employment services, including salaries and wages, is allocable and properly expended, and that any variances from the budget are reconciled.

A. **Compensation:** Compensation for employment services includes all remuneration, paid currently or accrued, for services of employees rendered during the period of performance under the Federal award, including but not necessarily limited to wages and salaries. Compensation for personal services may also include fringe benefits, which are addressed in 2 CFR 200.431 Compensation – fringe benefits. Costs of compensation are allowable to the extent that they satisfy the specific requirements of these regulations, and that the total compensation for individual employees:

1. is reasonable for the services rendered, conforms to the SRSD's established written policy, and is consistently applied to both Federal and non-Federal activities; and
2. follows an appointment made in accordance with the SRSD's written policies and meets the requirements of Federal statute, where applicable.

B. **Time and Effort Reports:** Time and effort reports shall:

1. be supported by a system of internal controls which provide reasonable assurance that the charges are accurate, allowable, and properly allocated;
2. be incorporated into the official records of the SRSD;
3. reasonably reflect the total activity for which the employee is compensated by the SRSD, not exceeding 100% of the compensated activities;
4. encompass both Federally assisted and other activities compensated by the SRSD on an integrated basis;
5. comply with the SRSD's established accounting policies and practices;

- 1           6. support the distribution of the employee's salary or wages among  
2           specific activities or cost objectives if the employee works on more  
3           than one (1) Federal award, a Federal award and non-Federal award,  
4           an indirect cost activity and a direct cost activity, two (2) or more  
5           indirect activities which are allocated using different allocation bases,  
6           or an unallowable activity and a direct or indirect cost activity.

7  
8           The SRSD will also follow any time and effort requirements imposed by  
9           NHDOE or other pass-through entity as appropriate to the extent that  
10          they are more restrictive than the Federal requirements. The Business  
11          Administrator is responsible for the collection and retention of employee  
12          time and effort reports. Individually reported data will be made available  
13          only to authorized auditors or as required by law.

14  
15       **GRANT BUDGET RECONCILIATION**  
16

17          Budget estimates are not used as support for charges to Federal awards.  
18          However, the SRSD may use budget estimates for interim accounting  
19          purposes. The system used by the SRSD to establish budget estimates  
20          produces reasonable approximations of the activity actually performed. Any  
21          significant changes in the corresponding work activity are identified by the  
22          SRSD and entered into the SRSD's records in a timely manner.

23  
24          The SRSD's internal controls include a process to review after-the-fact interim  
25          charges made to a Federal award based on budget estimates and ensure that  
26          all necessary adjustments are made so that the final amount charged to the  
27          Federal award is accurate, allowable, and properly allocated.

1

Code DB

2 **ANNUAL BUDGET**

3 The **Shaker Regional School Board (SRSB)** shall secure adequate funds to carry out  
4 a high-level program of instruction, and to better further district goals.

5 The adopted annual school budget is the financial outline of the District's educational  
6 program. It is the legal basis for the establishment of tax rates. The annual school  
7 budget process is an important function of District operations and should serve as a  
8 means to improve communications within the school organization and with the residents  
9 of the community.

10 The Superintendent will work closely with the Principals and Department Directors in  
11 preparing the budget. Principals will confer with the appropriate staff in getting  
12 budgetary requests and information on requirements.

13

14 The Superintendent shall prepare and present to the **SRSB** for action on the proposed  
15 annual budget.

1

2 **TRANSFER OF FUNDS/BUDGET**

3 When it is necessary to expend more than the amount appropriated for a specific  
4 purpose, the **Shaker Regional School Board (SRSB)** authorizes the Superintendent to  
5 transfer funds between lines up to \$5,000. Any such transfers shall be reported to the  
6 **SRSB** at the **SRSB's** next regularly scheduled meeting. Any transfer in excess of  
7 \$5,000 shall first require **SRSB** approval and authorization. <sup>1, 2, 3</sup>

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<sup>1</sup> RSA 32:10

<sup>2</sup> RSA 282-A:71 III

<sup>3</sup> RSA 32:10, I (d)



## REVENUES FROM INVESTMENTS/INVESTMENT POLICY

### Objectives

Funds received for the operation of the **Shaker Regional School District (SRSD)** shall be held in a manner which achieves the following objectives<sup>1</sup>:

- Provide safety of the funds received—regardless of the method used to raise these funds (i.e. taxes, federal or state assistance, other local revenues) and to limit the type of investments and institutions such funds can be deposited into to mitigate credit and interest risk.
- Provide a level of liquidity sufficient to meet all operating requirements which may be reasonably anticipated.
- Provide a return on investment comparable to a market rate of return throughout budgetary and economic cycles, taking into consideration investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above.

### Account Categories

The categories for district accounts may include:

- Pooled Cash Account – this account shall include all deposits resulting from the normal operation of the General Fund and Federal Fund, as well as the State and Federal Nutrition Assistance received through the operation of the Food Service Fund.
- Food Service Account – this account may be separate from or part of the pooled cash account. If separate, the account shall include monies collected by the Food Service Program for the sale of meals or through other normal operations—exclusive of State or Federal Nutrition Assistance. They shall be deposited daily by the Food Service Director or their designee.
- Capital Projects Account – this account shall hold all proceeds from the Sales of Notes or Bonds together with any interest earned on such deposits.

### Delegation of Authority

- Treasurer – The Treasurer shall have custody of all monies belonging to the **SRSD** and shall pay out the same only upon orders of the **Shaker Regional School Board (SRSB)**.<sup>2</sup> The **SRSD** Treasurer shall hold the authority to deposit funds, invest funds, complete wire transfers, and authorize collateral agreements on behalf of the **SRSD**. A copy of such investment instruments and collateral agreements shall be maintained on file at the Superintendent's Office with the original maintained in the records of the **SRSD** Treasurer.
- Investment Officers - The investment officers shall be the Treasurer, the Superintendent or the Superintendent's designee and, when appropriate, one member of the **SRSB**. Investment officers acting in accordance with written

<sup>1</sup> NH RSA 197:23-a

<sup>2</sup> NH RSA 197:23-a

1 procedures and this Investment Policy and exercising due diligence shall be  
2 relieved of personal responsibility for an individual security's credit risk or market  
3 price change, provided deviations from expectations were reported in a timely  
4 fashion and the liquidity and sale of securities are carried out in accordance with  
5 the terms of this policy.

6 Eligible Investments

7 Investments shall be consistent with the Government Finance Officers of America  
8 (GFOA) Policy Statement and Local Laws concerning Investment Practices.  
9 Collateralization shall be required on non-negotiable certificates of deposit.

10 The Superintendent shall publish Rules and Procedures to implement this policy.

1

2 **AUTHORIZED SIGNATURES**

3 The Superintendent is directed to create internal controls to ensure that contracts,  
4 checks and other official documents are accurate, authorized and signed by the  
5 appropriate persons and that necessary actions are taken to prevent mistakes, fraud,  
6 embezzlement and District liability, and to comply with applicable state or federal laws  
7 and regulations.

8 In general, the Superintendent or his/her designee may sign documents on behalf of the  
9 District or the Board. When a signature of one Board member is required, the Chair, or  
10 in his/her absence, the Vice Chair, is authorized to sign on behalf of the Board. Other  
11 District personnel and District officials are authorized to sign documents or instruments  
12 on behalf of the District as directed by the Superintendent.

13 An electronic signature may be used whenever a signature is required, unless there is a  
14 specific statute, regulation, or policy that requires records to be signed in no-electronic  
15 form.

1

Code DH

2 **BONDED EMPLOYEES AND OFFICERS**

3 The Treasurer and Deputy Treasurer shall be bonded.<sup>1</sup> The **SRSD** will arrange a Public  
4 Officials Bond to cover the Treasurer and the deputy, if any, in the amount of at least  
5 \$100,000.

6 The **SRSD** shall arrange a Blanket Position Bond, including a Faithful Performance  
7 endorsement, in the amount of at least \$100,000 on all employees who administer funds  
8 for the **SRSD**.

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<sup>1</sup> RSA 197:22

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2 **FISCAL ACCOUNTING AND REPORTING**

3 The **Shaker Regional School District's (SRSD)** accounting system shall conform to  
4 the New Hampshire Financial Accounting Handbook published by the State Department  
5 of Education. The **SRSD's** reporting system shall comply with GASB requirements. An  
6 adequate system of encumbrance accounting will be maintained.

7 The **Shaker Regional School Board (SRSB)** shall receive financial reports and  
8 statements showing the financial condition of the **SRSD**. These statements/reports shall  
9 be prepared on a scheduled basis during the school year, two of which shall contain  
10 estimates to project cost for the full year including actual encumbered expenses. The  
11 **SRSB** may ask for a statement or report at any time.

12 The Superintendent shall publish rules and procedures related to this policy.

**FUND BALANCE**

The **Shaker Regional School District (SRSD)** shall comply with Government Accounting Standards Board (GASB) 54, Fund Balance Reporting and Governmental Fund Definitions.

The following fund type definitions will be used in reporting activity in governmental funds across the **SRSD**: General Fund, Special Revenue Fund and Capital Project Fund. The **SRSD** may or may not report all fund types in any given reporting period, based on actual activity.

Fund balance will be reported in governmental funds under the following categories using the definitions provided by GASB Statement No. 54: Nonspendable Fund Balance, Restricted Fund Balance, Committed Fund Balance, Assigned Fund Balance, and Unassigned Fund Balance.

The Superintendent shall publish rules and procedures related to this policy.

**FIXED ASSETS ACCOUNTING/INVENTORIES**

The **Shaker Regional School District (SRSD)** shall maintain an inventory of all fixed assets in accordance with governmental accounting standards. The **SRSD's** inventory shall be updated annually to include property newly purchased and disposed.

A fixed asset is a piece of property that meets all of the following: 1) is tangible and complete; 2) is used in the operation of the school system's activities; 3) has a useful life of longer than the current fiscal year; and 4) has an individual or aggregate significant value.

The following significant values will be used for different classes of assets:

<u>Class of Capital Asset</u>	<u>Significant Individual or Aggregate Value</u>
Land	Any amount
Site Improvements	\$5,000
Buildings/Structures	\$5,000
Machinery and Equipment	\$5,000
Licensed Vehicles	Any amount
Furniture	\$5,000
Electronic Equipment – including computers	\$5,000
Printed Materials – including textbooks and library books	\$5,000

The Superintendent shall publish Rules and Procedures to implement this policy.

1

2 **AUDITS**

3 The books and accounts of the **Shaker Regional School District (SRSD)** shall be  
4 audited yearly<sup>1</sup>. The audit shall be performed by a Certified Public Accountant and shall  
5 be in accordance with U.S. generally accepted auditing standards and the standards  
6 applicable to financial audits contained in Government Auditing Standards, issued by the  
7 Comptroller General of the United States.

8 The **Shaker Regional School Board (SRSB)** shall select the auditors upon the  
9 recommendation of the Superintendent.

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<sup>1</sup> RSA 197:25



**PURCHASING**

The acquisition of supplies, equipment, and services shall be centralized in the business office, which functions under the supervision of the Superintendent, and through whose office all purchasing transactions are conducted.

The Superintendent and/or their designee shall be responsible for the quality and quantity of purchases made. All purchases fall within the framework of budgetary limitations and shall be consistent with the approved educational goals and programs of the **Shaker Regional School District (SRSD)**.

The Superintendent and/or their designee shall be responsible for all phases of purchasing in accordance with this policy; for requisitions, current order purchasing, writing of solicitations for bids, deliveries, storage, and other tasks related to the purchases, acceptance and distribution of supplies.

The Superintendent shall publish rules and procedures related to this policy. These procedures shall be designed to avoid assumption of risk<sup>1</sup> and to ensure the best possible value for the desired products and services.

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<sup>1</sup> See SRSD Policy EI

1

2 **PURCHASING FROM PETTY CASH**

3 Petty cash funds shall be established for the Superintendent's office, and special  
4 programs as needed as they will expedite the purchase of minor items and/or provide  
5 immediate payment for minor services.

6 Expenditures against these funds must be itemized and documented with receipts and  
7 will be charged to the applicable budget code. After a budget item is exhausted, no  
8 expenditures against the item may be made from petty cash.

9 The custodian for such accounts shall be the Business Office under the direction of the  
10 District Business Administrator.

11 The Superintendent shall publish rules and procedures related to this policy.

1

2 **COOPERATIVE PURCHASING**

3 The **Shaker Regional School District (SRSD)** at the Superintendent's option, may join  
4 in cooperative purchasing with other school districts and other government agencies to  
5 take advantage of lower prices for bulk purchasing and to reduce the administrative  
6 costs in bidding.

7 The Superintendent is directed to periodically communicate with other governmental  
8 entities to assess whether such an arrangement is feasible and appropriate.

**BIDDING PROCEDURES**

All contracts for, and purchases of supplies, materials, equipment, and contractual services shall be based, when feasible, on the following:

Total Dollar Amount of Purchase  
\$.99 - \$10,000

Action to be Taken:

Competitive bid not required, but competitive pricing may be sought

\$10,000-\$15,000

Competitive pricing required; quotes to be obtained from at least three qualified vendors, and may be obtained orally.

Over \$15,000

Formal competitive bidding process is required. Bid packages should be sent to a minimum of three qualified bidders. All quotes to be submitted in writing.

All purchases made in the open market shall be completed after careful pricing.

**Exceptions to Bidding Requirements:**

- Purchases of utilities, such as water, sewage, etc. where competitive sources are not available.
- Purchases involving the acquisition of personal or professional services.
- Purchases of proprietary maintenance contracts, where alternate "authorized" sources are not available.
- Purchases involving minor repairs
- Purchases involving major repairs where bidding requirements are waived by the superintendent due to the urgency of the repair.
- Purchases involving a documented sole source of supply.

The bidder to whom the award is made shall be required to enter into a written contract with the **Shaker Regional School District (SRSD)**.

The formal bid notice shall state that the **SRSD** reserves the right to reject any or all bids and to accept that bid which appears to be in the best interest of the **SRSD**. The **SRSD** reserves the right to waive any formalities in, or reject, any or all bids or any part of any bid. The **SRSD** also reserves the right to negotiate with any and all bidders.

Legal References  
RSA 194-C4II (a) Superintendent Service

1

2 **LOCAL PURCHASING**

3 The **Shaker Regional School District (SRSD)** shall purchase locally available goods of  
4 equal quality when such goods are available and at competitive value.

5 The **SRSD** is not bound to purchase any item locally that can be secured at a savings to  
6 the **SRSD** from outside sources, nor shall the **SRSD** be bound to purchase locally  
7 unless adequate service and delivery can be given by the local supplier.

1

Code DK

2 **PAYMENT PROCEDURES**

3 All manifests must be approved and signed by the Superintendent and the majority of  
4 the **Shaker Regional School Board (SRSB)**.

5 The **Shaker Regional School District's (SRSD)** Treasurer will sign all checks.<sup>1</sup> In the  
6 absence of the Treasurer, the Deputy Treasurer is authorized to sign checks.

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<sup>1</sup> NH RSA 197: 24-a

**PAYROLL PROCEDURES**

All salaries and stipend amounts paid to regular staff members, substitute or part-time personnel, and student workers shall be paid through the Business Office.

Payroll procedures are dependent on staff attendance accounting and on the proper record keeping of hours worked by part time and hourly workers.

Compensation records kept by the business office will reflect an accurate history of the compensation and related benefits paid to and on behalf of each employee.

Pay Day Schedule

The **Shaker Regional School District (SRSD)** shall pay salaries on a regular schedule throughout the school year. There shall be no salary advances.

Salary Deductions

Two categories of salary deductions shall be allowed. The two categories are those (a) required by law and (b) specifically authorized, in writing, by the employee.

Legal Reference:

RSA 194-C:4 (11) (a) Superintendent Services

1

2 **EXPENSE REIMBURSEMENTS**

3 **Shaker Regional School District (SRSD)** personnel and officials who incur expenses  
4 in carrying out their authorized duties may be reimbursed by the **SRSD** after pre-  
5 approval by the Superintendent or Business Administrator, submission of a properly  
6 filled out and approved voucher, and such supporting receipts as required.

7 When official travel by personally owned vehicle has been authorized, the  
8 Superintendent may authorize a mileage payment at the rate published by the IRS.



1

**Code DM**

2 **CASH IN SCHOOL BUILDINGS**

3 Monies collected by school employees and by student treasurers shall be handled with  
4 prudent business procedures. All monies collected shall be receipted, accounted for,  
5 and deposited as soon as possible, but no later than 48 hours after collection.

6 All vending machines shall be emptied of cash regularly.

7

8 Undeposited funds shall be kept in the school safe. In no case shall funds be left in any  
9 other area of the school.

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**SCHOOL PROPERTIES DISPOSITION**

No assets with a value in excess of \$2,000 shall be disposed of until permission has been received from the **Shaker Regional School Board (SRSB)**. The **SRSB** shall determine whether the material involved has salable value, and if such shall be the case, it shall authorize the sale of the material. If the material does not have a value over \$2,000, the proper disposal shall be determined by the Superintendent.

**SCHOOL PROPERTIES DISPOSAL PROCEDURE**

The **SRSB** authorizes disposition of obsolete items according to the following priority actions:

1. By selling to the highest bidder or whatever other business arrangement is in the best interest of the **Shaker Regional School District (SRSD)**.
2. When practicable, the **SRSB** shall donate such items to charitable organizations and schools.
3. By giving such items to local citizens.
4. By removal to the town dump.

The revenue derived from the disposition of **SRSD** assets shall be returned to the general fund.

Fixed asset inventories will be amended to reflect changes in values through disposal. In the event the equipment was purchased with monies from a Federal Grant, the Code of Federal Regulations will govern the disposal of such equipment.

Sale of real estate will be by the vote of the electorate of the **SRSD** at an annual or special **SRSD** meeting, and the revenue derived will be returned to the general fund to defray costs of current expenses.

## **TABLE OF CONTENTS**

### **SECTION E: SUPPORT SERVICES**

Section E contains policies on non-instructional services and programs, particularly those on business management such as safety, building and grounds management, transportation, and food services.

<b><u>Code</u></b>	<b><u>Title/Content</u></b>
<b>*</b>	
EB .....	Safety Program
EBBB.....	Accident Reports
EBBC .....	Emergency Care and First Aid (See SRSD Policies JLCD & JLCE)
EBBD .....	Indoor Air Quality and Water Quality
EBCC .....	Bombs and Bomb Threats
	...Bombs
	...Bomb Threats
	...No Action
	...Search of District Property
	...Evacuation
	...Re-entry
EBCE .....	School Closings
EC .....	Operation of Drones on School Property
<b>*</b>	
ECA .....	Buildings & Grounds Security
EEA.....	Student Transportation Services
EEAA.....	Video and Audio Surveillance on School Property/Transportation
EEAE.....	School Bus Safety Program
EEAEA.....	Mandatory Drug and Alcohol Testing for Bus Drivers
<b>*</b>	
EEAEC .....	Student Conduct on School Buses
	...Bus Driver Responsibility
	...Principal's Authority
	...Resolution of Conflicts
<b>*</b>	
EEAF .....	Buses Authorized for Special Use (See SRSD Policy IJOA)
EEBA.....	District Owned Vehicles
EEBB .....	Use of Private Vehicles in School Business
<b>*</b>	
EF .....	Food Service Management
EFA .....	Availability and Distribution of Healthy Foods
<b>*</b>	
EFC .....	Free and Reduced-Price Meals
<b>*</b>	
EFDA .....	Collection of Money for Food Services
EFE .....	Vending Machines
<b>*</b>	
EGA .....	Communication Services – Computer Systems and Internet Access

1	EGAA *	.....Personally Owned Network Communication Devices
2	EGAD *	.....Copyright Compliance
3	EH	.....Public Access to District Records
4	EHAB	.....Data Governance and Security
5	EHB *	.....Retention of Records
6	EI	.....Risk Management
7		
8		
9	EIB	.....Liability Insurance
10		...Commercial General Liability
11		...Automobile Liability
12		...Errors and Omissions Liability
13		...Workers Compensation Coverage by Contractors
14		
15	EID	.....Insurance/Fidelity Bonds
16	*	
17		The Superintendent of Schools has published <u>Rules and Procedures</u> related to this
18		policy.
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**SAFETY PROGRAM<sup>1</sup>**

The Superintendent shall establish procedures that provide for reasonable protection for the safety of students, employees, visitors, and others present on school property or at school-sponsored events.

The safety program will include but not be limited to: formation of a Joint Loss Safety Committee<sup>2</sup>, District Emergency Response Team preparedness plans developed for each school facility, and an annual evaluation of emergency preparedness procedures, and training for staff and students.

Each Principal shall be responsible for the supervision and implementation of a safety program for his/her school.

The Superintendent shall publish rules and procedures for the supervision and implementation of a safety program and Emergency Response System at the schools. General areas of emphasis shall include, but not be limited to: in-service training; accident record keeping; plant inspection; driver and vehicle safety programs; fire prevention; catastrophe planning; and emergency procedures and traffic safety problems relevant to students, employees, the public and public events.<sup>3</sup>

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<sup>1</sup> ED 306.10 (a) (2)

<sup>2</sup> RSA 281-A:64, III

<sup>3</sup> ED 306.04 (d)

**ACCIDENT REPORTS**

Any person involved in an accident resulting in personal injury, on school property or during a school-sponsored activity, is required to complete an accident report. All accidents judged to be other than minor require an accident report to be filled out and filed with the Principal within 24 hours of the incident. If the accident involves the services of a physician and/or is likely to result in a claim, one copy of the accident report shall be filed with the school office and one copy with the Superintendent of School's office, who will forward it to the Shaker Regional School District's Liability Carrier.<sup>1</sup>

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<sup>1</sup> SRSD Policy JLCE

## INDOOR AIR QUALITY AND WATER QUALITY

In order to ensure that all school buildings maintain air quality that protects the health of all occupants, the **Shaker Regional School Board (SRSB)** directs the Superintendent to evaluate physical conditions that can impact air quality such as general cleanliness, ventilation, moisture control, emissions from motorized vehicles, as well as chemical use and storage. The Superintendent may delegate the evaluation of air quality to the Director of Buildings and Grounds. The **SRSB** encourages the Superintendent to utilize methods and recommendations established by various State agencies.

The Superintendent and/or Director of Buildings and Grounds shall annually investigate air quality in **Shaker Regional School District (SRSD)** school buildings using a checklist provided by the New Hampshire Department of Education.

Water Quality and Access. The Board directs the Superintendent/designee to take measures to limit lead exposure in school drinking water and ensure compliance with RSA 485:17-a, III, and consistent with regulations and guidance of the N.H. Departments of Environmental Services and of Education.

## BOMBS AND BOMB THREATS

The **Shaker Regional School District (SRSD)** shall protect all students, teachers, administrative and support personnel and others from the physical harm which may be caused by bomb threats and bombs.<sup>1</sup> **SRSD** property shall be kept secure from all bombs.

For the purposes of this Policy:

- A "bomb" is any device, no matter what the appearance, intended or designed to explode or cause fire.
- A "bomb threat" is defined as information received by the **SRSD** that there could be, may be, or is a bomb on **SRSD** property.
- "**SRSD** property" includes school buildings, school grounds, any remote location in control of the **SRSD**, and any piece of **SRSD** equipment, including contracted buses.
- "Evacuation" means vacating threatened **SRSD** property of all persons:
  - In an orderly manner.
  - With a deliberate speed in keeping with the level of threat to the physical safety of all persons.
  - To a safe place.
  - Without panic.
- Panic is a sudden, excessive, unreasoned and infectious terror.

Evacuation procedures shall take into account and be related to the **SRSD's** other emergency rules and procedures.<sup>2</sup>

### Bombs

Threatened **SRSD** property shall be evacuated if a bomb is identified or thought to be identified on **SRSD** property. After evacuation, the persons designated by the Superintendent, and police and fire authorities, shall further address the circumstances of the bomb and actions necessary to protect the physical safety of all persons. Protection of property shall be a secondary consideration.

### Bomb Threats<sup>3</sup>

Bomb threats which result in panic may serve the objective(s) of a bomb threatener. Students, teachers and administrative personnel shall be protected from the results of the panic which can be related to a bomb threat.

A threat may be initially communicated to the **SRSD** by (1) the person making the threat or (2) a person who has knowledge or believes that a threat has been made by another. If the **SRSD** is reasonably satisfied that a threat has been made, then further actions shall be taken in protection of the safety of all persons. The **SRSD** shall immediately

<sup>1</sup> NH Code of Administrative Rules, Section ED 306.local(2); RSA 200:40

<sup>2</sup> See Policy EB

<sup>3</sup> See "Bomb Threats and Physical Security Planning" US Bureau of Alcohol, Tobacco and Firearms ATF 75502 (7/87) available at [www.atf.treas.gov/pub/fire-explo\\_pub/bomb\\_threat.pdf](http://www.atf.treas.gov/pub/fire-explo_pub/bomb_threat.pdf)



1 investigate and assess the credibility and information basis of the second type of  
2 informant. If the **SRSD** decides that the second type of informant is not credible (e.g. an  
3 incompetent person) or does not have information which can be reasonably acted upon  
4 (e.g. a threat against the whole Town) then no evacuation of **SRSD** property or actions  
5 involving the larger school community shall be taken.

6 The Superintendent or designee, in cooperation with police and fire authorities, shall  
7 assess the level of credibility of the threat. For purposes of deciding on whether to  
8 evacuate **SRSD** property, a threat shall be classified as a no, low, or high credibility  
9 threat. Credibility shall be measured by the (1) specificity of the threat (e.g. the  
10 completeness of the information about what, when, where and how), (2) the source of  
11 the information about the threat (i.e. first or second type of informant), (3) the history of  
12 the same or similar types or sources of threats, (4) the known or imputed ability of the  
13 threatener to act on the threat and (5) the known or imputed motives of the threatener.  
14 If no information is available or can be reasonably imputed to a measure then such  
15 measure is presumed to point to high credibility threat. Following such assessment and  
16 threat classification one of the following shall occur:

#### 17 No Action

18 If a threat is classified as having no or low credibility, the Superintendent's  
19 designees may decide to take no action involving the full **SRSD** community.  
20 A no or low credibility threat, however, shall result in no action only after full  
21 consultation by and among the Superintendent's designees and police and  
22 fire authorities. If no evacuation or action directly involving the possibly  
23 affected **SRSD** community is taken upon a no or low credibility threat then  
24 a written report of findings on each measure of credibility shall be created  
25 and delivered to the **Shaker Regional School Board (SRSB)** at the  
26 **SRSB's** next regularly scheduled meeting.

#### 27 Search of District Property

28 If a threat is classified as low in credibility, the Superintendent's designees  
29 may decide to reasonably search affected **SRSD** property while waiting to  
30 decide whether to evacuate threatened **SRSD** property. A written report of  
31 a threat and related search activities shall be made to the **SRSB** by the  
32 Superintendent at the **SRSB's** next regularly scheduled meeting.

#### 33 Evacuation

34 If a threat is classified as high in credibility, threatened school property shall  
35 be evacuated in a manner as if a bomb has been identified or thought to be  
36 identified. A written report of a threat and related search and evacuation  
37 activities shall be made to the **SRSB** by the Superintendent at the next  
38 regularly scheduled **SRSB** meeting.

39 The evacuation of **SRSD** property may result in canceling of school, school  
40 activities, or early dismissal of students. The Superintendent shall ensure  
41 that any class time missed by students because of a search or evacuation  
42 is "made-up" in a reasonable manner on a near date. Such "made-up" time

1 may occur after the regular school day, on a school holiday or on a  
2 Saturday.

3 A written report that an evacuation occurred shall be provided to the  
4 parents or guardian.

5 Re-entry

6 Re-entry onto threatened **SRSD** property shall occur only when the Superintendent or  
7 designee, in cooperation with police and fire authorities, determines that there is no  
8 longer a threat to safety of students or personnel.

9  
10 Making a bomb threat is a crime. As such, any person found to have made a bomb  
11 threat will be subject to arrest and prosecution according to state law. Any student  
12 suspected of making a bomb threat shall be reported to law enforcement authorities for  
13 investigation and possible prosecution. Apart from any penalty imposed by law, and  
14 without regard to the existence or status of criminal charges, a student who makes a  
15 bomb threat shall be subject to disciplinary action.<sup>4</sup>

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<sup>4</sup> SRSD Policy JIC

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2 **SCHOOL CLOSINGS**

3 The Superintendent or his or her designee is authorized to delay the opening of schools,  
4 close the schools or to dismiss students early in the event of hazardous weather or  
5 other emergencies which threaten the health or safety of students and personnel.

6

7 Students, parents and staff shall be informed early in each school year of the course of  
8 action which will be followed to notify them in case of emergency closing.

## OPERATION OF DRONES ON SCHOOL PROPERTY

The Shaker Regional School Board (SRSB) prohibits the use of Unmanned Aircraft Systems (a/k/a Drones) on district property unless prior approval by the superintendent or designee has been granted. The use of drones is restricted to educational purposes or for the specific use approved by the superintendent (i.e. special events occurring on school grounds).<sup>1</sup>

Drones permitted under this policy are restricted to models that are programmed to return home/to base if certain conditions arise (i.e. mechanical difficulties, heavy winds, etc.). This policy prohibits self-guided drone models. Use of drones is allowed as a component of science, technology, and aviation-related educational curricula or other coursework such as television and film production or the arts. Operation of a drone by a faculty member is limited to incidental and secondary to the student's operation (i.e. regain control in the event that a student begins to lose control, to terminate the flight, etc.).<sup>1</sup>

Written permission is required in all instances prior to operating a drone on school property. Permission granted by the superintendent will be immediately revoked if the drone is used in violation of this or any other SRSB policies. Additionally, the superintendent will revoke permission to use the drone if the drone is used in any other manner the Superintendent deems inappropriate.<sup>2</sup>

A drone operated on district property must not weigh more than 55 pounds and must be registered with the FAA. It must be flown outdoors within visual line of sight of the operator at an altitude of less than 400 feet, and in full control of the approved operator at all times.<sup>3</sup>

Propeller guards must be used when a drone will be flown over people on the ground.

Operation of a drone by a person not affiliated with the Shaker Regional School District (SRSD) will require personal liability insurance naming the school district as an additional insured. Requests of this nature will be considered on a case-by-case basis. The drone operator is prohibited from receiving compensation either directly or indirectly related to that person's operation of the aircraft at approved events.<sup>1</sup>

Drones will be prohibited from operation at any NHIAA sponsored athletic event. Signs will be posted on school property to provide notice to individuals of these rules. The Superintendent shall publish rules and procedures related to this policy.

<sup>1</sup> FAA memorandum "Educational Use of Unmanned Aircraft Systems" issued 5/4/16 clarifying section 336 of the FAA Modernization and Reform Act of 2012 (FMRA)

<sup>2</sup> SRSD Policy IAB

<sup>3</sup> FAA Modernization and Reform Act of 2012 (FMRA)

**BUILDINGS AND GROUNDS SECURITY**

The buildings and grounds of the **Shaker Regional School District (SRSD)** shall be maintained in a manner that provides for the safety and security of our students and staff during and outside of regular school hours. An adequate entry control system shall be established by the Director of Buildings and Grounds. This system shall limit access to buildings to **SRSD** students, authorized personnel and those people with legitimate school business. Toward this end, identification may be required of any person on school property. The building administration may refuse to allow persons having no legitimate business to remain on school property and may have cause to removed any unwelcome person from the property upon his or her refusal to leave peaceably on request.

School buildings shall be closed and locked after the last school activity has concluded in the afternoon except in those instances when there is continuous activity into the evening, in which case securing of the building shall be accomplished at the conclusion of such activity.

A building being used by an authorized school or community group in the evening, or on non-school days, shall be opened for such activity and secured again after its conclusion.

No unauthorized person or group shall be granted access to a secured building by any employee. Authorization may be granted only by the **Shaker Regional School Board (SRSB)**, by the Superintendent and his/her staff, or by the Principal of the school. The building principal is responsible for enforcing this policy.

The Superintendent shall publish rules and procedures related to this policy.

**STUDENT TRANSPORTATION SERVICES**

The Shaker Regional School District (SRSD) shall provide transportation for students to schools in the SRSD provided they live one mile or more from the school. If a student lives less than one mile from the school, the parent may make a request to the Superintendent for transportation by the SRSD.

The following policies shall apply.<sup>1</sup>

- Bus routes shall be established by the Superintendent, subject to review by the Shaker Regional School Board (SRSB). Routes will be developed annually and posted.

- Students who attend chartered public schools within the SRSD and students who attend private schools shall be entitled to the same transportation privileges within the SRSD as are provided for students in public school.<sup>2</sup>

- Bus stops shall be established by the Superintendent. Bus drivers may not load or unload pupils at other than authorized bus stops.

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<sup>1</sup> RSA 189:6 See policy Student Conduct on Buses

## VIDEO AND AUDIO SURVEILLANCE ON SCHOOL PROPERTY/SCHOOL TRANSPORTATION

The **Shaker Regional School Board (SRSB)** authorizes the use of video and/or audio surveillance devices on or off **Shaker Regional School District (SRSD)** property to ensure the health, welfare, and safety of all staff, students, and visitors and to safeguard **SRSD** buildings, grounds, and equipment.<sup>1</sup> The Superintendent shall approve appropriate locations for surveillance devices. Placement of the video cameras will be based on the presumption and belief that students, staff and visitors have no reasonable expectation of privacy in areas or at events that occur in plain view. However, such devices are not to be placed in bathrooms or locker rooms.

Recordings may be viewed, for discipline and evaluation purposes, only by the following persons and only after expressly authorized by the Superintendent:

- Superintendent or designee
- Building Administrators
- Law Enforcement Officers
- Transportation Contractor Official

Signs may be posted on school buildings to notify students, staff and visitors that video cameras may be in use. At the Superintendent's discretion, parents and students may also be notified through the student handbook. Students will be responsible for any violations of school rules caught on tape by cameras.

Videos containing evidence of a violation of student conduct rules and/or state or federal law will be retained until the issue of the misconduct is no longer subject to review or appeal as determined by board policy or applicable law. Any release or viewing of the video will be in accordance with the law.

In the event an audio or video recording is used as part of a student discipline proceeding, such video may become part of a student's education record. If an audio or video recording does become part of a student's education record, the provisions of Policy JRA shall apply.

The Superintendent is authorized to contact the District's attorney for a full legal opinion relative in the event of such an occurrence.

If disciplinary action<sup>2</sup> is taken as a result of a video/audio recording, the parent/guardian may request, in writing within 5 days, to review the recording with the appropriate school personnel only if students other than their own are not present in the video.

In the event a recording from a video or audio surveillance device contains evidence of wrongdoing, be it a crime or violation of school conduct policies<sup>3</sup> that could result in discipline, the actual, original recording will be removed from service and not re-used for

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<sup>1</sup> NH RSA 189:6-a

<sup>2</sup> NH RSA 189:9-a

<sup>3</sup> SRSD Policy JIC

1 a period of not less than 3 years following the incident in question. Should the recording  
2 be confiscated by prosecutorial authorities as evidence in a crime, the **SRSD** shall take  
3 all steps possible to arrange for a certified copy to be retained by the **SRSD**.  
4  
5 The Superintendent shall notify staff, students, and parents through handbooks that  
6 video and/or audio surveillance may occur on **SRSD** property. A notice will also be  
7 posted on all buses indicating the use of video and/or audio surveillance.  
8  
9 The **SRSD** shall comply with all applicable state and federal laws related to record  
10 maintenance, record retention and privacy.<sup>4</sup>

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<sup>4</sup> SRSD Policy JRA



**SCHOOL BUS SAFETY PROGRAM**

The safety and welfare of student riders will be the first consideration in all matters pertaining to transportation. Safety precautions shall include the following:

-Children will be instructed as to the proper procedure for boarding and exiting from a school bus and in proper and safe conduct while aboard.

-Emergency evacuation drills will be conducted at least two times a year (Oct.-May) to acquaint student riders with procedures in emergency situations.

-All vehicles used to transport children will be inspected on a regular schedule to see that they meet applicable federal and state standards.

-All drivers will be screened before employment for physical condition, proper license, and experience<sup>1</sup>. The prior driving record of each driver will be checked for drug and alcohol or other convictions and a criminal records check, including fingerprinting, must also be completed prior to being assigned duties.

-All drivers will be required to submit to drug and alcohol tests.<sup>2 3</sup>

-The **Shaker Regional School Board (SRSB)** authorizes use of video and audio surveillance on school buses to ensure the health, welfare and safety of all students while riding on school buses.<sup>4</sup>

The **Shaker Regional School District's (SRSD)** independent contractor of transportation services will comply with all state and federal laws and regulations pertaining to the operation of school buses and will make these requirements known to bus drivers. The carrier must maintain a Satisfactory Safety Rating, as determined by the US Department of Transportation. The Carrier will also cooperate with local safety officials in formulating and accomplishing its school bus safety program.

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<sup>1</sup>49 C.F.R. Part 391 (1995)

<sup>2</sup> 49 C.F.R. Part 40 (2001)

<sup>3</sup> SRSD Policy EEAEA

<sup>4</sup> SRSD Policy EEAA

**MANDATORY DRUG AND ALCOHOL TESTING - SCHOOL BUS DRIVERS AND CONTRACTED CARRIERS**

The **Shaker Regional School District (SRSD)** may hire an independent contractor/vendor for student transportation services. In the event the **Shaker Regional School Board (SRSB)** contracts this service, the Superintendent or designee will be responsible for ensuring that all transportation vendors' contracts comply with all applicable laws regarding mandatory drug and alcohol testing of school bus drivers and contracted carriers.

**Legal References:**

Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. §5331

RSA 200:37, Medical Examination of School Bus Operators

RSA 263:29, School Bus Driver's Certificate

RSA 189:13-a, School Employee & Volunteer Background Investigations

RSA 376:2, VII, Motor Carriage of Passengers

49 C.F.R. § 40.1-40.13 (2001), Transportation Workplace Drug Testing Program

49 C.F.R. Part 382, Controlled Substances and Alcohol Use and Testing

49 C.F.R. Part 391, Qualifications of Drivers

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.

<sup>1</sup> SRSD Policy EEAE

## DISTRICT OWNED VEHICLES

Code EEBA

The purpose of the policy is to establish guidelines for use of district owned vehicles:

1. Use of district owned vehicles is restricted to Shaker Regional School District (SRSD) employees for school- related purposes. Persons using school vehicles must review and sign this Vehicle Use policy annually. This form must be filed in the Business Office.
2. Personal use of school vehicles is not permitted. Vehicles must be returned to school property daily.
3. The Facilities Manager (or designee) will be allowed to take the district owned vehicle home when inclement weather, or other approved circumstance, is pending to allow for timely response to conditions on a 24 hour basis. Vehicle use during this time will continue to be restricted to school- related purposes.
4. Operators must hold a valid driver's license and a copy of said license will be attached to this policy at the time of signing.
5. Operators must notify the Superintendent of any change in driver's license status.
6. Operators must operate vehicles in accordance with all applicable federal, state and local laws.
7. All accidents and/or citations issued by law enforcement, during the operation of the school vehicle, must be immediately reported to the operator's direct supervisor and to the Business Office at SAU #80.
8. Seat belts must be worn at all times by all occupants in the vehicle.
9. Tobacco use in school vehicles is strictly prohibited.
10. Alcohol use and possession of alcohol in school vehicles is strictly prohibited.
11. Hand held device use is prohibited for the driver.
12. Vehicles must be locked and ignition off when unattended.
13. All district owned vehicles will be required to have school district identifying signage conspicuously placed on at least one side of the vehicle.
14. Adhering or affixing of bumper stickers, slogans, endorsements or any other decal is prohibited.
15. It is the responsibility of the Facilities Manager to properly maintain all vehicles, including, but not limited to, conducting routine scheduled maintenance (i.e. oil change, tire rotation, etc.), assuring vehicle registration and inspection are valid and current, and maintaining interior and exterior cleanliness of the school maintenance vehicles.
16. A driver log book for all off campus destinations use must be maintained. Log will include: date, name of operator, time in, time out, destination, mileage start and mileage end.
17. A copy of this policy will be maintained in each district owned vehicles.

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Signature of Employee

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Date

**DISTRICT OWNED VEHICLES**

The purpose of the policy is to establish guidelines for use of district owned vehicles:

1. Use of district owned vehicles is restricted to **Shaker Regional School District (SRSD)** employees for school- related purposes. Persons using school vehicles must review and sign this Vehicle Use policy annually. This form must be filed in the Business Office.
2. Personal use of school vehicles is not permitted. Vehicles must be returned to school property daily.
3. The Facilities Manager (or designee) will be allowed to take the district owned vehicle home when inclement weather, or other approved circumstance, is pending to allow for timely response to conditions on a 24 hour basis. Vehicle use during this time will continue to be restricted to school- related purposes.
4. Operators must hold a valid driver's license and a copy of said license will be attached to this policy at the time of signing.
5. Operators must notify the Superintendent of any change in driver's license status within 10 days of the change.
6. Operators must operate vehicles in accordance with all applicable federal, state and local laws.
7. All accidents and/or citations issued by law enforcement, during the operation of the school vehicle, must be immediately reported to the operator's direct supervisor and to the Business Office at SAU #80.
8. Seat belts must be worn at all times by all occupants in the vehicle.
9. Tobacco use in school vehicles is strictly prohibited.
10. Alcohol use and possession of alcohol in school vehicles is strictly prohibited.
11. Hand held device use is prohibited for the driver.
12. Vehicles must be locked and ignition off when unattended.
13. All district owned vehicles will be required to have school district identifying signage conspicuously placed on at least one side of the vehicle.
14. Adhering or affixing of bumper stickers, slogans, endorsements or any other decal is prohibited.
15. It is the responsibility of the Facilities Manager to properly maintain all vehicles, including, but not limited to, conducting routine scheduled maintenance (i.e. oil change, tire rotation, etc.), assuring vehicle registration and inspection are valid and current, and maintaining interior and exterior cleanliness of the school maintenance vehicles.
16. A driver log book for all off campus destinations use must be maintained. Log will include: date, name of operator, time in, time out, destination, mileage start and mileage end.

**USE OF PRIVATE VEHICLES DURING SCHOOL HOURS<sup>1</sup>**

Any use of private vehicles for transportation of students, excluding parents/guardians transporting their own child, to or from school on field trips, athletic events, or other school functions, must have prior authorization by the Superintendent or his or her designee. Except in the case of an emergency or school evacuation, the Shaker Regional School Board (SRSB) specifically forbids any employee from transporting students, except the employee's own children, for school purposes without prior written authorization by the Superintendent or his or her designee. Individuals providing unauthorized student transportation do so at their own expense and liability.

Except in the case of an emergency or school evacuation, any employee, student, or private citizen using his or her own or rented vehicle to provide school-authorized student transportation must have a current and valid driver's license and maintain auto liability insurance limits of \$100,000 per person and \$300,000 per accident. Individuals that have been authorized to drive students must provide evidence to the district of both their driver's license and insurance limits. The Shaker Regional School District (SRSD) will maintain liability insurance, which will be in excess of the owner's primary insurance for authorized student transportation.

Person providing transportation to students on an incidental basis (i.e. not specifically as part of a contract to transport) must have a valid driver's license. Further, the vehicle used must have a current New Hampshire inspection sticker. A commercial license is required for any vehicle that has a capacity of 16 or more.

No student shall be sent on school errands using any automobile. No employee or student shall transport another student for school-authorized transportation without written permission from (1) the driver student's parent or guardian; (2) each passenger student's parent or guardian; (3) written permission from the administration; AND (4) proof of appropriate insurance, licensing and vehicle maintenance as described above.

Reimbursement for use of private vehicles may be made, but only if the employee or other person has received prior written approval of the designated administrator.

<sup>1</sup> See also SRSD Policy IJOA

NH Code of Administrative Rules Section Saf-C 1304.05, Exemption from School Bus Driver's Certificate

1

2 **FOOD SERVICE MANAGEMENT**

3 The **Shaker Regional School Board (SRSB)** directs each school to make meals  
4 available in compliance with the State of NH Rules and Regulations.<sup>1</sup> The **Shaker**  
5 **Regional School District (SRSD)** shall employ a Food Service Director to oversee the  
6 operation of school meals, to supervise food service employees, to maintain proper  
7 resources that meet state and federal regulations and maintain state health  
8 requirements for each school site.<sup>2</sup> The Director will be certified by a NH Department of  
9 Education approved program.<sup>3</sup>

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<sup>1</sup> NH Code of Administrative Rules, Ed 306.11 (a) (1)

<sup>2</sup>NH Code of Administrative Rules, Ed 306.11 (a) (2)

<sup>3</sup> NH Code of Administrative Rules, Ed 306.11 (c)

**AVAILABILITY AND DISTRIBUTION OF HEALTHY FOODS<sup>1 2 3</sup>**

The **Shaker Regional School District (SRSD)** will encourage the availability and distribution of healthy foods and beverages in all school buildings during the school day.

The Superintendent or his/her designee is responsible for:

1) ensuring that all foods and beverages distributed within the district meet nutritional standards established by state and federal law relative to: nutrient density; portion size; and nutrition targets, as defined in pertinent law.

2) implementing developmentally appropriate opportunities to learn food preparation skills that support nationally recognized research-based nutrition standards.

3) providing annual communication information about the policy and procedures of healthy food distribution and related curricula to the school community.

**SEE Policy ACEA**

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<sup>1</sup> 7 CRF 2010.10, Nutrition Standards and Menu Planning Approaches for Lunches and Requirements for Afterschool Snacks

<sup>2</sup> NH Department of Education Administrative Rules, Section Ed. 306.04(a)(21)

<sup>3</sup> NH Department of Education Administrative Rules, Section Ed. 306.11(g), (h)

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2 **FREE AND REDUCED-PRICE MEALS**

3 In accordance with the State and Federal regulations the **Shaker Regional School**  
4 **District (SRSD)** shall make available to all children of low economic means and children  
5 of moderate-income families experiencing financial difficulties free or reduced-priced  
6 meals through the School Lunch Program.<sup>1</sup>

7 Parents who are of the opinion that their children are eligible may contact the  
8 Superintendent's office and a determination will be made relative to their eligibility.  
9 Parents may appeal a negative determination to the Superintendent, and if not satisfied,  
10 to the **Shaker Regional School Board (SRSB)**.

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<sup>1</sup> 42.U.S.C. 1758 National School Lunch Act



**COLLECTION OF MONEY FOR FOOD SERVICES**

The **Shaker Regional School District's (SRSD)** Food Service Program is intended to be user-funded, although it is supplemented by federal resources. Breakfast, hot lunch, milk and snacks that comply with USDA regulations are available to students and staff who wish to purchase them. The charge to students and staff for breakfast and lunch will be determined annually by the **Shaker Regional School Board (SRSB)** and the milk and snack prices are set by the **SRSD** Food Service Program. The charge for student meals will be published annually in each school's student handbook.

The **SRSD** may extend credit for the purchase of student meals, however no extension of credit for a la cart items will be made. Parents will be notified by phone call and/or letter when a student has a low balance or a negative balance.

Debt will be considered bad debt if the child leaves the district without paying the balance owed. The Food Service Program and the District will cover the bad debt. The Superintendent is authorized to take appropriate action to recover any balances owed to the District in cases where the parents do not cooperate in settling their debt

The **SRSD** may also extend credit for staff meals. When a staff member's outstanding credit balance exceeds \$5.00, credit purchases will no longer be allowed.

The Superintendent will publish rules and procedures related to this policy.

**VENDING MACHINES**

The installation and use of vending machines for student use in the schools shall complement the school meal program and encourage students in good eating habits. Contents of vending machines shall be in compliance with **Shaker Regional School District (SRSD)** Policy JLCF and accompanying rules and procedures.

The service and sale of all food and beverages to students during school hours will be under the control of the school food service department, and the revenue from such sales will be deposited and accrued to the food service revenue budget.

Vending machines may also be operated by schools in employee lounges for employee use only. The funds derived from such operation will accrue to the internal accounts fund for the individual school.

All non-food vending machines may begin operating 30 minutes after the last school bell and stop at midnight. The profits derived from such operations will accrue to the school's internal student activities fund for the school sponsored organization that operates the vending machine.

**COMMUNICATION SERVICES – COMPUTER SYSTEMS AND INTERNET ACCESS<sup>1</sup>**

All computers are to be used in a responsible, efficient, ethical and legal manner. Internet access is a privilege, and not a right. Inappropriate use will result in restriction or cancellation of privileges.

Parents and guardians are ultimately responsible for setting and conveying standards that their children should follow when using the Internet. Each family's right to decide whether to allow their child to apply for access shall be respected.

The **Shaker Regional School District's (SRSD)** computer systems including E-mail and Internet use shall be used in a manner designed to protect the safety and security of the **SRSD**.

- Each authorized user in the **SRSD** shall be required to sign and accept the conditions presented in our Acceptable Use agreement<sup>2</sup> before being allowed access to the **SRSD's** computer systems, including but not limited to the Internet.

- Compliance with the **SRSD's** Acceptable Use agreement shall be a condition for maintaining access to the **SRSD's** computer systems.

- The computer hardware system, software and E-mail system are owned by the **SRSD**, and all messages or data composed, stored, sent, or received using the system are and remain the private property of the **SRSD**. They are not the property of the user.

- The computer and E-mail system shall be used for instructional and administrative purposes only. Personal business is unauthorized and should not be conducted on the system except as allowed by the Superintendent.

- The electronic mail system may not be used to solicit or proselytize for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations.

- The **SRSD** prohibits discriminatory or harassing materials in any form of media.

- The **SRSD** reserves, and intends to exercise without prior notice, the right to read, review, audit, intercept, access or disclose any and all information on an employee's computer system or messages created, received or sent over the electronic mail system for any purpose, even if coded or passworded.

- Notwithstanding the **SRSD's** right to retrieve and monitor any E-mail messages, such messages should be treated as confidential by students and employees and accessed only by the intended recipient. Students and employees are not authorized to retrieve or read any E-mail that is not sent to them. Any exception to this policy must receive prior approval by the Superintendent.

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<sup>1</sup> RSA 194:3-d

<sup>2</sup> SRSD Rules and Procedures – EGA-R&P

- 1       -Any student or employee who violates this policy or uses the computer system or  
2       electronic mail system for improper purposes shall be subject to discipline up to and  
3       including expulsion for students<sup>3</sup> or discharge in the case of employees.
- 4       -Any user of the **SRSD**'s computer systems or networks who intentionally violates  
5       the **SRSD**'s policy and who intentionally damages the computer system or network  
6       shall assume legal and financial liability for such damage.<sup>4</sup>
- 7       -The **SRSD** has the authority to terminate or limit access by any person to any  
8       computer system at any time.
- 9
- 10      -The **SRSD** shall install a filtering device, in accordance with Federal law.<sup>5</sup>
- 11      The Superintendent shall publish rules and procedures related to this policy.

---

<sup>3</sup> SRSD Policy JIC Student Conduct

<sup>4</sup> NH RSA 194:3-d, II

<sup>5</sup> Children's Internet Protection Act (CIPA) of 2000

**PERSONALLY OWNED NETWORK COMMUNICATION DEVICE**

The Shaker Regional School District (SRSD) has a right to protect its network and technical resources. Thus, any adult or student with a personal networked information device who wishes to access the SRSD\_Guest\_Wireless network is required to accept the SRSD BYOD user agreement and comply with its networked information device usage conditions.

Students and users under the age of 18 will be required to obtain a signature on this form from their parent/guardian and submit the paper form to the SRSD IT Department.

The Superintendent shall publish rules and procedures to implement this policy

**COPYRIGHT COMPLIANCE<sup>1</sup>**

The **Shaker Regional School District (SRSD)** recognizes that federal law makes it illegal to duplicate copyrighted materials without authorization of the holder of the copyright, except for certain exempt purposes. Severe penalties may be imposed for unauthorized copying or using audio, visual or printed materials and computer software, unless the copying or using conforms to the "fair use" doctrine.

Under the "fair use" doctrine, some reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research.

While the **SRSD** encourages its staff to enrich the learning programs by making proper use of supplementary materials, the responsibility of **SRSD** staff is to abide by the **SRSD's** copying procedures and obey the requirements of the law. Under no circumstances shall it be necessary for **SRSD** staff to violate copyright requirements in order to perform their duties properly. The **SRSD** cannot be responsible for any violations of copyright law by its staff.

Any staff member who is uncertain as to whether reproducing or using copyrighted material complies with the **SRSD's** procedures or is permissible under the law should contact the Superintendent. The Superintendent will assist staff in obtaining proper authorization to copy, use protected materials when such authorization is required, and identify the proper application of the "fair use" doctrine.

The Superintendent shall publish rules and procedures for copyright compliance.

---

<sup>1</sup> 17 USC 101 TO 1010 Federal Copyright Law of 1976.

**PUBLIC ACCESS TO DISTRICT RECORDS<sup>12</sup>**

The **Shaker Regional School Board (SRSB)** designates the Superintendent to be the custodian of all records, minutes, documents, writings, letters, memoranda, or other written, typed, copied, or developed materials possessed, assembled, or maintained by this **Shaker Regional School District (SRSD)**.

All requests for public information are to be forwarded to the Superintendent immediately upon receipt. The Superintendent shall thereupon make a determination as to whether or not the information requested is public in nature. If public, the Superintendent shall provide the information in a timely manner which does not disrupt the operation of the schools.

If the Superintendent finds the information to be public in nature, he or she shall direct that it be reproduced on the premises.<sup>3</sup> The party requesting the information is to be charged the cost of reproduction and any other expenses entailed in locating and retrieving the information. If the information is in active use or otherwise unavailable, the party requesting the information will be notified immediately upon it becoming available.

If the Superintendent finds the information not to be public in nature, he or she shall so inform the requesting party and not release such information.

If the Superintendent is unable to ascertain whether or not the information requested is public in nature, he or she is hereby authorized to request, on behalf of the **SRSB**, an opinion from an attorney as to the nature of the information. Such opinion requests will be made within ten (10) days of the original request for the information. The Superintendent shall notify the person requesting such information that an opinion will be sought from an attorney. The Superintendent shall notify the party requesting information upon receipt of an answer from the attorney.

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<sup>1</sup> 1 United States Code, Title 20, Chapter 31, Sec. 1232 g.

<sup>2</sup> Health Insurance Portability and Accountability Act of 1996, Public Law 104-91

<sup>3</sup> NH RSA 91-A:4

## **Data Governance and Security**

To accomplish the District's mission and comply with the law, the District must collect, create and store information. Accurately maintaining and protecting this data is important for efficient District operations, compliance with laws mandating confidentiality, and maintaining the trust of the District's stakeholders. All persons who have access to District data are required to follow state and federal law, District policies and procedures, and other rules created to protect the information.

The provisions of this policy shall supersede and take precedence over any contrary provisions of any other policy adopted prior to the date of this policy.

### **A. Definitions**

Confidential Data/Information - Information that the District is prohibited by law, policy or contract from disclosing or that the District may disclose only in limited circumstances. Confidential data includes, but is not limited to, personally identifiable information regarding students and employees.

Critical Data/Information - Information that is determined to be essential to District operations and that must be accurately and securely maintained to avoid disruption to District operations. Critical data is not necessarily confidential.

### **B. Data and Privacy Governance Plan - Administrative Procedures.**

1. Data Governance Plan. The Superintendent, in consultation with the District Information Security Officer ("ISO") (see paragraph C, below) shall create a Data and Privacy Governance Plan ("Data Governance Plan"), to be presented to the Board no later than June 30, 2019. Thereafter, the Superintendent, in consultation with the ISO, shall update the Data Governance Plan for presentation to the Board no later than June 30 each year.

The Data Governance Plan shall include:

- (a) An inventory of all software applications, digital tools, and extensions. The inventory shall include users of the applications, the provider, purpose, publisher, privacy statement, and terms of use;
- (b) A review of all software applications, digital tools, and extensions and an assurance that they meet or exceed minimum standards set by the New Hampshire Department of Education;
- (c) Policies and procedures for access to data and protection of privacy for students and staff including acceptable use policy for applications, digital tools, and extensions used on District hardware, server(s) or through the District network(s);
- (d) A response plan for any breach of information; and



1  
2 (e) A requirement for a service provider to meet or exceed standards for data  
3 protection and privacy.  
4  
5 2. Policies and Administrative Procedures. The Superintendent, in consultation with  
6 the ISO, is directed to review, modify and recommend (policies) create  
7 (administrative procedures), where necessary, relative to collecting, securing, and  
8 correctly disposing of District data (including, but not limited to Confidential and  
9 Critical Data/Information, and as otherwise necessary to implement this policy and  
10 the Data Governance Plan. Such policies and/or procedures will may or may not be  
11 included in the annual Data Governance Plan.  
12  
13 **C. Information Security Officer.**  
14 The Director of Technology is hereby designated as the District's Information  
15 Security Officer (ISO) and reports directly to the Superintendent or designee. The  
16 ISO is responsible for implementing and enforcing the District's security policies and  
17 administrative procedures applicable to digital and other electronic data, and  
18 suggesting changes to these policies, the Data Governance Plan, and procedures to  
19 better protect the confidentiality and security of District data. The ISO will work with  
20 the both District and building level administrators and Data managers (paragraph E,  
21 below) to advocate for resources, including training, to best secure the District's  
22 data.  
23  
24 The Business Administrator is the District's alternate ISO and will assume the  
25 responsibilities of the ISO when the ISO is not available.  
26  
27 **D. Responsibility and Data Stewardship.**  
28 All District employees, volunteers and agents are responsible for accurately  
29 collecting, maintaining and securing District data including, but not limited to,  
30 Confidential and/or Critical Data/Information.  
31  
32 **E. Data Managers.**  
33 All District administrators are data managers for all data collected, maintained, used  
34 and disseminated under their supervision as well as data they have been assigned  
35 to manage in the District's data inventory. Data managers will monitor employee  
36 access to the information to ensure that confidential information is accessed only by  
37 employees who need the information to provide services to the District and that  
38 confidential and critical information is modified only by authorized employees. Data  
39 managers will assist the ISO in enforcing District policies and procedures regarding  
40 data management.  
41  
42 **F. Confidential and Critical Information.**  
43 The District will collect, create or store confidential information only when the  
44 Superintendent or designee determines it is necessary, and in accordance with  
45 applicable law. The District will provide access to confidential information to  
46 appropriately trained District employees and volunteers only when the District  
47 determines that such access is necessary for the performance of their duties. The  
48 District will disclose confidential information only to authorized District contractors or  
49 agents who need access to the information to provide services to the District and

1 who agree not to disclose the information to any other party except as allowed by  
2 law and authorized by the District.

3  
4 District employees, contractors and agents will notify the ISO or designee  
5 immediately if there is reason to believe confidential information has been disclosed  
6 to an unauthorized person or any information has been compromised, whether  
7 intentionally or otherwise. The ISO or designee will investigate immediately and take  
8 any action necessary to secure the information, issue all required legal notices and  
9 prevent future incidents. When necessary, the Superintendent, ISO or designee is  
10 authorized to secure resources to assist the District in promptly and appropriately  
11 addressing a security breach.

12  
13 Likewise, the District will take steps to ensure that critical information is secure and  
14 is not inappropriately altered, deleted, destroyed or rendered inaccessible. Access to  
15 critical information will only be provided to authorized individuals in a manner that  
16 keeps the information secure.

17  
18 All District staff, volunteers, contractors and agents who are granted access to  
19 critical or confidential information/data are required to keep the information secure  
20 and are prohibited from disclosing or assisting in the unauthorized disclosure of such  
21 confidential or critical data/information. All individuals using confidential and critical  
22 data/information will strictly observe all administrative procedures, policies and other  
23 protections put into place by the District including, but not limited to, maintaining  
24 information in locked rooms or drawers, limiting access to electronic files, updating  
25 and maintaining the confidentiality of password protections, encrypting and redacting  
26 information, and disposing of information no longer needed in a confidential and  
27 secure manner.

28  
29 **G. Using Online Services and Applications.**  
30 District staff members are encouraged to research and utilize online services or  
31 applications to engage students and further the District's education mission. District  
32 employees, however, are prohibited from installing or using applications, programs  
33 or other software, or online system/website, that either stores, collects or shares  
34 confidential or critical data/information, until the ISO approves the vendor and the  
35 software or service used. Before approving the use or purchase of any such  
36 software or online service, the ISO or designee shall verify that it meets the  
37 requirements of the law, Board policy, and the Data Governance Plan, and that it  
38 appropriately protects confidential and critical data/information. This prior approval is  
39 also required whether or not the software or online service is obtained or used  
40 without charge.

41  
42 **H. Training.**  
43 The ISO will provide appropriate training to employees who have access to  
44 confidential or critical information to prevent unauthorized disclosures or breaches in  
45 security. All school employees will receive annual training in the confidentiality of  
46 student records, and the requirements of this policy and related procedures and  
47 rules.

48  
49 **I. Data Retention and Deletion.**

1 The ISO or designee shall establish a retention schedule for the regular archiving  
2 and deletion of data stored on District technology resources. The retention schedule  
3 should comply with, and be incorporated [by reference] into the data/record retention  
4 schedule established under Policy EHB and administrative procedure EHB-R&P,  
5 including but not limited to, provisions relating to Litigation and Right to Know holds  
6 as described in Policy EHB.

7

8 **J. Consequences**

9 Employees who fail to follow the law or District policies or procedures regarding data  
10 governance and security (including failing to report) may be disciplined, up to and  
11 including termination. Volunteers may be excluded from providing services to the  
12 District. The District will end business relationships with any contractor who fails to  
13 follow the law, District policies or procedures, or the confidentiality provisions of any  
14 contract. In addition, the District reserves the right to seek all other legal remedies,  
15 including criminal and civil action and seeking discipline of an employee's teaching  
16 certificate.

17

18 The District may suspend all access to data or use of District technology resources  
19 pending an investigation. Violations may result in temporary, long-term or permanent  
20 suspension of user privileges. The District will cooperate with law enforcement in  
21 investigating any unlawful actions. The Superintendent or designee has the authority  
22 to sign any criminal complaint on behalf of the District.

23 Any attempted violation of District policies, procedures or other rules will result in the  
24 same consequences, regardless of the success of the attempt.

25

26

27

28

29 **Legal References:**

30 *RSA 186:66 \* Student Information Protection and Privacy*

31

1

2 **Data/Records Retention**

3 The Superintendent shall develop procedures for a records retention system that is in  
4 compliance with RSA 189:29-a and Department of Education regulations. The  
5 procedures should ensure that all pertinent records are stored safely and are stored for  
6 such durations as are required by law. Additionally, the Superintendent shall develop  
7 procedures necessary to protect individual rights and preserve confidential information.

**Legal References:***RSA 91-A, Right to Know Law**RSA 189:29-a, Records Retention and Disposition**NH Code of Administrative Rules, Section Ed 306.04(a)(4), Records Retention**NH Code of Administrative Rules, Section Ed 306.04(h), Records Retention**NH Code of Administrative Rules, Section Ed. 1119.01, Confidentiality Requirements**20 U.S.C. 1232g, Family Educational Rights and Privacy Act (FERPA)**Appendix EHB-R, Records Retention Schedule*

## RISK MANAGEMENT

The **Shaker Regional School District (SRSD)** shall properly manage its resources for the safety of students, employees, and the public, as well as concern for protecting its property from loss.

The **SRSD** realizes that the assumption of some predictable risks is the most economically feasible method of treating certain exposures. When it is in the apparent best interest of the system, the **SRSD** may budget for and retain limited and predictable risks of financial loss, through the use of contingency funds, deductibles, or participation in pooled risk management programs with other school districts. The **SRSD** shall give careful consideration to any potential increase in exposure to financial loss before adopting or approving any new policy or procedure.

The Superintendent or, by designation, the Business Administrator, shall establish a risk management and insurance program covering all property and liability risks related to the performance of the educational and service missions of the system. This risk management and insurance program shall include means for identifying, eliminating, reducing, retaining, or transferring risk. Within budget restraints, the Superintendent may seek professional risk management advice, if necessary, in order to develop, implement, maintain and audit an effective risk management program for the system. This may include a review of all contracts entered into by the **SRSD**, with the **SRSD's** insurance agent and/or attorney. The review shall identify any liability being assumed by the **SRSD**, and attempt to reduce or transfer such liability.

Each contractor engaged by the **SRSD** shall provide:

- evidence of Worker's Compensation coverage, as required by state statute;<sup>1</sup>
- a signed contract, including a Hold Harmless & Indemnification Agreement for the benefit of the **SRSD**; and
- a Certificate of insurance specifically naming the **SRSD** as additional insured providing general liability coverage including, bodily injury and property damage with minimum limits of liability not less than \$1,000,000 per occurrence or higher at the discretion of the Superintendent.

The Superintendent may allow exceptions to these requirements, but must notify the **Shaker Regional School Board (SRSB)** of such action as soon as possible.

When the purchase of commercial insurance is deemed necessary, such purchase will be made on the basis of service offered by the insurer, the reliability and financial stability of the insurer, and the price of the insurance as competitively determined.

The **SRSD** does not recognize any obligation to purchase insurance from a particular agent, broker or insurer representative or from any group of agents, brokers or insurer representatives other than an obligation based on the above stated considerations.

The Superintendent shall prepare an annual risk management audit report for review by the **SRSB**. The report shall include a description of the system's current risk

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<sup>1</sup> NH RSA 281-A

- 1 management program and a summary of the existing insurance coverages. Minimum
- 2 information to be maintained for planning, budgeting, loss control and overall financial
- 3 management, includes at least the following: 1) policy roster; 2) losses incurred and
- 4 paid; 3) property valuations; 4) inspection and maintenance records for all property; 5)
- 5 emergency plans.

**LIABILITY INSURANCE**

The **Shaker Regional School Board (SRSB)** may procure liability insurance to protect against such risks of loss, cost or damage to itself, its employees or its pupils, or other loss. Such insurance may include general liability coverage, automobile liability coverage, errors and omissions liability coverage, and other coverage as the **SRSB** may determine. Liability limits for all coverage will correspond to those limits established by applicable law.

The **SRSB** may also participate in a pooled risk management program. The pooled risk management program may be utilized for: the defense of claims and indemnification for losses arising out of the ownership, maintenance, and operation of real or personal property and the acts or omissions of school officials, school employees, or agents of the school district; the provision of loss prevention services including, but not limited to, inspections of property and the training of personnel; and the investigation, evaluation, and settlement of claims by and against the school district. Membership in a pooled risk management program will conform to the provisions set forth in RSA 5-B and related statutes.

*Legal References:**RSA 5-B, Pooled Risk Management Programs**RSA 507-B:4, Limit of Liability**Marcotte v. Timberlane/Hampstead School Dist., 143 N.H. 331 (1999)*

1

2 **INSURANCE/FIDELITY BONDS**

3 The **Shaker Regional School Board (SRSB)** shall procure and maintain coverage in  
4 reasonable amounts, in order to protect against the loss of money, securities, and  
5 checks by actual destruction, disappearance, or wrongful abstraction from within all  
6 premises and also while off any premises. Such coverage will include a blanket bond  
7 covering employee dishonesty, and may include a comprehensive dishonesty,  
8 disappearance and destruction bond, with optional coverage's depending on the  
9 exposures at various locations



1

## **TABLE OF CONTENTS**

2   **SECTION F: FACILITIES**

3   **Code**                      **Title/Content**

4    FF.....Naming of Facilities & Programs

1

## 2 NAMING OF FACILITIES & PROGRAMS

3

4 Facilities and programs of the **Shaker Regional School District** or **SRSD** may be  
5 named for individuals or other entities. The primary motivating factor for naming a  
6 facility or program will be to encourage private philanthropic support. Only under  
7 unique circumstances will facilities and properties be named without a gift.

8

9 Final determination of what facilities or programs will be named or not be named  
10 rests with the **Shaker Regional School Board (SRSB)**. For purposes of this  
11 document, "Facilities" shall be defined to include buildings, portions of buildings,  
12 physical areas that may be used for a specific program, landscaping or other  
13 portions of the physical plant and grounds and fields belonging to the district.  
14 "Programs" shall include academic programs, including groupings of academic  
15 programs such as departments, centers or schools, scholarships, non-academic  
16 programs (such as athletics), and any other function of the district that transcends  
17 any particular physical space.

18

19 Within the categories as defined above, the decision as to the naming of any owned  
20 facilities or programs rests solely with the **SRSB**.

21

22 The **SRSB** shall follow defined, consistent and accountable processes in the naming  
23 of facilities or programs under their purview, and will ensure that naming  
24 opportunities are compatible with the mission and values of the district.

25

26 It must be understood that the **SRSB** retains the right to change or eliminate the name  
27 of any facility or program at any time.

28

29 The **SRSB** reserves the right to make a final determination of whether a facility or  
30 program may be denamed, for example a facility or program may be denamed when  
31 the character or conduct of an individual or entity is found to be incompatible with the  
32 values or mission of the district.

33

34 Other means of recognizing individuals may be established by the **SRSB**.

## **TABLE OF CONTENTS**

### **SECTION G: PERSONNEL**

Section G contains policies on all school employees except for the Superintendent (for policies on the Superintendent see Section C). This section has policies applying to all school employees and general personnel matters, instructional and administrative staff, and support or classified staff.

<b><u>Code</u></b>	<b><u>Title</u></b>
GADA	Employment References and Verification (Prohibiting Aiding and Abetting of Sexual Abuse)
GBAA *	Sexual and Other Harassment
	...General Statement of Policy
	...Sexual Harassment Defined
	...Reporting Procedures
	...Retaliation
	...Investigation and Recommendation
	...Discipline
GBCD	Background Investigation, Criminal Records Check and Fingerprinting Policy
	...Background Investigation
	...Fingerprinting
	...Criminal Background Check
GBD	Board Communication with Staff (See BHC)
GBEA	Staff Ethics
GBEB	Conduct of Employees
GBEBA	Employee Dress Code
GBEBC	Employee Gifts and Solicitations
GBEBD	Employee Use of Social Networking Websites and the Internet
GBEC *	Drug-Free Workplace/Drug Free Schools
GBED	Tobacco Products Ban (See ADC)
GBEE	Conflict of Interest
GBEF	School District Internet Access for Staff (See EGA)
GBG	Protection of Staff
GBGA	Physical Examinations/Staff Health
GBGAA	HIV/AIDS Policy (See JLCC)
GBGD *	Worker's Compensation Temporary Alternative
GBI	Staff Participation in Political Activities
GBJ *	Personnel Records and Files
GBJA *	Health Insurance Portability and Accountability Act
GBK *	Employee Complaints and Grievances
GCAA	Highly Qualified Teachers
GCCBC *	Family and Medical Leave Act
GCF	Professional Staff Hiring
GCG	Substitute Professional Staff Employment
GCID	Training of Professional Staff
GCO	Evaluation of Professional Staff
GCQC	Resignation of Professional Staff
GCR	Non-School Employment by Professional Staff

1 GDO ... .....Evaluation of Support Staff

2 \* The Superintendent of Schools has published Rules and Procedures related to this policy.

**EMPLOYMENT REFERENCES AND VERIFICATION (PROHIBITING AIDING AND ABETTING OF SEXUAL ABUSE)**

The District shall act in good faith when providing employment references and verification of employment for current and former employees.

The School District, and its employees, contractors, and agents, are prohibited from providing a recommendation of employment, and/or from otherwise assisting any school employee, contractor, or agent in obtaining a new position or other employment if he/she or the District has knowledge of, or probable cause to believe that the other employee, contractor, or agent ("alleged perpetrator") engaged in illegal sexual misconduct with a minor or student. This prohibition does not include the routine transmission of administrative and personnel files.

In addition, this prohibition does not apply if:

1. The information giving rise to probable cause has been properly reported to a law enforcement agency with jurisdiction;
2. The information giving rise to probable cause has been reported to any other authorities as required by local, state or federal law (for instance New Hampshire Division of Children, Youth and Families "DCYF"), and
3. At least one of the following conditions applies:
  - a. The matter has been officially closed;
  - b. The District officials have been notified by the prosecutor or police after an investigation that there is insufficient information for them to proceed;
  - c. The school employee, contractor, or agent has been charged with, and acquitted or otherwise exonerated; or
  - d. the case or investigation remains open and there have been no charges filed against or indictment of the school employee, contractor, or agent within four years of the date on which the information was reported to a law enforcement agency.

**Legal References:**

*20 U.S.C. 7926(a) (§8546(a) of the Elementary and Secondary Education Act/Every Student Succeeds Act*

*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.*

**SEXUAL AND OTHER HARASSMENT – EMPLOYEES<sup>1234</sup>****I. General Statement of Policy**

The Shaker Regional School District (SRSD) will not tolerate the harassment of any student, employee or visitor on the basis of sex, race, color, religion, sexual orientation, national origin, age, disability or for any other unlawful reason. This policy prohibits all such activities of its employees. For purposes of this policy, the term “employee” shall include, but not be limited to all school district staff, teachers, non-certified personnel, administrators, volunteers, coaches and/or other such personnel whose employment is directed by the SRSD.

The SRSD will investigate all complaints, either formal or informal, verbal or written, of sexual or other harassment and will discipline any employee who harasses or is sexually violent toward another person.

**II. Sexual Harassment Defined**

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, sexual physical conduct, and /or conduct of a sexual nature when:

- (1) Submitting to the unwelcome conduct is made a term or condition of an individual's employment, either explicitly or implicitly.
- (2) Submitting to or rejecting the unwelcome conduct is used as the basis for decisions affecting a person's employment; or
- (3) The unwelcome conduct has the purpose or effect of unreasonably interfering with a person's work performance or creating an intimidating, hostile, or offensive working environment.
- (4) Sexual violence.

Sexual harassment may include, but is not limited to:

1. Verbal harassment and/or abuse of a sexual nature;
2. Subtle pressure for sexual activity;
3. Inappropriate patting, pinching or other touching;
4. Intentional brushing against an employee's body;
5. Demanding sexual favors accompanied by implied or overt threats;
6. Demanding sexual favors accompanied by implied or overt promises of preferential treatment;
7. Any sexually motivated unwelcome touching; or
8. Sexual violence that is a physical act of aggression that includes a sexual act or sexual purpose.

**III. Other Harassment Defined**

Other harassment is defined as verbal or physical conduct that denigrate or shows hostility toward an employee or visitor because of race, color, religion, age, national origin, disability, handicap, Veteran's status, creed, sexual orientation, political affiliation,

<sup>1</sup> NH Code of Administrative Rules, Section Ed 303.01 (j)

<sup>2</sup> NH Code of Administrative Rules, Section Ed 306.04(a)(8)

<sup>3</sup> NH Code of Administrative Rules, Section Ed. 306.04(a)(9)

<sup>4</sup> RSA 354-A:7

or any other legally protected status not listed herein, and has the purpose or effect of creating an intimidating, hostile, or offensive work environment.

#### **IV. Reporting Procedures**

1. The Superintendent or his/her written designee is responsible for implementing all procedures of this policy. Additionally, the Superintendent may develop and implement additional administrative regulations in furtherance of this policy.

2. Any employee who believes he or she has been the victim of sexual **or other** harassment should report the alleged act(s) to the building Principal. If the alleged perpetrator is the Principal, the alleged victim may report the allegation to any other district employee. That employee shall then report the allegation to the Superintendent. The Shaker Regional School Board (SRSB) encourages the reporting employee to use the Report Form available from the Principal or Superintendent.

3. In each building, the Principal is the person responsible for receiving oral or written reports of sexual **or other** harassment. Upon receipt of a report, the Principal will notify the Superintendent immediately without screening or investigating the report. If the report was given verbally, the Principal shall reduce it to written form within 24 hours and then forward it to the Superintendent. Failure to forward any sexual **or other** harassment report or complaint as provided herein will result in disciplinary action. If the complaint involves the building Principal, the complaint shall be filed directly with the Superintendent.

4. The SRSB designates the Superintendent as the District Human Rights Officer to receive any report or complaint of sexual **or other** harassment. If the complaint involves the Superintendent, the complaint shall be filed directly with the SRSB. The SRSD shall post the name of the Human Rights Officer in conspicuous places throughout school buildings, including a telephone number and mailing address.

5. Submission of a complaint or report of sexual **or other** harassment will not affect the employee's standing in school, future employment, or work assignments.

6. The use of formal Reporting Forms provided by the SRSD is voluntary. The SRSD will respect the confidentiality of the complainant and the person(s) against whom the complaint is filed as much as possible, consistent with the SRSD's legal obligations and the necessity to investigate allegations of sexual **or other** harassment and take disciplinary action when the conduct has occurred.

#### **V. Investigation and Recommendation**

The Human Rights Officer will authorize an investigation upon receipt of a report or complaint alleging sexual **or other** harassment. This investigation may be conducted by SRSD officials or by a third-party designated by the SRSB.

If SRSD officials conduct the investigation, the investigation should consider the surrounding circumstances, the nature of the **harassment**, the relationship between the parties and the context in which the alleged incidents occurred. Whether a particular

#### **Legal References:**

Ed 303.01(j), Substantive Duties of School Boards; Sexual Harassment Policy  
Ed 306.04(a)(9), Sexual Harassment  
RSA 354-A:7, Unlawful Discriminatory Practices

1 action or incident constitutes sexual **or other** harassment requires a determination  
2 based on all the facts and surrounding circumstances.

3  
4 The investigation may consist of personal interviews with the complainant, the  
5 individual(s) against whom the complaint is filed, and others who may have knowledge  
6 of the alleged incident(s) or circumstances giving rise to the complaint. The  
7 investigation may also consist of any other methods and documents deemed pertinent  
8 by the investigator. In the case of sexual harassment students may be interviewed **with**  
9 **parent permission and the option for the parent or other representative to be**  
10 **present.**

11 In addition, the SRSD may take immediate steps, at its discretion, to protect the  
12 complainant, students and employees pending completion of an investigation of alleged  
13 sexual **or other** harassment.

14  
15 If the SRSB determines that a third-party designee should conduct the investigation, the  
16 SRSD agrees to assent to that party's methods of investigation.

17  
18 Upon completion of an investigation conducted by either SRSD officials or a third-party,  
19 the SRSB and the Superintendent will be provided with a written factual report and  
20 recommended action.

## 21 **VI. School District Action**

22 If investigating party determines that the alleged conduct constituted sexual **or other**  
23 harassment, the Superintendent **will** discipline the offending employee. Such discipline  
24 may include, but is not limited to, a warning, training, temporary suspension or  
25 dismissal. Any discipline will be in accordance with all laws and collective bargaining  
26 agreements, if applicable.

27  
28  
29 If the investigating party determines that the alleged conduct did not constitute sexual **or**  
30 **other** harassment, both the complaining party and the accused will be informed of such.  
31 No disciplinary action will be taken.

32  
33 Conduct which does not rise to the level of sexual **or other** harassment as defined by  
34 the policy, but is nonetheless inappropriate or in violation of other related SRSB policies,  
35 will be addressed on a case-by-case basis by the Superintendent, who may order the  
36 offending employee to engage in some remedial action.

## 37 **VII. Appeal of Investigator's Recommendation**

38 Either the complainant or the accused may appeal the investigator's recommendation  
39 and subsequent SRSD action, if any, to the SRSB.

40  
41  
42 After a hearing, the SRSB will vote to either accept or deny the investigator's  
43 recommendation and resulting discipline.

44  
45 Either party may then appeal the SRSB's decision in accordance with applicable law.  
46  
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48

Legal References:  
Ed 303.01(j), Substantive Duties of School Boards; Sexual Harassment Policy  
Ed 306.04(a)(9), Sexual Harassment  
RSA 354-A:7, Unlawful Discriminatory Practices



1 **VIII. Reprisal**

2 The SRSD will discipline any employee who retaliates against any other employee who  
3 reports alleged sexual **or other** harassment or who retaliates against any person who  
4 testifies, assists or participates in an investigation, proceeding or hearing relating to a  
5 sexual **or other** harassment complaint. Retaliation includes, but is not limited to, any  
6 form of intimidation, reprisal or harassment.

7  
8 **IX. Right to Alternative Complaint Procedures**

9 These procedures do not deny the right of any individual to pursue other avenues of  
10 recourse, which may include filing charges with the Commissioner of Education,  
11 initiating civil action or seeking redress under state criminal statutes and/or federal law.

12  
13 **X. Sexual Harassment as Sexual Abuse**

14 Under certain circumstances, sexual harassment may constitute sexual abuse under  
15 New Hampshire law. In such situations, the SRSD shall comply with all applicable laws.  
16 Nothing in this policy will prohibit the SRSD from taking immediate action to protect  
17 victims of alleged sexual abuse.

18  
19 **XI. By- Pass of Policy**

20 Any individual with a sexual harassment complaint may choose to bypass this Policy  
21 and accompanying regulation and proceed directly to: N.H. Commission on Human  
22 Rights, at 2 Chenelle Dr., Concord, NH 03301, phone 603-271-2767 or US Department  
23 of Health & Human Services, Office for Civil Rights, Region 1, JFK Building, Room  
24 1875, Boston, MA 02203, phone 617-565-1340.

Legal References:

Ed 303.01(j), Substantive Duties of School Boards; Sexual Harassment Policy  
Ed 306.04(a)(9), Sexual Harassment  
RSA 354-A:7, Unlawful Discriminatory Practices

## BACKGROUND INVESTIGATION, CRIMINAL RECORDS CHECK AND FINGERPRINTING POLICY

The **Shaker Regional School District (SRSD)** shall conduct a background investigation and criminal records check including charges pending of all applicants for employment. All offers of employment are conditioned upon submitting to, and the satisfactory results of, a criminal records check, a background investigation and criminal records check, including fingerprinting, as more fully described below.

In addition, all **SRSD** employees and all other persons who have regular contact with students, such as volunteers, coaches, student interns and student teachers, and those agencies/individuals who provide contracted services to our students, as the **SRSD** deems appropriate, shall be subject to background investigations, criminal records checks, including charges pending and fingerprinting. Annually thereafter, all employees and volunteers will be required to submit an annual affidavit.

Further, all contracted service providers, when required to do so by the Superintendent, must furnish the **SRSD** with copies of satisfactorily completed criminal background checks, including charges pending and fingerprinting.

The refusal to submit to or otherwise cooperate with the **SRSD's** efforts to conduct a complete background investigation and criminal records check, including charges pending and fingerprinting, and/or the receipt of unsatisfactory results from a background investigation or criminal records check shall result in the withdrawal of a conditional offer of employment and/or disciplinary action up to and including immediate termination of an employee, volunteers, coach, student intern, student teacher or contracted service provider.

New Hampshire law specifically prohibits any district from hiring an individual who has been convicted of crimes under RSA 630:1, 630:1-a, 630:1-b; 630:2; 632-A:2, 632-A:3, 632-A:4; 633:1; 639:2, 639:3; 645:1 I(b), II or III; 645:2; 649-A:3, 649-B:3, or 649-B:4; or any violation or attempted violation of RSA 650:2 where the act involves a child in material deemed obscene, in this state under any statute prohibiting the same conduct in another state, territory, or possession of the United States<sup>1</sup>. If a criminal records check reflects a conviction of this type, the conditional offer of employment will be withdrawn. In addition to these specifically enumerated crimes, the **SRSD** will not employ or utilize the services of anyone who has been convicted of any felony. In the event that an employee, volunteer, coach, student intern, student teacher or contracted service provider has been convicted of a misdemeanor, the Board and Administration will review such convictions and determine appropriate action on a case-by-case basis.

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<sup>1</sup> NH RSA Chapters 630 – 650.

1 The **SRSD** shall pay the fees associated with the fingerprinting and criminal records  
2 check conducted in accordance with this policy, except for contracted service providers,  
3 student teachers and interns who are responsible for paying their own fees.

#### 4 5 Additional Criminal Records Checks

6 The Superintendent may require a criminal records check of any employee at any time.  
7 In addition to the required State and FBI Criminal Records Check, the **SRSB** may also  
8 authorize the Superintendent to conduct a criminal background investigation and  
9 criminal records check including charges pending of any applicants for employment  
10 through contracted agencies. The **SRSD** shall pay the fees associated with the criminal  
11 records check and fingerprinting conducted through such agencies in accordance with  
12 this policy, except for contracted service providers, who are responsible for paying their  
13 own fees.

#### 14 Background Investigation

15 All individuals covered by this policy must authorize the **SRSD**, in writing, to conduct a  
16 background investigation including charges pending and consent to the release by third  
17 parties (such as former employers) of the information requested during the **SRSD's**  
18 investigation. A background investigation may include, but is not limited to: entire  
19 employment history; fitness for duty at all prior employment; education history; criminal  
20 record and military record, if any; obtaining opinions and references regarding moral  
21 character and reputation; and soliciting and obtaining any other information the **SRSD**,  
22 in its discretion, deems necessary.

23  
24 As part of the application process, each applicant for a position shall be asked whether  
25 he/she has ever been convicted of any crime, and whether there are any criminal  
26 charges pending against him/her at the time of application. The falsification or omission  
27 of any information on a job application or in a job interview, including, but not limited to,  
28 information concerning criminal convictions or pending criminal charges, shall be  
29 grounds for disqualification from consideration for employment or immediate discharge  
30 from employment.

#### 31 Fingerprinting

32 All individuals covered by this policy shall submit to fingerprinting conducted by an  
33 authorized employee of the **SRSD**, or at the request of the **SRSD**, a qualified law  
34 enforcement agency. If, after two attempts, the **SRSD** is unable to procure valid  
35 fingerprints, the **SRSD** may withdraw a conditional offer of employment pending the  
36 receipt of police clearance from every city, town or county where the applicant has lived  
37 during the past five (5) years.

#### 38 Criminal Background Check

39 All individuals covered by this policy must execute and submit to the **SRSD**, a notarized  
40 criminal history records release form, as provided by the Division of State Police,  
41 authorizing release of information regarding the presence or absence of any criminal  
42 conviction of the individual. In addition, the individual must submit to fingerprinting  
43 conducted by an authorized employee of the **SRSD**, or at the request of the **SRSD**, a  
44 qualified law enforcement officer. If, after two attempts, the **SRSD** is unable to procure  
45 valid fingerprints, the **SRSD** may withdraw a conditional offer of employment and/or

1 impose disciplinary action, up to and including immediate termination of an employee,  
2 volunteer, coach, student intern or student teacher.  
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41 Legal Reference:

42 RSA 189:13-a, School Employee and Volunteer Background Investigations  
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44 Appendix GBCD-R: Technical Advisory, School Employee Background Investigation,  
45 Including A Criminal History Records Check, N.H. Department of Education

**STAFF ETHICS**

All employees of the **Shaker Regional School District (SRSD)** are expected to maintain high standards in their conduct both on and off duty. **SRSD** employees are responsible for providing leadership in the school and community. This responsibility requires the employee to maintain standards of exemplary conduct.

**SRSD** employees will:

- Make the wellbeing of students the fundamental value of all decision-making and actions.
- Maintain just, courteous, and proper relationships with students, parents, staff members, and others.
- Fulfill their job responsibilities with honesty and integrity.
- Direct any criticism of other staff members toward improving the **SRSD**. Such constructive criticism is to be made directly to the building administrator.
- Obey all local, state, and national laws.
- Implement the **SRSD's** policies, administrative rules and regulations.
- Avoid using position for personal gain through political, social, religious, economic, or other influence.
- Maintain the standards and seek to improve the effectiveness of the profession through research and continuing professional development.
- Honor all contracts until fulfillment or release.
- Maintain all privacy and confidentiality standards as required by law.
- Exhibit professional conduct both on and off duty.

Employees are put on notice that this list is not intended to be exhaustive or complete. Employees who fail to abide by the terms of this policy may be non-renewed and/or face discipline up to and including termination. Any action taken regarding an employee's employment with the **SRSD** will be consistent with all rules, laws, and collective bargaining agreements, if applicable.

Legal References:

RSA 189:13, Dismissal of Teacher

RSA 189:14-a, Failure to Be Renominated or Re-elected

RSA 189:14-d, Termination of Employment

RSA 189:31, Removal of Teacher

NH Code of Administrative Rules, Section Ed 511, Denial, Suspension or Revocation of Certified Personnel

**CONDUCT OF EMPLOYEES<sup>1234</sup>**

All employees have the responsibility to make themselves familiar with, and abide by, the laws of the State of New Hampshire as they affect their work, the policies and decisions of the **Shaker Regional School Board (SRSB)**, and the administrative regulations designed to implement them. For purposes of this policy, all employees also include any company contracted to provide services directly to students.

All employees shall be expected to carry out their assigned duties, support and enforce **SRSB** policies and administrative regulations, submit required reports, protect **Shaker Regional School District (SRSD)** property, oversee students and contribute to the education and development of students.

Employees shall present a positive example of professionalism and dedication to students, parents, community, and fellow workers. Employees shall avoid relationships that detract from their obligation to lead and critically evaluate students in the **SRSD**. Any employee who witnesses or learns of any inappropriate behaviors shall report it to the building principal or Superintendent immediately.

The manner, dress, courtesy, and attitudes of employees shall promote the educational process for students.

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<sup>1</sup> SRSD Policy GBAA

<sup>2</sup> SRSD Policy GBEBD

<sup>3</sup> SRSD Policy IJOA

<sup>4</sup> SRSD Policy JLF

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**EMPLOYEE DRESS CODE**

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Every employee of the Shaker Regional School District shall maintain a level of personal hygiene necessary to ensure an appropriate educational environment and dress in a professional manner which serves as an example for students and will not cause a health or safety hazard.

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**EMPLOYEE GIFTS AND SOLICITATIONS**

Employees are prohibited from accepting things of material value from companies or organizations doing business with the **Shaker Regional School District (SRSD)**. Exceptions to this policy are the acceptance of minor items that are generally distributed by the companies through public relations programs.

No organization may solicit funds of staff members within the Schools, nor may anyone distribute flyers or other materials related to fund drives through the Schools, without the approval of the Superintendent. Staff members will not be made responsible or assume responsibility for the collection of any money or distribution of any fund drive literature within the Schools unless such activity is approved by the Superintendent.

The Superintendent shall seek direction from the **Shaker Regional School Board** in instances where prior practice offers no guidance about a particular type fund drive.



**EMPLOYEE USE OF SOCIAL NETWORKING WEBSITES AND THE INTERNET**

School district employees are prohibited from engaging in any conduct on the Internet, including social networking websites, and all electronic communications, which violates the law, school board policies, or other standards of conduct.<sup>1,3</sup> Employees who violate this policy may face discipline and/or termination, in line with other school board policies and/or collective bargaining agreements, if applicable.

The posting of any private or confidential school district information<sup>2</sup> or material on the Internet, including social networking websites, is prohibited. Unauthorized photographs of students taken by an employee, shall also be subject to this policy.

Nothing in this policy prohibits employees, faculty, staff or students from the use of websites if such sites are used solely for educational purposes.

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<sup>1</sup> Shaker Regional School District Policy GBEB

<sup>2</sup> Shaker Regional School District Policy JRA

<sup>3</sup> Shaker Regional School District Policy Ethics

**DRUG-FREE WORKPLACE<sup>123</sup>/DRUG-FREE SCHOOLS****A. Drug-Free Workplace**

The Shaker Regional School District (SRSD) shall provide a drug-free workplace.

No employee or contracted personnel shall manufacture, distribute, dispense, possess, ~~or~~ use, or be under the influence of any controlled substance or drugs or alcohol while on or in the SRSD's workplace, including individuals possessing a "medical marijuana" card. Any violation is subject to disciplinary action. Notification will be accomplished by distribution of this policy to all employees and contracted personnel.

For purposes of this policy, a "controlled substance or drug" means and includes any controlled substance or drug defined in the Controlled Substances Act, 21 U.S.C. § 812(c), or New Hampshire Controlled Drug Act RSA 318-B.

For purposes of this policy, "workplace" shall mean the site for the performance of work, and will include at a minimum any District building or grounds owned or operated by the District, any school-owned vehicle, and any other school-approved vehicle used to transport students to and from school or school activities. It shall also include off-school property during any school-sponsored or school-approved activity, event or function such as a field trip or athletic event where students are under the jurisdiction, care or control of the District.

As a condition of employment in the SRSD, all employees shall agree to and abide by the terms of this policy, and will notify the SRSD of any drug statute conviction resulting from workplace conduct within five days of the conviction.

In order to make employees aware of dangers of drug and alcohol abuse, the SRSD *will endeavor to*

- a. Provide each employee with a copy of the SRSD drug- and alcohol-free workplace policy;
- b. Post notice of the SRSD drug- and alcohol-free workplace policy in a place where other information for employees is posted;
- c. Establish a drug-free awareness program to educate employees about the dangers of drug abuse and drug use in the work place, the specifics of this policy, including the consequences for violating the policy, and any information about available drug and alcohol counseling, rehabilitation, reentry, or other employee-assistance programs.

The SRSD shall take disciplinary action, up to and including termination, against any employee who violates this policy. Alternatively, the Board may require an employee to successfully complete an appropriate drug- or alcohol-abuse, employee-assistance rehabilitation program.

The Board will take disciplinary action with respect to an employee convicted of a drug offense in the workplace, within thirty (30) days of receiving notice of a conviction. Should District

<sup>1</sup> RSA: 193-B

<sup>2</sup> 41 USC Section 701 Et. Seq., Drug-Free Workplace Requirements for Federal Grant Recipients

<sup>3</sup> Public Law 101-126, Drug Free Schools and Communities Act Amendments of 1989

<sup>4</sup> **NH Admin. Code, Ed. Part 316**

employees or contracted personnel be engaged in the performance of work under a federal contract or grant, or under a state contract or grant, the Superintendent will notify the appropriate state or federal agency from which the District received contract or grant moneys of an employee/contracted personnel's conviction, within ten (10) days after receiving notice of the conviction.

The processes for disciplinary action shall be those provided generally to other misconduct for the employee/contractor personnel as may be found in applicable collective bargaining agreements, individual contracts, School Board policies, contractor agreements, and/or governing law. Disciplinary action should be applied consistently and fairly with respect to employees of the District and/or contractor personnel as the case may be.

#### B. Drug-Free School Zone

Pursuant to New Hampshire's "Drug-Free School Zone" law (RSA Chapter 193-B), it is unlawful for any person to manufacture, sell prescribe administer, dispense, or possess with intent to sell, dispense or compound any controlled drug or its analog, within a "drug-free school zone". The Superintendent is directed to assure that the District is and remains in compliance with the requirements of RSA 193-B, I, and N.H. Ed. Part 316 with respect to establishment, mapping and signage of the drug-free zone around each school of the District.

The Superintendent shall publish rules and procedures to implement this policy.

**CONFLICT OF INTEREST**

A Shaker Regional School District (SRSD) employee shall not engage in, or have a financial interest in, any activity that raises a reasonable question of conflict of interest with their duties and responsibilities as an employee.<sup>1</sup> This includes, but is not limited to:

- An employee shall not participate or provide for financial remuneration in outside activities wherein their position on the staff is inappropriately used to sell goods or services to students or their parents.
- An employee shall not engage in any type of work where the source of information concerning customer, client, or employer originates from information obtained through the District.
- An employee shall not solicit or sell for personal gain any educational materials or equipment in the attendance areas served by the School to which they are assigned.
- An employee shall not provide lists of names of students or parents to anyone for purposes not approved by the Superintendent.
- An employee shall not be formally evaluated by a member of their family.

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<sup>1</sup> *State EX REL THOMSON v. State Board of Parole, 115N.H.414 (1975)*

**PROTECTION OF STAFF<sup>1 2 3</sup>**

The **Shaker Regional School** District shall indemnify and hold harmless for loss or damage the **Shaker Regional** School Board, administrative staff, teachers, support staff, and other employees from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, suit, or judgment by reason of negligence or other act resulting in accidental injury to a person or accidental damage to or destruction of property if the indemnified person at the time of the accident resulting in the injury, damage, or destruction was acting in the scope of employment or office.

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<sup>1</sup> NH RSA 31:105

<sup>2</sup> See SRSD Policy EI

<sup>3</sup> See SRSD Policy EIB

**PHYSICAL EXAMINATIONS/STAFF HEALTH<sup>1</sup>**

The **Shaker Regional School District (SRSD)** shall ensure that all employees shall be required to have a post-offer, pre-employment medical examination by a licensed physician to ensure they are physically fit to perform essential functions of the job. It shall also ensure that they do not have a medical condition which may negatively impact the students or other **SRSD** personnel. In the event that an employee may have such a condition, the Superintendent shall review the case on an individual basis.

Any person who objects to all or part of any medical examination because of religious beliefs shall be exempt from said examination, except that no such exemption shall be granted if state or local authorities determine that such exemption would constitute a hazard to the health of persons exposed to the unexamined individual.

The Superintendent may request a medical examination for any employee if at any time there is reason to believe that the employee's physical or mental health may be detrimental to the welfare of students or other employees. The cost of such examination will be borne by the **SRSD**.

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<sup>1</sup> RSA 200:36

**STAFF PARTICIPATION IN POLITICAL ACTIVITIES**

**Shaker Regional School District (SRSD)** employees, as citizens, have a right to engage in political activities. Nevertheless, this right to engage in political activities may be reasonably conditioned by the **Shaker Regional School Board (SRSB)** as an employer. This policy defines the types and places of conduct that are not permitted.

Employees will not advocate their personal political views or engage in political activities defined in this policy when engaged in their employed duties. Employees will not use students in any way to promote their personal political views. Employees will not misrepresent their political views as those of the SRSD. Examples of activities that are not permitted include:

1. Representing personal political views as those of the SRSD; employees should always take adequate precautions to distinguish between their personal political views and those of the SRSD;
2. Interfering with other employees' exercise of political and citizenship rights and responsibilities; and
3. Using **SRSD** privileges, resources or working time to promote political candidates or for partisan political activities.

For the purpose of this policy political activities are defined to mean only "partisan political activities." Partisan political activities include the posting of political circulars or petitions, collection and/or solicitation of campaign funds, solicitations for campaign workers and other activities of a clearly partisan nature, including those activities relating to local, state, or federal elections.

This policy does not preclude discussion of current events or conducting mock elections, debates, conventions or similar simulated political activities, where the activity is primarily intended as an educational experience.

**PERSONNEL RECORDS AND ACCESS**

The Superintendent shall maintain a comprehensive, confidential and efficient system of personnel records. The **Shaker Regional School District (SRSD)** shall comply with all federal and state requirements governing such records.<sup>1</sup>

The SRSD will not disclose any teacher personally identifiable data or information to any person outside of the SRSD, except as may be required by law. Such data or information may be shared to SRSD employees, as necessary.

The Superintendent shall publish rules and procedures related to this policy.

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<sup>1</sup> NH RSA 91:A:5



## HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

The Shaker Regional School Board (**SRSB**) directs the Superintendent to take steps to ensure compliance with the Health Insurance Portability and Accountability Act (HIPAA)<sup>1</sup>, which grants individuals the right to receive notice of the uses and disclosures of their protected health information that may be made by the **Shaker Regional School District (SRSD)**, and sets forth the individual's rights and SRSD legal obligations with respect to protected health information.

### Confidentiality of Individually Identifiable Health Information

The **SRSD** and its employees will not use or disclose an individual's protected health information for any purpose without the properly documented consent or authorization of the individual or his/her authorized representative unless required or authorized to do so under state or federal law or this policy, unless an emergency exists or unless the information has been sufficiently de-identified that the recipient of the information would be unable to link the information to a specific individual.

Prior to releasing any protected health information for the purposes set forth above, the **SRSD** representative disclosing the information shall verify the identity and authority of the individual to whom disclosure is made. This verification may include the examination of official documents, badges, driver's licenses, workplace identity cards, credentials or other relevant forms of identification or verification.

All employees of the **SRSD** are expected to comply with the administration of this policy. Any violation of the HIPAA privacy or security standards of this policy shall constitute grounds for disciplinary action, up to and including termination of employment.

Any employee of the **SRSD** who believes that there has been a breach of the integrity or confidentiality of any person's protected health information shall immediately report such breach to his/her immediate supervisor or the Superintendent. Any employee involved in retaliatory behavior or reprisals against another individual for reporting an infraction of this policy is subject to disciplinary action up to and including termination of employment.

If the Superintendent determines that there has been a breach of this privacy policy or of the procedures of the **SRSD**, he/she shall make a determination of the potentially harmful effects of the unauthorized use or disclosure and decided upon a course of action to minimize the harm.

### Notice

The **SRSD** shall distribute a Notice of Privacy Practices within one month of the initial adoption of this policy, and thereafter to all employees at the time of their enrollment in the health plan and within 60 days of any material revision. The notice shall also be posted in a clear and prominent location in each facility in the **SRSD** and be printed in staff handbooks and the health plan booklet. The **SRSD** will also notify individuals covered by the health plan of the availability of and how to obtain the notice at least once every three years.

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<sup>1</sup> Public Law 104-191, Health Insurance Portability and Accountability Act of 1996

1    Training

2    All employees shall receive training regarding **SRSD** privacy policies and procedures as  
3    necessary and appropriate to carry out their job duties. Training shall also be provided  
4    when there is a material change in **SRSD** privacy practices or procedures.

5  
6    Documentation

7    Documentation shall be provided in support of the policies and procedures of the **SRSD**  
8    and all other parts of the HIPAA privacy regulations that directly require documentation,  
9    including, but not limited to, all authorizations and revocations of authorizations,  
10   complaints and disposition of complaints. All documentation shall be kept in written or  
11   electronic form for a period of six years.

12   The Superintendent shall publish rules and procedures to implement this policy.

**STAFF CONCERNS, COMPLAINTS AND GRIEVANCES**

In order to promote efficiency in the administration of schools and to avoid misunderstandings and misinterpretations, all personnel must observe a chain of command when bringing staff concerns or complaints to the administration's attention.

In order to promote such efficiency, the following guidelines should be followed:

1. All personnel employed by the SRSB shall be responsible to the Board through the Superintendent and no dispute or other personnel issue shall be brought to the Board without first having gone to the Superintendent.

2. Likewise, no dispute or other personnel issue shall be brought to the Superintendent without first having been presented to the building Principal.

3. Building personnel working under the immediate direction and/or supervision of someone other than the building Principal will inform their immediate superior of any dispute or personnel issue s/he intends to bring to the principal.

It is the Board's policy not to involve itself in personnel complaints or dispute until the matter has properly followed these guidelines.

Grievances shall be handled expeditiously in accordance with Rules and Procedures and/or contained in collective bargaining agreements and/or employee handbooks.

The process set up for the resolution of "grievances" in collective bargaining agreements between the SRSB and recognized employee organizations will apply only to grievances as defined in the particular agreement.

The Superintendent shall publish rules and procedures to address grievances.

**HIGHLY QUALIFIED TEACHERS**

Pursuant to federal law, the school district will strive to ensure that all teachers who teach core academic subjects will satisfy “Highly Qualified Teacher” requirements set forth in the Every Student Succeeds Act (ESSA) of 2015. Core academic subjects are: English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, art, history, and geography.

Because standards for satisfying Highly Qualified Teacher requirements differ between elementary school and secondary school, the Superintendent and building principals are responsible for:

1. Making sure all teachers who are required to do so meet or exceed Highly Qualified Teacher requirements;
2. Properly documenting necessary paperwork and, if necessary, providing such paperwork to the New Hampshire Department of Education; and
3. Providing notice to parents/guardians whose children are not being instructed by a teacher who satisfies Highly Qualified Teacher requirements, as required by ESSA.

Additionally, it is encouraged that all “long-term substitute” teachers meet the requirements for Highly Qualified Teachers per ESSA. For the purposes of this policy, the term “long-term substitute” is defined as it is in the District’s collective bargaining agreement/master agreement, if applicable. Per the requirements of ESSA, parents will be notified if students have received instruction for four or more consecutive weeks in a core academic subject by a teacher who is not highly qualified.

Public Law 114-195, Every Student Succeeds Act of 2015  
20 U.S.C. §7801(23), Definitions, Highly Qualified Teacher  
34 C.F.R §200.55, Qualifications of Teachers

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2 **FAMILY AND MEDICAL LEAVE ACT**

3 The **Shaker Regional School District (SRSD)** shall grant leave for family and medical  
4 purposes in compliance with all respects of the Federal Family and Medical Leave Act<sup>1</sup>  
5 (FMLA), its subsequent amendments and all associated regulations.

6 The Superintendent shall publish rules and procedures to implement this policy.

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<sup>1</sup> 29 U.S.C. et. Seq. Family and Medical Leave Act of 1993.

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2 **PROFESSIONAL STAFF HIRING**

3 All professional staff, defined as certificated personnel, must be nominated by the  
4 Superintendent and elected by the **Shaker Regional School Board**.<sup>1</sup>

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<sup>1</sup> RSA 189:39

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2 **SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT**

3 The Superintendent shall maintain a list of qualified substitute teachers who may be  
4 called on to replace regular teachers who are absent. Such a list shall be filed with the  
5 principal of each school.

6 A teacher whose name does not appear on the substitute list may not be employed in  
7 the **Shaker Regional School District (SRSD)** except when specifically approved by the  
8 Superintendent.

9 The rate-of-pay for a substitute shall be set by the **Shaker Regional School Board**  
10 **(SRSB)** and be subject to periodic review.

11 When a substitute has served ten consecutive days, pay after the tenth day shall be the  
12 per diem rate for base salary.

1

2 **TRAINING OF PROFESSIONAL STAFF**

3 The **Shaker Regional School District (SRSD)** encourages participation in professional  
4 and related activities. Reimbursement for attendance and/or participation in such  
5 activities shall be approved by the administration in advance<sup>1</sup>.

6 When a staff member is invited to speak, serve on a panel, or similar assignment, all  
7 costs shall be borne by the organization sponsoring the event, unless other  
8 arrangements are approved by the Superintendent, upon the recommendation of the  
9 principal.

10 Lectures, demonstrations or related activities performed by teachers for staff within the  
11 **Shaker Regional School District** are a service to the school community and shall be  
12 performed without fee.

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<sup>1</sup> Shaker Regional School District *Collective Bargaining Agreement 2003-2006*



1

2 **EVALUATION OF PROFESSIONAL STAFF**

3 The Superintendent will cause all professional staff to be evaluated as a basis for  
4 employee nomination and salary placement, which will be made annually to the **Shaker**  
5 **Regional School Board** between February 1 and April 15.<sup>1</sup>

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<sup>1</sup> *RSA 189:14-a (Failure to be Renominated or Re-elected)*

**RESIGNATION OF PROFESSIONAL STAFF**

All staff members who sign an employment contract are expected to honor such contract for the period of the contract.

Resignations tendered after July 1 of a given year will not be accepted unless and until a suitable and fully qualified replacement is hired.

However, the **Shaker Regional School Board (SRSB)** recognizes that extenuating circumstances may arise which warrants it giving special consideration to a resignation request. In these instances, the **SRSB** may make exceptions to this policy, on a case by case basis.

A monetary penalty<sup>1</sup> will be assessed to any bargaining unit member as defined by the collective bargaining agreement who breaks their individual contract after July 1.

In addition, if a teacher does not honor his/her contract, the **SRSB** may notify the teacher certification division of the Department of Education.

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<sup>1</sup> Shaker Regional School District *Collective Bargaining Agreement 2006-2009*

**NON-SCHOOL EMPLOYMENT BY PROFESSIONAL STAFF**

When a person is hired on a regular, full-time basis, the **Shaker Regional School District (SRSD)** considers that it has given him/her full-time employment. The **SRSD** expects employees to give the responsibilities of their positions in the **SRSD** precedence over any type of outside part-time work.

An employee will not perform any duties related to an outside job during his/her regular working hours or during the additional time that s/he needs to fulfill the responsibilities of the position; nor will an employee use any **SRSD** facilities, equipment, or materials in performing outside work.

No teacher shall charge a fee for activities within the **SRSD** directly related to his/her professional position unless authorized by the Superintendent.

1

**Code GDO**

2 **EVALUATION OF SUPPORT STAFF**

3 The Superintendent shall ensure that all support staff are evaluated at least annually, as  
4 a basis for continuing employment in the **Shaker Regional School District**.

1

2

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3

### **SECTION H: NEGOTIATIONS**

4

Section H of the classification system contains policies on the process of negotiations, with bargaining units recognized by the school board.

5

6

#### **Code**

#### **Title/Content**

7

**HPA.....Employee Job Actions**

**EMPLOYEE JOB ACTIONS**

Any strike, job action or withholding of services by a public employee is illegal.<sup>1</sup>

Any employee of the **Shaker Regional School District (SRSD)** who engages in a strike, job action, withholds services, absents himself without leave or authorization, or declines to perform all of his/her duties and responsibilities will be acting contrary to the law of the state, to the **Shaker Regional School Board (SRSB)** policies and to any applicable individual contract.

Any employee who so acts will:

1. Suffer a deduction in salary for every day s/he is absent from work
2. Have an official reprimand placed in his/her permanent record
3. Be subject to immediate discharge or other appropriate disciplining action

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Legal References:

<sup>1</sup> RSA 273-A:13 Strikes Prohibited

Farrelly v. Timberlane Regional School District, 114 N.H. 560 (1974)

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### **SECTION I: INSTRUCTION**

Section I contains policies on the instructional program: basic curricular subjects, special programs, instructional resources, and academic achievement.

<u>Code</u>	<u>Title/Content</u>
IAB	Video and Audio Recording in School Classrooms
IC	School Year
	...Days
	...Make Up Days
	...School Calendar
IF	Instructional Approach
IFA	Instructional Needs of Students with Different Talents (See IF)
IG	Curriculum Development
IGD	Curriculum Adoption
IGE	Parental Objection to Specific Course Materials
IHAE	Physical Education
IHAK	Citizenship Education/Values Education
	*
IHAM	Health Education and Exemption from Instruction
IHAMA	Teaching about Drugs, Alcohol, Drugs and Tobacco
IHAMC	HIV/AIDS Education (See JLCC)
	*
IHBA	Handicapped Students/Students with Disabilities
IHBAA	Evaluation Requirements for Children with Specific Learning
	Disabilities
IHBB	Gifted and Talented Education Programs
IHBCA	Pregnant Students (See JIE)
	*
IHBEA	English As a Second Language/Limited English Proficient
	*
IHBG	Home Education Instruction
	*
IHBH	Extended Learning Opportunities
	*
IHBI	Alternative Learning Plans
IHCA	Summer Activities
IHCD	Advanced College Placement
	*
IJ	Instructional Materials
	...Definition of Instructional Materials
	...Responsibility and Criteria for Selection
IJL	Library Materials Selection and Adoption
IJNDB	Use of Technology Resources in Instruction (See EGA)
IJO	School, Community and Home Relations (See KA)

- 1        IJOA        \* .....Field Trips and Excursions
- 2        IJOC        \* .....Volunteers
- 3        IK.....Earning of Credit
- 4        IKA.....Grading System
- 5        IKAA.....Interdisciplinary Credit
- 6        IKB        \* .....Homework
- 7        IKE .....Promotion and Retention of Students
- 8        IKF .....Graduation Requirements
- 9        IKFA.....Early Graduation
- 10      IKFB.....Honorary Degrees
- 11      IL.....Evaluation of Instructional Programs
- 12      ILBA        \* .....Assessment
- 13      ILBAA        \* .....High School Competency/Assessments
- 14      IMAH.....Daily Physical Activity
- 15      IMBA        \* .....Distance Education
- 16      IMBC        \* .....Alternative High School Credit Options
- 17      IMBD.....High School Credit for 7<sup>th</sup> and 8<sup>th</sup> Grade Advanced Course Work
- 18      IMC .....Controversial Speakers/Programs
- 19      IMDA.....Pledge of Allegiance
- 20      IMG        \* .....Animals in Schools
- 21      IMGA\*.....Service Animals
- 22
- 23        \* The Superintendent of Schools has published Rules and Procedures related to this
- 24        policy.
- 25



**VIDEO AND AUDIO RECORDING IN SCHOOL CLASSROOMS**

The Shaker Regional School Board (SRSB) recognizes that video and/or audio recordings ("recordings") can serve many valuable purposes that align with our districts' educational mission and programming. The SRSB approves the use of these recordings for educational purposes including, but not limited to, recording student performances for instructional purposes; creating classroom instruction materials; and providing tools for teacher instruction and development.

**A. Purposes for Which Written Consent is Required**

Unless otherwise permitted by law, the following conditions apply to recordings in classrooms.

1. If a teacher intends to create a recording of a class, including one or more students, prior written consent must be obtained from the parent/legal guardian of each affected student in the class.
2. If a student or administrator wishes to create a recording of a teacher, student or a class, prior written consent must be obtained from the affected teacher and the parent/legal guardian of each affected student.

**B. Circumstances Under Which Written Consent is Not Required**

1. Written consent is not required for video and/or audio recordings made pursuant to a student's IEP or 504 Plan, when the IEP or 504 Team determines that such recording is necessary for the delivery of a free appropriate public education (FAPE). In such cases, the IEP or 504 Team is expected to establish reasonable conditions and limitations reasonably necessary for the student to receive a FAPE.
2. Recordings of any other class, performance, competition, ceremony, instruction, presentation, orientation, training, assembly, or any other school sponsored event that occurs outside the physical confines of a classroom.
3. Recordings made in compliance with the SRSB's FERPA Annual notice.

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<sup>1</sup> RSA 189:68, IV

**SCHOOL YEAR**Days

The school year shall be a minimum of 180 instructional days for students (175 days for graduating seniors) and additional days for the teaching staff.<sup>1,2,3</sup>

Make Up Days

Any day that the school is closed for an emergency, weather-related, or other reasons will be made up at the end of the school year. The day may be made up at other times as approved by the Shaker Regional School Board (SRSB), upon the Superintendent's recommendation.

School Calendar

The school calendar will be proposed by the Superintendent and approved by the SRSB. To the extent possible, the calendar will be coordinated with the school calendars of the area vocational schools, regional special education programs, and developed after input from the faculty.<sup>4</sup>

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<sup>1</sup>RSA 189:1

<sup>2</sup>RSA 189:2

<sup>3</sup>Ed 306.18

<sup>4</sup>Current SRSD Collective Bargaining Agreement

**INSTRUCTIONAL APPROACH<sup>1</sup>**

Instructional approaches shall be developmentally appropriate and focused on meeting the instructional needs of students with different talents, interests, and learning styles.<sup>2</sup>

The instructional program will include:

1. Procedures for diagnosing learner needs
2. Methods and strategies for teaching that incorporate learner needs
3. Techniques for the evaluation of student outcomes
4. The provision of remedial instruction as needed

Instruction will also include, where possible, consideration of all available community resources, including but not limited to organizations, businesses, talented individuals, natural resources, and technology to engage each student in achieving the necessary skill and knowledge.<sup>3</sup>

In order to meet the instructional needs of students with different talents, administrators shall consider alternative learning programs such as extended learning opportunities, alternative learning plans, distance education, and vocational/technical education.

Students will be encouraged to participate in year-round learning.<sup>4</sup>

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<sup>1</sup> NH Code of Administrative Rules, Section Ed 306.04 (a) (6)

<sup>2</sup> NH Code of Administrative Rules, Section Ed 306.04 (j)

<sup>3</sup> NH Code of Administrative Rules, Section Ed 306.04 (k) (4-6)

<sup>4</sup> NH Code of Administrative Rules, Section Ed. 306.14 (h)

1

2 **CURRICULUM DEVELOPMENT**

3 The Shaker Regional School Board (SRSB) encourages and supports the professional  
4 staff in its efforts to investigate new curricular ideas, develop and improve programs,  
5 and evaluate results.

6 The Superintendent will direct curriculum development for the Shaker Regional School  
7 District (SRSD). The Superintendent will submit to the SRSB recommendations  
8 developed by the curriculum committees and the professional staff. The SRSB in  
9 reviewing and evaluating curriculum recommendations may solicit community opinion.  
10 The SRSB will make final decisions on curriculum.<sup>1</sup>

11 All teachers have professional obligations to the school program beyond regular  
12 classroom duties; these obligations include work on curriculum committees. All  
13 teachers are expected to make contributions to curriculum development.

14 The Superintendent shall publish rules and procedures to implement this policy.

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<sup>1</sup> SRSD Policy IGD

1

2 **CURRICULUM ADOPTION**

3 No basic course of study shall be eliminated or new courses added without approval of  
4 the Shaker Regional School Board (SRSB), nor shall any significant alteration or  
5 reduction of a course of study be made without such approval.<sup>1</sup>

6 In the normal course of consideration, new programs and courses of study shall not be  
7 acted upon by the SRSB until the meeting following their presentation by the  
8 administration so SRSB members may have the opportunity to review the proposed  
9 program.<sup>2</sup>

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<sup>1</sup> ED. 302.02(f)

<sup>2</sup> ED. 303.01(g)

**PARENTAL OBJECTION TO SPECIFIC COURSE MATERIALS<sup>12</sup>**

In the event a parent/guardian finds specific course material objectionable, the parent/guardian may notify the building principal of the specific material to which they object and request that the student receive alternative course material, sufficient to enable the child to meet state requirements for education in the particular subject area. This notification and request shall be in writing.

The building principal and the parent must mutually agree to the alternative course material. The alternative course material agreed upon must meet the state minimum standards. Any cost associated with the alternative course material shall be borne by the parent or guardian.

Nothing in this policy shall be construed as giving parents/guardians the right to appeal to the **Shaker Regional School Board (SRSB)**.

Parents/Guardian who wish for particular course material to be reviewed for appropriateness may submit a request for review in accordance with SRSB Policy KEC.

Parents/Guardian and legal guardians shall be notified by e-mail, other written means, website/social media posting, or phone call not less than two (2) weeks in advance of use of the curriculum course material to be used for instruction of human sexuality or human sexual education, that the material is available for inspection at the school. The notice will identify and provide contact information for the member of staff or faculty a parent or guardian should contact to arrange an opportunity to inspect the curriculum course material.

In accordance with the federal Protection of Pupil Rights statute, as a School District that receives federal Department of Education funds, the Superintendent shall develop procedures to allow parent/guardian of a student to inspect any instructional material used as part of the education curriculum for the student. The procedures will provide reasonable access to instructional material within a reasonable period of time after the request is received.

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<sup>1</sup> RSA 186:11, IX-c, State Board of Education, Duties

<sup>2</sup> 20 U.S.C § 1232h, (c)(1)(C), Protection of pupil rights

1

2 **PHYSICAL EDUCATION<sup>1</sup>**

3 No child shall be excused from regular physical education except on the written notice of  
4 a duly licensed physician or on the written request of the parents/guardians, subject to  
5 approval of the building Principal or his/her designee, in which case an alternative  
6 program shall be provided. Temporary excuses on a day-to-day basis may be granted  
7 by the physical education teacher upon the request of the parent/guardian.

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<sup>1</sup> ED 306.41

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**CITIZENSHIP EDUCATION/VALUES EDUCATION<sup>12</sup>**

2

The Shaker Regional School District (SRSD) shall ensure the integration of character and citizenship development in its curriculum.

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<sup>1</sup> NH Code of Administrative Rules, Section Ed 306.04(a)(5)

<sup>2</sup> NH Code of Administrative Rules, Section Ed 306.04(i)



**HEALTH EDUCATION AND EXEMPTION FROM INSTRUCTION<sup>123</sup>**

Health and physical education, including instruction about parts of the body, reproduction, and related topics, will be included in the instructional program.

Instruction must be appropriate to grade level, course of study, and development of students.

Parents/guardians will have the right to inspect and review health and physical instruction materials which will be made reasonably accessible to parents/guardians and others to the extent practicable. Parents/guardians who wish to review or inspect health and physical education materials may arrange a meeting with the Principal or designee to review the materials.

**1.1 Opt-Out Procedure**

Parents/guardians who do not wish to have their student participate, or students eighteen years of age or older, who do not wish to participate in a particular unit of health or sex education instruction, are allowed to opt-out of such instruction.

Parents/guardians who wish to have their child opt-out of such instruction, or students eighteen years of age or older who wish to opt-out of such instruction are required to complete the district opt-out form and state the particular unit of curriculum in which the student is not to participate. Any student who is exempted by request of the parent/guardian under this policy may be given an alternative assignment sufficient to meet state requirements for health education. The alternative assignment will be provided by the health or physical education teacher in conjunction with the Principal.

Opt-out forms are available from either the health education teacher or the Principal. Opt-out forms must be submitted annually and are valid only for the school year in which they are submitted.

The Superintendent shall publish rules and procedures to implement this policy.

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<sup>1</sup>NH Code of Administrative Rules, Section Ed. 306.40, Health Education Program

<sup>2</sup> NH Code of Administrative Rules, Section Ed. 306.41, Physical Education Program

<sup>3</sup> RSA 186:11, IX-b, Health and Sex Education

1

**TEACHING ABOUT ALCOHOL, DRUGS AND TOBACCO<sup>1</sup>**

2 The Shaker Regional School District (SRSD) shall establish and maintain educational  
3 programs that address the abuse of alcohol, tobacco, drugs and other substances. This  
4 shall include training for staff members to identify signs of substance abuse in students  
5 and provide instruction in the referral process.

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<sup>1</sup> ED 306:40

**HANDICAPPED STUDENT/STUDENTS WITH DISABILITIES<sup>12345</sup>**

The Shaker Regional School District (SRSD) shall provide a free and appropriate public education and necessary related services to all children with disabilities residing within SRSD, required under the Individuals With Disabilities Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act.

It is the intent of SRSD to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they do not require services pursuant to the IDEA.

For students eligible for services under IDEA, SRSD shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in state statutes that govern special education. For those students who are not eligible for services under IDEA, but, because of disability as defined by Section 504 of the Rehabilitation Act of 1973, need or are believed to need special instruction or related services, the district shall establish and implement a system of procedural safeguards. The safeguards shall cover students' identification, evaluation, and educational placement. This system shall include notice, and opportunity for a student's parent(s)/guardian(s) to examine relevant records, and impartial hearing with opportunity for participation by the student's parent(s)/guardian(s), and representation by counsel, and review procedure.

SRSD shall provide these services when a student reaches three years of age and shall continue until a student earns a high school diploma or reaches their 21<sup>st</sup> birthday, whichever comes first.

The Superintendent shall publish rules and procedures relating to this policy.

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<sup>1</sup> 20 U.S.C. 1400 et seq., Individual's with Disabilities Act

<sup>2</sup> 34 C.F.R. 300 et seq., Assistance to the States for the Education of Children with Disabilities

<sup>3</sup> RSA 186-C, Special Education

<sup>4</sup> NH Code of Administrative Rules, Section ED 1100

<sup>5</sup> 34 CFR 300.102

## EVALUATION REQUIREMENTS FOR CHILDREN WITH SPECIFIC LEARNING DISABILITIES

Consistent with its child find and parent consent obligations, the Shaker Regional School district (SRSD) responds promptly to requests initiated by a parent or public agency for an initial evaluation to determine if a child is a child with a disability.

A full and individual evaluation of a student's educational needs that meets the criteria established in state and federal law will be conducted before determining eligibility and before the initial provision of special education and related services to a student with a disability. The SRSD implements an ongoing system to locate, identify and evaluate all children from birth to age 21 residing within its jurisdiction who have disabilities and need early intervention, early childhood special education or special education services. The SRSD will seek to identify all children with disabilities, regardless of the severity of their disabilities.

The SRSD is responsible for evaluating and determining eligibility for special education services for school age children. The SRSD is responsible for evaluating children who may be eligible for Early Intervention/Early Childhood Special Education (EI/ECSE) services. The SRSD's designated referral and evaluation agency is responsible for determining eligibility.

Before conducting any evaluation or re-evaluation, the SRSD:

1. Plans the evaluation with a group that includes the parent(s);
2. Provides prior written notice to the parent(s) that describes any proposed evaluation procedures the agency proposes to conduct as a result of the evaluation planning process; and
3. Obtains informed written consent for evaluation.

The SRSD conducts a comprehensive evaluation or re-evaluation before:

1. Determining that a child has a disability;
2. Determining that a child continues to have a disability;
3. Changing the child's eligibility;
4. Providing special education and related services;
5. Terminating the child's eligibility for special education, unless the termination is due to graduation from high school with a regular diploma or exceeding the age of eligibility for a free appropriate public education.

Upon completion of the evaluation, the SRSD provides the parent or eligible child a copy of the evaluation report at no cost. The evaluation report describes and explains the results of the evaluation. Upon completion of the eligibility determination, the SRSD provides the parent or eligible child documentation of eligibility determination at no cost.

1 The SRSD ensures that assessments and other evaluation materials, including those  
2 tailored to assess specific areas of education need, used to assess a child:

- 3 1. Are selected and administered so as not to be racially or culturally  
4 discriminatory;
- 5 2. Are provided and administered in the child's native language or other mode of  
6 communication and form most likely to yield accurate information on what the  
7 child knows and can do academically, developmentally, and functionally unless it  
8 is clearly not feasible to do so;
- 9 3. Are used for purposes for which assessments or measures are valid and  
10 reliable;
- 11 4. Are administered by trained and knowledgeable personnel; and
- 12 5. Are administered in accordance with any instructions provided by the producer  
13 of such assessments.

14 Materials and procedures used to assess a child with limited English proficiency are  
15 selected and administered to ensure that they measure the extent to which the child has a  
16 disability and needs special education, rather than measuring the child's English language  
17 skills.

18 A student must meet the eligibility criteria established in the New Hampshire  
19 Administrative Rules.

20 The SRSD conducts re-evaluations:

- 21 1. When the educational or related services needs, including improved academic  
22 achievement and functional performance of the children warrant a re-evaluation;  
23 and
- 24 2. At least every three years, unless that parent and the SRSD agree that a re-  
25 evaluation is unnecessary.

26 The SRSD does not conduct re-evaluation more than once a year, unless the parent and  
27 district agree otherwise.

28 **Legal References:**

29 *NH Code of Administrative Rules, Section Ed 1107.02(b), Evaluation*  
30 *Requirements for*  
31 *Children With Specific Learning Disabilities*

**GIFTED & TALENTED EDUCATION PROGRAMS**

The Shaker Regional School District (SRSD) shall provide opportunities for intellectual and creative growth for all students with special gifts and talents.

Specialized services to the students will be on a continuum from general enrichment to intensive study opportunities. The SRSD shall provide enrichment program services, differentiation of curriculum, and specialized learning experiences. Opportunities within the curriculum will enable talented students to do in-depth work in the core curriculum of study and/or to accelerate within the core curriculum whenever possible.

**ENGLISH AS A SECOND LANGUAGE/ENGLISH LANGUAGE LEARNERS (ELL)**

ELL parents will be notified of their child's placement in a language program and their options associated with that placement. Notification will include the reasons for identifying the child as ELL student and the reasons for placing the child in the specific program.

Students will participate in regular assessments in a manner that will yield an accurate assessment. Students who have been educated in the United States for three years are required to participate in state or federally mandated reading/language arts assessments; however, test waivers may be granted on a case-by-case basis for ELL students who demonstrate unusual and unique circumstances.

Confirmation that teachers in the program are fluent in English as well as other languages used in instruction (if the district receives sub-grants).

Evaluation of the program and the academic success and language achievement of the students in the program. Parents will be notified of:

A. Their child's level of English proficiency and how such level was assessed.

B. The status of their child's academic achievement.

C. The method of instruction used in the program in which the child is placed, and the methods of instruction used in other available programs.

D. Information as to how the program will meet their child's educational strengths, assist him/her to learn English, and meet age-appropriate academic achievement standards.

E. Exit requirements for the program.

F. How the plan will meet objectives of the child's IEP if the child has a disability.

1

2 **HOME EDUCATION INSTRUCTION**

3 Residents of the Shaker Regional School District (SRSD) wishing to home educate their  
4 child(ren) shall conform to all applicable laws and rules of the New Hampshire State  
5 Board of Education regarding home education.<sup>1,2</sup>

6 Students with home education programs may participate in curricular and co-curricular  
7 activities at school as approved by the Superintendent. Parents are required to provide  
8 immunization record in accordance with Shaker Regional School Board (SRSB) Policy  
9 JLCB. Transportation for the integration of home educated students into the public  
10 schools will be the responsibility of the parent/guardian.

11 The Superintendent shall publish rules and procedures related to this policy.

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<sup>1</sup> RSA 193-A

<sup>2</sup> NH Code of Administrative Rules, Section 315



**EXTENDED LEARNING OPPORTUNITIES**

The District shall allow extended learning opportunities<sup>1</sup> as a means of meeting the diverse instructional needs of students with differing talents, interest, and development. Extended learning opportunities are defined as course offerings for electives not currently available through the Belmont High School program of studies. All such opportunities must be aligned with the District's educational goals and objectives and the expected content, concepts and skills of course competencies established at the high school.

Extended learning opportunities shall not replace any course presently offered at Belmont High School or its vocational programs in the receiving schools of Laconia and Winnisquam unless approved by the Superintendent.

Extended learning opportunities shall not be provided for students below grade nine.<sup>2</sup>

At the discretion of the principal, credits<sup>3</sup> may be granted for extended learning activities, including, but not limited to, independent study, internships, and community service. Where credit is not granted, such experiences may, at the discretion of the principal, be used to fulfill prerequisite requirements for advanced courses.

Students or their parents/guardians shall be responsible for extended learning opportunity expenses, including tuition, textbooks and transportation, unless otherwise recommended by the Superintendent and approved by the Board.

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<sup>1</sup> NH Code of Administrative Rules, Section Ed. 306.27 (b) (4)

<sup>2</sup> NH Code of Administrative Rules, Section Ed. [306.26\(f\)](#), Kindergarten - Grade 8 School Curriculum

<sup>3</sup> Shaker Regional School District Policy IMBC

**ALTERNATIVE LEARNING PLANS**

The Shaker Regional School District (SRSD) shall establish a program for alternative learning plans for students to obtain a high school diploma or its equivalent. SRSD shall, through an Alternative Learning Plan team comprised of teachers, administrators, and guidance counselors, identify students who may be at risk for dropping out of high school or becoming truant<sup>1</sup>, develop alternative learning plans consistent with this policy, and assist students who are participating in alternative learning plans.

Alternative learning plans may include extended learning opportunities<sup>2</sup>, independent study, private instruction, internships, community service, apprenticeships, online courses/distance education<sup>3</sup>, or other opportunities approved by the Superintendent or his/her designee, in conjunction with Shaker Regional School Board (SRSB) policies.

Alternative learning plans shall provide students with educational experiences that are meaningful, and provide students with opportunities to explore and achieve at their potential, and to meet State and SRSD to obtain a high school diploma or its equivalent. This policy permits students to employ alternative learning plans that fulfill or exceed the expectations set forth by State minimum standards and applicable SRSB policy.

The granting of credit by the Shaker Regional School District shall be based on a student's mastery of course competencies.<sup>4</sup>

The Superintendent shall publish Rules and Procedures related to this policy.

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<sup>1</sup> NH RSA 193, Compulsory Attendance by Student; SRSD Policy JH

<sup>2</sup> SRSD Policy IHBH

<sup>3</sup> SRSD Policy IMBA

<sup>4</sup> SRSD Policy ILBAA

1

2 **SUMMER ACTIVITIES**

3 The Shaker Regional School District (SRSD) encourages students to have a plan for  
4 summer activities that support student learning.<sup>1</sup>

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<sup>1</sup> NH Code of Administrative Rules Section Ed. 306:14(h)

**ADVANCED COLLEGE PLACEMENT<sup>1</sup>**

Any student who is capable of, and wishes to do advanced level or college-level courses while in high school shall be permitted to do so and shall be given assistance in finding and enrolling in such courses. These courses may be taken at a different public school, at a private school, a college or a university or through distance education.

Any student whose admission to a college-level course is recommended by his/her school counselor may enroll in a course at an approved college for college credit, at no cost to the Shaker Regional School District (SRSD). If the student wishes to receive high school credit for the course, he/she may request permission from his/her Principal to apply the course toward high school graduation requirements. The Principal shall make a decision based on the merits of the request and the recommendation of the department.

High School and Career Technical Education Center students in grades 11 and 12 may participate in the Dual and Concurrent Enrollment Program, through which a student may earn both High School and College credits by enrolling in a course designated by the Community College System of New Hampshire ("CCSNH") as part of the dual and concurrent enrollment program. The Superintendent shall designate a point of contact for the program who can provide for student counseling, support services, course scheduling, managing course forms and student registration, program evaluation, course transferability, and assisting with online courses. The Superintendent or his/her designee shall establish regulations for the program which:

1. Require compliance with measurable educational standards and criteria approved by the CCSNH;
2. Require that courses meet the same standard of quality and rigor as courses offered on campus by CCSNH;
3. Require that program and courses comply with the standards for accreditation and program development established by the National Alliance for Concurrent Enrollment Partnerships;
4. Establish criteria for student eligibility to participate in the program;
5. Establish standards for course content;
6. Establish standards for faculty approval;
7. Establish program coordination and communication requirements;
8. Address tuition, fees, textbooks and materials, course grading policy, data collection, maintenance, and security, revenue and expenditure reporting, and a process for renewal of the agreement;
9. Requires annual notification to high school students and their parents of Dual and Concurrent Enrollment opportunities.

<sup>1</sup> NH Code of Administrative Rules, Section Ed. 306.14

<sup>2</sup> RSA 188-E:25 through RSA 188-E:28

**INSTRUCTIONAL MATERIALS<sup>12</sup>**

The Shaker Regional School District (SRSD) shall provide a wide range of instructional materials that support the curriculum and differentiated instruction to ensure a comprehensive program that meets the needs of students as expressed in the SRSD Curriculum Documents.

Instructional materials, both print and non-print, should provide quality learning experiences for students and:

- a. Enrich and support the curriculum, taking into consideration varied interests, abilities, maturity levels, and learning styles.
- b. Stimulate growth in knowledge and application, literary appreciation, aesthetic values, and ethical standards.
- c. Provide background information to enable students to make informed judgments in their daily lives.
- d. Present opposing sides of controversial issues so that young citizens may have the opportunity to develop, under the guidance of the staff, the practice of critical analysis.
- e. Reflect a range of views that are representative of the many religious, ethnic, and cultural groups that have made a contribution to our American heritage and pluralistic society.
- f. Be consistent with the SRSD Mission Statement<sup>3</sup>, the Shaker Regional School Board (SRSB) policies and administrative rules and procedures.

**Responsibility and Criteria for Selection**

The responsibility for the selection of instructional materials is delegated by the SRSB to professionally trained and qualified personnel employed by the SRSD.

Instructional materials should encompass a variety of media and print materials including, but not limited to, books, online/internet materials, equipment, newspapers, other media, and instructional technologies. Selection of such materials should be made only after a determination that such materials are grade level appropriate and aligned with the curriculum, provide quality learning experiences, and fit within the district's educational goals and philosophies.

Course materials shall be reviewed at intervals not exceeding five (5) years. All instructional materials must be aligned with curriculum sequence, and must be compatible with previous and future offerings.

<sup>1</sup> NH Code of Administrative Rules, Section Ed. 306.08

<sup>2</sup> NH Code of Administrative Rules, Section Ed. 306.14 (e)

<sup>3</sup> SRSB Policy AD

**LIBRARY MATERIALS SELECTION AND ADOPTION**

The responsibility for the selection of materials housed in library media centers is delegated to the professionally trained, library media specialists in consultation with administration and faculty. In the selection of materials, the school library media specialists subscribe to the guidelines set by their professional organizations. When recommending materials for the library media center, the library media personnel will evaluate the existing collection, assess curricula and recreational needs, examine materials and consult reputable, professionally prepared selection aids. All materials are subject to the criteria outlined in Policy IJ and will be accepted or rejected by those criteria.

Selection is an ongoing process that will include removal of dated materials and the replacement of lost and/or worn items that have retained their educational value. The responsibility for deselection/removal of library materials is delegated to the library media specialists in consultation with administration and faculty.

## FIELD TRIPS AND EXCURSIONS

School sponsored field trips, excursions, co-curricular and extra-curricular trips beyond the Shaker Regional School District (SRSD) property must be justified by their benefit to the students in relation to the curriculum and shall be subject to the following considerations:

1. The value of the learning objectives
2. Loss of instructional time: The Superintendent shall closely monitor all travel to ensure that students and staff are not losing instructional time unnecessarily due to these activities.
3. Distance
4. Cost
5. Safety/liability (including medical support)
6. Adequate supervision

Field trips, excursions, co-curricular and extra curricular trips, as school activities, are considered an extension of the school campus. Therefore, all SRSD policies and school rules shall apply for all students as well as chaperones.

### Day Trips

These are occasions when a class or group of students leave school grounds to engage in a planned learning experience that is impossible in the classroom, and which will continue and extend the ongoing program of instruction. They shall relate to the subject matter and objectives of instruction in the grade levels considering the trip. Student attendance for all class members is expected. Approval must be sought no less than two weeks in advance so that rules and procedures may be followed. Approvals are granted by the building principal and the superintendent. The Superintendent may grant an exception on an individual basis.

### Co-Curricular and Extracurricular Trips

These are occasions when attendance and participation are optional, and when student achievement or grades are not affected. Such trips are generally outside the school curriculum and include such authorized activities as interscholastic competition, class and club trips. Approval must be sought no less than two weeks in advance so that rules and procedures may be followed. Approvals are granted by the building principal and the superintendent. The Superintendent may grant an exception on an individual basis.

### Overnight Trips

Overnight trips including co-curricular and extracurricular trips (exclusive of scheduled competitive events) shall be permitted in those instances where the trip will provide students with an opportunity to participate in a learning experience unavailable within the usual school program, and directly relevant to the school program. Approval of overnight trips must be sought in a timely manner and granted first by the building principal and then approved by the superintendent.

### International Travel

International travel shall be permitted in those instances where the trip will provide students with significant educational value.

Approval of overnight and international travel must be sought in a timely manner and granted first by the building principal and superintendent who shall then present it to the

1 Shaker Regional School Board (SRSB) for approval. Approval by the SRSB shall  
2 consist of preliminary approval (permission to plan) and final approval (permission to  
3 proceed). Except to determine interest/feasibility, no substantive discussions of foreign  
4 travel can be conducted with students until preliminary approval is granted by the SRSB.  
5  
6 When students are involved in exchange programs involving overnight stays in the  
7 homes of other students, the SRSD shall use a reputable and licensed placement  
8 agency. The agency shall have liability insurance naming SRSD as an additional  
9 insured. The agency shall be responsible for screening visiting students who will be  
10 attending SRSD, chaperones, and families who will be hosting SRSD students.  
11  
12 The Superintendent shall publish rules and procedures relating to this policy.



**VOLUNTEERS<sup>12</sup>**

The Shaker Regional School District (SRSD) encourages volunteerism throughout the district. Volunteers may assist in classrooms, on field trips, in coaching and other extracurricular activities. Volunteerism is a bridge to strengthen community/district relationships.

Interested citizens shall contact school administration in volunteering for selected and specific activities and/or to serve as resource persons. Staff members shall receive direction in assignment of duties and supervision and evaluation of volunteers.

The Superintendent shall publish rules and procedures for the use of volunteers and evaluation of the volunteer program.

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<sup>1</sup> Shaker Regional School District Policy GBCD

<sup>2</sup> RSA 189:13-a

**EARNING OF CREDIT<sup>1234</sup>**

Students can earn course credit by demonstrating mastery of the required coursework and material. Mastery is defined as “a high level of demonstrated proficiency with regard to a competency.”<sup>4</sup>

Student assessment of mastery is the responsibility of certified school personnel.

Credit will be awarded upon satisfactory demonstration and mastery of the required course competencies. Additionally, credit may also be awarded if a student is able to demonstrate learning experience in compliance with the district-specified curriculum and assessment standards.

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<sup>1</sup> NH Code of Administrative Rules, Section Ed. 306.02(e), Credit

<sup>2</sup> NH Code of Administrative Rules, Section Ed. 306.04(a)(15), How Credit Can Be Earned

<sup>3</sup> NH Code of Administrative Rules, Section Ed. 306.04(a)(16), How A Credit Used To Track Achievement Of Graduation Competencies

<sup>4</sup> SRSD Policy ILBAA

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## 2 Grading System

3 The Superintendent and the building Principals will develop a grading system appropriate for  
 4 the grade levels of the respective schools. The grading system will reflect proficiency level  
 5 scores of learning goals or competencies. The grading system will meet the minimum  
 6 standards and be approved by the **Shaker Regional School Board (SRSB)** and published in  
 7 the Parent-Student Handbook. All grading decisions shall be made at the building level and  
 8 the decision shall be final.

9 The proficiency scale used to determine the level of proficiency for a learning goal or  
 10 competency is as follows:

11 Score Equivalent	Score Descriptor
12 4	In addition to score 3.0, in- - depth inferences and applications that go 13 beyond the targeted proficiency level.
14 3.5	In addition to score of 3.0 performance, partial success at score 4.0 15 content
16 3	The targeted proficiency level for all students is to achieve a score of 3.0. 17 We describe that targeted knowledge as <b>complex knowledge</b> .
18 2.5	No major errors or omissions regarding score 2.0 content, and partial 19 success on 3.0 content
20 2	Proficient in the Foundational Knowledge: No major errors or omissions 21 regarding the simpler details and processes.
22 1.5	Partial success at score 2.0 content, but major errors or omissions 23 regarding 3.0 content
24 1	With help, the learner has a partial understanding of some of the simpler 25 details and processes.
26 0	Not enough evidence

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46 Beginning with class 2019

**INTERDISCIPLINARY CREDIT**

The Shaker Regional School District (SRSD) may grant course credit in one content area required for graduation, and apply said credit in a different content area through the awarding of interdisciplinary credit. Interdisciplinary credit may be counted only once in meeting graduation requirements.

The high school principal is charged with approving courses for interdisciplinary credit if: (1) the course has been adopted by a faculty committee; and (2) the course addresses the objectives for the subject area in which the credit is to be counted.<sup>1</sup>

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<sup>1</sup> ED 306.27 (p)

**HOMEWORK<sup>12</sup>**

Homework is a constructive tool in the teaching/learning process when geared to the needs and abilities of students. Purposeful assignments not only enhance student achievement, but also develop self-discipline and associated good working habits. As an extension of the classroom, homework must be planned and organized, must be viewed as purposeful to the students, and should be assessed and returned to students in a timely manner.

Teachers may give homework to students to aid in the student's educational development. Teachers may assign homework as part of their curriculum. If homework is to be used by teachers as part of a student's grade, the teacher will explain to students how such homework assignments relate to the teacher's grading system. Homework should be an application or adaptation of a classroom experience, and should not be assigned for disciplinary purposes.

The Superintendent shall publish rules and procedures to implement this policy.

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<sup>1</sup> *NH Code of Administrative Rules, Section Ed 306.14(b)(1), Policy on Homework*

<sup>2</sup> *NH Code of Administrative Rules, Section ED 306.141(a)(1), Policy on Homework*

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2 **LEARNER PROGRESS THROUGH OUR LEARNING/COMPETENCY SYSTEM**

3 The **Shaker Regional School District (SRSD)** offers a planned program of instruction  
4 designed to assist learners in attaining proficiency in/of our required learning goals. The  
5 **Shaker Regional School Board (SRSB)** recognizes that some learners may require shorter  
6 or longer time to reach learning goals. The placement of learners will be made based on their  
7 learning levels, styles, and social growth and readiness rather than only by age/grade level as  
8 they progress toward their proficiency based learning plan.

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10 Effective communication with parents is critical to a learner's success in school. The  
11 Superintendent, school administrators and teachers are responsible for ensuring that parents  
12 are kept informed of their children's progress. Reports on learner progress will be current and  
13 accessible at any time.

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15 Parents are encouraged to remain informed regarding their children's progress and to inform  
16 their children's teacher(s) of any information that may impact the children's school  
17 performance. Decisions concerning special education learners shall be in consultation with the  
18 Individualized Education Plan (IEP) Team.

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39 Cross references: IKF, IKA, ILBAA

40 *Ed 306.14(b)(3), Promoting Students (until July 1, 2015)*

41 *Ed 306.141(a)(3), Promoting Students (after July 1, 2015)*

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**GRADUATION REQUIREMENTS****Academic Requirements**

Twenty (20), twenty-six (26), or thirty-two (32) credits are required for high school graduation.

To graduate with a standard diploma (twenty-six credits (26)) a student shall have received credits as follows:<sup>1</sup>

Required Subjects	Credit(s)
Arts education (1)	1 credit
Information and communications technologies (2)	1 credit or demonstrate proficiency
English (3)	4 credits
Mathematics (4)	4 credits
Sciences (5)	3 credits
Social Studies (6)	3 credits
Health	½ credit
Physical education	1 credit
Open electives	8 ½ credits
Totals	26 credits

- (1) Arts education includes systematic and sequential instruction in the arts disciplines of music and visual art.
- (2) The 1 credit requirement in information and communications technologies education shall be met by successfully completing:
  - (a) The equivalent of a ½ credit course comprised of the creation of a digital portfolio to demonstrate proficient, ethical, and responsible use of 21<sup>st</sup> century tools, including, but not limited to, digital technology and communication tools, in the context of core subjects; or
  - (b) A ½ credit course in information and communications technologies education at the high school level.<sup>2</sup>
- (3) English credits must include English 9, English 10, English 11 (or Communications) and English 12.
- (4) Mathematics credits must include algebra (1 credit) that can be earned through a sequential, integrated, or applied program.<sup>3</sup>
- (5) Science credits<sup>4</sup> must include Physical Science (1 credit), Biological Science (1 credit) and a science elective for one credit.

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<sup>1</sup> ED 306.27 (m)

<sup>2</sup> ED 306.27 (n)

<sup>3</sup> ED 306.27, Table 306-2

<sup>4</sup> ED 306.27, Table 306-2

(6) Social Studies<sup>5</sup> credits must include: US and NH history (1 credit), US and NH government/civics (1/2 credit), Economics (1/2 credit), World history, global studies, or geography (1/2 credit) and a social studies elective (1/2 credit).

The district will develop a competency assessment of United States government and civics, consistent with pertinent and applicable law. This assessment will be administered to students as part of the high school course in history and government of the United States and New Hampshire. Students who attain a passing grade on this assessment will be eligible to receive a high school diploma.<sup>10</sup>

The 8 1/2 credits of open electives shall be selected from any of the school's course offerings, as well as alternative credits<sup>6</sup> from the school-to-work program, community service, and independent studies.

Students may earn credit toward the number of units required for graduation through the successful completion of distance education courses. Credit for such courses shall be granted only if the high school principal determines that the distance learning course meets the academic standards required by the high school for students enrolled in a credit course offered by the high school and has given prior approval.<sup>7</sup>

Students are allowed to enroll in certified night school courses and transfer credits towards their Belmont High School Diploma. However, required academic courses may be taken for such credit only as a make-up for a failure in that course when taken at Belmont High School. All transfers of this type must be approved in advance by the school administration.

The principal shall evaluate the transcripts of students who transfer into a secondary school from another educational program, or state, to determine previous educational experiences toward meeting graduation requirements.<sup>8</sup>

Upon receipt of a written request from the local school board, the commissioner of education shall waive a particular graduation requirement and shall permit the local board to award a high school diploma to a student if the commissioner determines that:

(1) Such action is in the best interests of the student; and

(2) At least one of the following circumstances exists:

a. The student has a debilitating illness which limits school attendance;

b. The student has a physical disability which precludes participation in physical education;

c. The student moved into a New Hampshire school district from out of state during grade 12 and was not able to schedule a particular graduation requirement; or

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<sup>5</sup> ED 306.27, Table 306-2

<sup>6</sup> SRSD Policy IMBC

<sup>7</sup> ED 306.27 (q)

<sup>8</sup> ED 306.27 (t)

<sup>9</sup> ED 306.27 (u)

<sup>10</sup> RSA 189:11



- 1 d. Another condition exists beyond the control of the student similar to the  
2 conditions described in a., b., or c. <sup>9</sup>

**EARLY GRADUATION<sup>12</sup>**

The Shaker Regional School Board (SRSB) may approve parent/guardian or student (if eighteen) request for early graduation pending recommendation from the Superintendent and verification that all state and local graduation requirements are met. Early graduation must be in the best interest of the student.

<sup>1</sup> *NH Code of Administrative Rules, Section Ed 306.27(ad), Early Graduation*

<sup>2</sup> *RSA 189:11, Instruction in National and State History and Government*

## HONORARY DEGREES

The **Shaker Regional School District (SRSD)** will recognize truly notable achievements through the awarding of Belmont High School honorary degrees. A maximum of two honorary degrees may be awarded in any one academic year.

The criteria for awarding an honorary degree are:

Residency in Canterbury or Belmont and/or enrollment in Shaker Regional District Schools, or predecessor schools,

a) Significant personal or professional accomplishments that exemplify the mission of the **SRSD**, or

b) Outstanding or meritorious public service to the **SRSD**, the Towns of Belmont or Canterbury, the State of New Hampshire or the United States of America, or

c) Achievement of local, state, national or international distinction by significant contributions through one's chosen occupation, service to others, and/or excellence in scholarly fields.

Honorary degrees will not be awarded to currently elected or appointed officials at the local, state or national levels or to persons who are declared candidates for such office.

The **SRSD** will award an honorary degree to deserving candidates nominated by the Superintendent and elected by the **Shaker Regional School Board (SRSB)**. Any resident of the **SRSD** or employee of the **SRSD** may recommend candidates for nomination to the Superintendent. Nominations will be presented to the **SRSB** at a non-public session and considered in public session. Honorary degrees will typically be presented at the annual High School graduation ceremony. Each degree awarded will bear a designation to indicate that the award is honorary.

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2 **EVALUATION OF INSTRUCTIONAL PROGRAMS<sup>1</sup>**

3 The Superintendent shall evaluate the instructional programs annually in accordance  
4 with Shaker Regional School Board (SRSB) policies and state guidelines. He/she shall  
5 report annually to the SRSB and the Shaker Regional School District (SRSD) on the  
6 progress students are making towards the attainment of the established educational  
7 goals and student performance.

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<sup>1</sup> NH Code of Administrative Rules, Section Ed. 306.24 (c) (4)

## ASSESSMENT OF EDUCATIONAL PROGRAMS<sup>1</sup>

The Superintendent will develop and manage an assessment program that provides ongoing evaluation of the effectiveness of the curriculum on improving student performance. The program must adhere to the processes for selection, use, and interpretation of assessment instruments specified below. This program will include both local and statewide assessment tools. The program must be aligned with the goals of the Shaker Regional School District (SRSD) and be designed to assess each student's progress toward meeting the defined curriculum objectives.

### Definitions

For the purposes of assessment of K-12 education through the demonstration of student mastery of course competencies, the following definitions are established:

**Course Level and Grade Level Competency:** the expected content, concepts, and skills to be mastered in a course.

**Competency/Benchmark Assessment:** the process by which a student demonstrates sufficient evidence of learning.

**Mastery:** a student presenting sufficient evidence of attainment of the required competencies.

### Selection of Assessment Instruments

The selection process will include input from the professional staff in its efforts to investigate new assessment tools and evaluate existing ones. Assessment instruments selected will provide an authentic evaluation of student learning outcomes through multiple formative and summative assessment instruments including, but not limited to, teacher observation of project-based learning, including off-site learning projects; competency-based assessments; and teacher-designed assessments. Additional instruments may include written examinations, oral examinations, alternative questions, demonstrations, writing exercises, individual projects, group projects, performances, student portfolios, and samples of the student's best works.

### Administration and Use of Assessment Instruments

The assessment program will include an approximate schedule for when assessment tools will be administered to students. The schedule will be distributed to staff and the Board before the start of each school year. Teachers will not be bound by this schedule and may still administer tests, quizzes and other assessment tools as they deem necessary.

Each building principal will provide assurance that test procedures are followed at the school level, including the distribution and collection of test materials, test security, use of test results and testing dates as well as other pertinent requirements. Readiness assessment shall be administered to all children entering first grade. Disabled students must be provided the opportunity to participate in all student assessments. Any modifications in administration should be made and documented during the Individualized Education Program (IEP) review.

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<sup>1</sup> NH Code of Administrative Rules, Section Ed. 306.24(b)(1)

## **Assessment Results**

Assessment results will be analyzed and used with other data for the following purposes:

- To identify individual student strengths and weaknesses in skill development;
- To diagnose strengths and weaknesses of groups;
- To individualize instruction;
- To report progress to parents;
- To select curriculum materials;
- To set the pace of instruction;
- To select methods of instruction;
- To counsel students;
- To help determine revisions needed in the curriculum.

## **Interpretation of Assessment Instruments**

The Superintendent or designee will ensure that data from the student assessment program is compiled, analyzed, summarized, and reported to the Board annually. The Superintendent or designee is responsible for the scores of individual students and they shall be made available only to appropriate personnel within the school in which the student is enrolled and to parent(s) or legal guardian(s) of each student as provided by law. Interpretation of test results shall be made available to parents and students.

The Board will provide funding for the student assessment program, including professional development for teachers in the use of tools to understand assessment results, to adjust instruction to meet personalized needs of students, and to monitor progress.

The Superintendent will provide an ongoing evaluation of the assessment program, and will provide regular reports to the Board showing the effectiveness of the curriculum on improving student performance.

## **Evaluation of Assessment Instruments**

The Superintendent will evaluate the instructional programs annually in accordance with Board policies and state guidelines. He/she shall have the responsibility to report annually to the Board on the progress the District is making towards the attainment of its educational goals.

## COMPETENCY BASED EDUCATION K-12

For the purposes of assessment of K-12 learning progressions through the demonstration of student mastery of competencies, the following definitions are established:

**(1) "Competencies/learning goals" refers to student learning targets that represent key content-specific concepts, skills, and knowledge applied within or across content domains. Specific and required types of competencies include district competencies and graduation competencies.**

**(2) "District competencies/learning goals" refers to specific types of competencies that are common across the district and organized in developmental progressions that lead to achievement of graduation competencies.**

**(3) "Graduation competencies" refers to specific types of competencies that are common across the district and define learning expectations for each student for graduation from high school.**

**(4) "Mastery" refers to a high level of demonstrated proficiency with regard to a competency based on the approved proficiency scale per policy IKA grading.**

Course/module credit will be awarded based on the demonstration of a student's mastery of the competencies of the course/module. Course credit granted through demonstration of mastery will be counted through traditional methods. Grades and credit granted through demonstration of mastery will be included in the student's grade point average. Students must be enrolled in the particular course/module in order to receive course credit.

Students who are involved in an approved extended learning opportunity to satisfy course requirements in whole or in part shall demonstrate mastery through a method or methods as approved by the course instructor.

Credit may be used to fulfill prerequisites for other courses/ competencies required for graduation.

The Superintendent shall establish rules and procedures for implementing this policy in cooperation with the school Principal and shall be responsible for ensuring that all school courses include appropriate competency assessments. Competency Assessments will be selected, conducted, and reviewed.

Assessments shall be aligned with clearly defined educational standards that specify what students should know and be able to demonstrate. The assessment items and tasks shall be valid and appropriate representations of the standards students are expected to achieve. Assessment standards, tasks, procedures, and uses shall be valid and reliable for all students. The competencies/learning goals will be published and/or distributed for each course/module.

### **Legal References:**

*Ed 306.02(d), Competencies*

*Ed 306.02(g), District competencies*

*Ed 306.02(j), Graduation competencies*

*Ed 306.02(l), Mastery*

*Ed 306.04(a)(16), Tracking Achievement of Graduation Competencies*

*Ed 306.04(a)(25), (26), Graduation competencies*

*Ed 306.141(a)(6), Achievement of District and Graduation Competencies*

**DAILY PHYSICAL ACTIVITY<sup>1234</sup>**

Each school in the Shaker Regional School District (SRSD) is recommended to promote student participation in developmentally appropriate physical activity and exercise for at least 30 to 60 minutes each day.<sup>1</sup>

The following practices are recommended<sup>2</sup>:

1. Encourage parents/guardians to support their children's participation in enjoyable physical activities, and recognize that parents/guardians act as role models for active lifestyles;
2. Support special programs such as student and staff walking programs, family fitness events and events that emphasize lifelong physical activity;
3. Integrate health and physical activity across the school curriculum;
4. Encourage student-initiated activities that promote inclusive physical activity on a school-wide basis;
5. Commit adequate resources that include program funding, personnel, safe equipment and facilities;
6. Provide professional development opportunities for all school staff that will assist them to effectively promote enjoyable and lifelong physical activity among youth, and that will assist school staff to recognize their influence as role models for active lifestyles;
7. Establish relationships with community recreation and youth sports programs and agencies to coordinate and complement physical activity programs;
8. Encourage physical activity recess periods;
9. Institute a tracking and evaluation method to ensure that all students are engaging in developmentally appropriate daily physical activity.

<sup>1</sup> NH Code of Administrative Rules, Section ED. 306.04(a)(17), Daily Physical Activity

<sup>2</sup> NH Code of Administrative Rules, Section ED. 306.04(1)m Daily Physical Activity

<sup>3</sup> NH Code of Administrative Rules, Section ED. 310.03, Daily Physical Activity

<sup>4</sup> NH Code of Administrative Rules, Section ED. 310.04, Daily Physical Activity



**DISTANCE EDUCATION<sup>1</sup>**

The Shaker Regional School District (SRSD) may allow video-based, internet-based, networked-based, online and correspondence courses as a means to enhance elective course offerings.

Approved courses shall align with state standards and local competencies, be delivered by staff licensed in the state from which the course originates, and contain provisions for feedback and monitoring of student progress. A syllabus, including prerequisites, a list of competencies, student evaluation criteria, and teacher responsibilities shall be submitted for review before the course is approved as part of the student's educational program.

Students taking approved online/distance courses must be enrolled in the SRSD and must take the courses during the regular school day at the school site. Exceptions may be approved by the administration.

SRSD staff shall monitor student progress, grading of assignments, and testing. One staff member may supervise no more than thirty (30)<sup>4</sup> students participating in online courses.

Approved online/distance courses must comply with all federal and state statutes pertaining to student privacy<sup>2</sup> and to public broadcasting of audio and video. Confidentiality of Student Record Information will be maintained throughout the process.<sup>3</sup>

Students earning credit for online/distance courses shall participate in all assessments required by the statewide education improvement and assessment program.

Credit for the course is not recognized until the final grade has been verified by the principal.

The Superintendent shall publish rules and procedures related to this policy.

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<sup>1</sup> NH Code of Administrative Rules, Section ED. 306.22, Distance Education

<sup>2</sup> Family Educational and Privacy Act United States Code, Title 20, Chapter 31, Sec. 1232 g. and Health Insurance Portability and Accountability Act of 1996, Public Law 104-91

<sup>3</sup> SRSD Policy JRA

<sup>4</sup> NH Code of Administrative Rules, Section ED. 306, Class sizes

**ALTERNATIVE HIGH SCHOOL CREDIT OPTIONS**

Credit may be earned through alternative methods outside of regular classroom-based instruction offered by the District schools. Credits shall be awarded upon:

- Satisfactory completion of course requirements at another public school district, an approved private school or a credit bearing home-schooling experience.
- Transfer of credits earned by students before enrolling in the district, such as students moving into the District from another state or country.
- Extended learning opportunities under the provisions of Policy IHBH
- Distance learning opportunities under the provisions of Policy IMBA
- Online/Virtual learning opportunities
- College/High School Dual Credit
- Middle School acceleration to the extent that the course work is consistent with the high school curriculum and assessments and the student achieves satisfactory standards of performance.<sup>1</sup>

If a student demonstrates mastery of course competencies for a particular course, the student shall receive credit for the course, and shall be allowed to take a more advanced level of the subject or an elective.<sup>2</sup>

The District encourages educational options for hospitalized or homebound students, students who have dropped out, been suspended or expelled, or other atypical students for whom regular classrooms are not practical.

Students or their parents/guardians shall be responsible for all alternative credit expenses, including tuition, textbooks and transportation, unless otherwise recommended by the Superintendent and approved by the Board.

Students earning credit via alternative methods will participate in all assessments required by the statewide education improvement and assessment program.

The Superintendent shall publish rules and procedures related to this policy.

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<sup>1</sup> SRSD Policy ILBAA

<sup>2</sup> NH Code of Administrative Rules Ed 306.04 (a)(13)

**HIGH SCHOOL CREDIT FOR 7<sup>TH</sup> AND 8<sup>TH</sup> GRADE ADVANCED COURSE WORK**

Students in 7th or 8th grade may take advanced courses and apply the credit of those courses toward high school graduation, provided the course demonstrates content requirements consistent with related high school courses and the student achieves satisfactory standards of performance. School Board policies relative to assessment, mastery and competency shall apply<sup>1</sup>.

The high school principal shall approve such course work and credit prior to the student enrolling in the class in order for such credit to be applied toward high school graduation.

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<sup>1</sup> SRSD Policy ILBAA

**CONTROVERSIAL SPEAKERS AND PROGRAMS**

For effective learning, it is useful to invite appropriate persons not on the district educational staff to speak to or to meet with groups of students as part of the educational process.

The following guidelines shall apply:

- When appropriate, teachers/sponsors should encourage the use of resources representing various approaches or points of view on a given topic in order to afford the students a more comprehensive and balanced understanding of the topic/issue.
- The teacher/sponsor and the building principal shall determine whether or not the proposed speaker and/or program is appropriate.
- The ideas presented will have demonstrable relation to the curricular or co-curricular activity in which the participating students are involved.
- Prior to the appearance or participation, speakers will agree to abide by the following rules:
  - Profanity, vulgarity, and lewd comments are prohibited;
  - Any school administrator or the teacher/sponsor responsible for inviting the speaker has the right to interrupt or suspend any proceedings if the conduct of the speaker is judged to be in poor taste or endangering the health and safety of students and staff.

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2 **PLEDGE OF ALLEGIANCE**

3 Each morning, students are encouraged to participate in the Pledge of Allegiance.<sup>1</sup>  
4 Students not participating are asked to observe quietly, respecting the rights of others.  
5 People in areas where there are no flags should show proper respect by remaining still  
6 and silent.

---

<sup>1</sup> RSA 194:15-c

**ANIMALS IN SCHOOLS**

Animals, including pets, are prohibited from entering school buildings unless allowed by the Superintendent under published rules and procedures.

The bringing of animals into the classroom must not violate city/state/federal ordinances. The only animals and animal products (e.g., owl feces for dissection) allowed in a classroom must be for a specific and appropriate educational purpose and shall be allowed for the amount of time necessary to achieve the educational goal.

This policy does not apply to conditions relative to service animals.<sup>1</sup>

The Superintendent shall publish rules and procedures to implement this policy.

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<sup>1</sup> See SRSD Policy IMGA

**SERVICE ANIMALS<sup>1</sup>**

Individuals with disabilities shall be permitted to bring their service animals on Shaker Regional School District (SRSD) property. This policy does not apply to conditions relative to non-service animals and pets.<sup>2</sup>

A service animal is defined as any dog that is individually trained to do or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purpose of this definition. The work or tasks performed by a service animal must be directly related to the handler's disability, including, but not limited to guiding individuals with impaired vision, alerting individuals with impaired hearing, providing minimal rescue or protection work, pulling a wheelchair or retrieving dropped items. Emotional support and companion animals are not service animals and are not covered under the Americans with Disabilities Act (ADA)<sup>34</sup>.

Any individual with a disability who is planning extended use of a service animal on SRSD property shall coordinate with the district's Director of Student Services.

The SRSD shall require the individual with a disability to provide annual submission of proof of current vaccinations and immunizations, and current veterinary health certificate of the service animal.

The SRSD requires that service animals must be under control of their handlers at all times. Service animals whose behavior poses a direct threat to the health or safety of others may be excluded regardless of training or certification.

The Superintendent shall publish rules and procedures related to this policy.

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<sup>1</sup> Americans with Disabilities Act – 42 USC 12101 et seq.

<sup>2</sup> SRSD Policy IMG

<sup>3</sup> 28 CFR 35.104

<sup>4</sup> NH RSA 167-D:3

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17	policy.	

**SEXUAL AND OTHER HARASSMENT - STUDENTS<sup>123</sup>****1.1 General Statement of Policy**

The Shaker Regional School District (SRSD) will not tolerate the harassment of any student, employee or visitor on the basis of sex, race, color, religion, sexual orientation, national origin, age disability, or for any other unlawful reason. This policy prohibits all such activities of its students. The SRSD will investigate all complaints, either formal or informal, verbal or written, of sexual and other harassment.

**1.2 Definitions**

Sexual harassment shall include, but not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, physical or non-physical conduct of a sexual nature when:

1. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits;
2. Submission to or rejection of the conduct or communication is used as the basis for educational decisions affecting a student;
3. The conduct or communication is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student's educational performance or opportunities; or creates an intimidating, offensive or hostile educational environment.

Sexual harassment includes a wide range of behaviors, from the actual coercion of sexual relations to unwelcome offensive comments, jokes and innuendo, other sexually oriented statements, and unwelcome advances of a sexual nature. Sexual harassment may be indirect and even unintentional.

Other harassment is defined as verbal or physical conduct that denigrate or shows hostility toward a student because of race, color, religion, age, national origin, disability, handicap, creed, sexual orientation or any other legally protected status not listed herein, and the purpose or effect of creating an intimidating, hostile, or offensive learning environment.

**1.3 Reporting Procedures**

The Shaker Regional School Board (SRSB) designates the Superintendent as the SRSD Human Rights Officer. Any student who has been subject to, witnessed, or has reliable information that harassment, in any form, has occurred shall report such harassment to a guidance counselor, teacher, or school administrator. The student has up to 180 days to report such harassment. The use of formal reporting forms (JBAA-R) provided by SRSD is voluntary.

**1.4 Confidentiality**

The SRSD shall respect the confidentiality of the complainant and the student(s) against whom the complaint is filed to the fullest extent practicable, consistent with state and federal law.

**1.5 Retaliation**

Retaliation against a student who reports alleged sexual or other harassment is a violation of SRSD's policy and is prohibited by both state and federal law. Such retaliation is a form of harassment and will be handled in the same manner as other forms of harassment.

<sup>1</sup> NH Code of Administrative Rules, Section Ed 303.01(j)

<sup>2</sup> NH Code of Administrative Rules, Section Ed 306.04(a)(8)

<sup>3</sup> NH Code of Administrative Rules, Section Ed 306.04(a)(9)

1 **1.6 Investigation and Recommendation**

2 Upon receipt of a report, the Principal shall notify the Superintendent of Schools immediately. If  
3 the report was given orally, the Principal shall submit a written report within 24 hours and  
4 forward it to the Superintendent. The Principal, Personnel Manager, or third-party designee, if  
5 determined necessary, shall conduct an investigation and present the findings in writing, within  
6 30 days to the Superintendent. If the complaint involves the building Principal, the complaint  
7 shall be filed directly with the Superintendent of Schools. If the Superintendent is the subject of  
8 the complaint, the report shall be submitted to the SRSB.

9  
10 Upon completion of an investigation conducted by the Principal, Personnel Manager, or a third-  
11 party designee, the Superintendent or the SRSB, if necessary, will be provided a written report  
12 and recommended action.

13  
14 **1.7 Disciplinary Action**

15 Students in violation are subject to discipline under SRSD Policy JIC.

16  
17 The findings of the investigation and the disciplinary action resulting shall be recorded and  
18 provided to all involved parties.

19  
20 **1.8 Right to Alternative Complaint Procedures**

21 These procedures do not deny the right of any individual to pursue other avenues of recourse,  
22 which may include filing charges with the NH Commissioner of Education, initiating civil action  
23 or seeking redress under state criminal statutes and/or federal law.

24  
25 Any student or parent/guardian of a student with a sexual harassment complaint may choose to  
26 bypass this policy and proceed directly to the NH Commission of Human Rights, 2 Chenelle  
27 Drive, Concord, NH, 03301, telephone number (603) 271-2767 or Office of Civil Rights, Health  
28 and Human Services, Region #1, Room 2403, JFK Federal Building, Government Center,  
29 Boston, MA, 02203, telephone number (617) 56501340.

30  
31 The Superintendent shall publish rules and procedures to implement this policy.

## Transgender and Gender Non-Conforming Students

### I. PURPOSE

**Shaker Regional School District (SRSD)** policy requires that all programs, activities, and employment practices be free from discrimination based on sex, sexual orientation, or gender identity. This policy is 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.

This policy sets out guidelines for schools and district staff to address the needs of transgender and gender nonconforming students and clarifies how state law should be implemented in situations where questions may arise about how to protect the legal rights or safety of such students. This policy does 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 ensure the safety, comfort, and healthy development of the transgender or gender nonconforming student while maximizing the student's social integration and minimizing stigmatization of the student.

### II. DEFINITIONS

The definitions provided here are not intended to label students but rather are intended to assist in understanding this policy and the legal obligations of District staff. Students might or might not use these terms to describe themselves.

"Gender identity" is a person's deeply held sense or psychological knowledge of their own gender, regardless of the gender they were assigned at birth. Everyone has a gender identity.

"Transgender" describes people whose gender identity is different from their gender assigned at birth.

"Gender expression" refers to the way a person expresses gender, such as clothing, hairstyles, activities, or mannerisms.

"Gender nonconforming" describes people whose gender expression differs from stereotypical expectations, such as "feminine" boys, "masculine" girls, and those who are perceived as androgynous.

### III. GUIDANCE

#### A. Privacy

The **Shaker Regional School Board (SRSB)** recognizes a student's right to keep private one's transgender status or gender nonconforming presentation at school. Information about a student's transgender status, legal name, or gender assigned at birth also may constitute confidential information. School personnel should not disclose information that may reveal a student's transgender status or gender nonconforming presentation to others, including parents and other school personnel, unless legally required to do so or unless the student has authorized such disclosure. Transgender and gender nonconforming students have the right to discuss and express their gender identity and expression openly and to decide when, with whom, and how much to share private information.

1 When contacting the parent or guardian of a transgender or gender nonconforming  
2 student, school personnel should use the student's legal name and the pronoun  
3 corresponding to the student's gender assigned at birth unless the student, parent, or  
4 guardian has specified otherwise.

5

#### 6 *B. Official Records*

7 The **SRSD** is required to maintain a mandatory permanent pupil record ("official  
8 record") that includes a student's legal name and legal gender. However, the **SRSD**  
9 is not required to use a student's legal name and gender on other school records or  
10 documents. The **SRSD** will change a student's official record to reflect a change in  
11 legal name or legal gender upon receipt of documentation that such change has been  
12 made pursuant to a court order. In situations where school staff or administrators are  
13 required by law to use or to report a transgender student's legal name or gender,  
14 such as for purposes of standardized testing, school staff and administrators shall  
15 adopt practices to avoid the inadvertent disclosure of such confidential information.

16

#### 17 *C. Names/Pronouns*

18 A student has the right to be addressed by a name and pronoun that corresponds to  
19 the student's gender identity. A court-ordered name or gender change is not required,  
20 and the student need not change his or her official records. The intentional or  
21 persistent refusal to respect a student's gender identity (for example, intentionally  
22 referring to the student by a name or pronoun that does not correspond to the  
23 student's gender identity) is a violation of this policy.

24

#### 25 *D. Gender-Segregated Activities*

26 To the extent possible, schools should reduce or eliminate the practice of segregating  
27 students by gender. In situations where students are segregated by gender, such as  
28 for health education classes, students should be included in the group that  
29 corresponds to their gender identity.

30

#### 31 *E. Restroom Accessibility*

32 Students shall have access to the restroom that corresponds to their gender identity  
33 consistently asserted at school. Any student who has a need or desire for increased  
34 privacy, regardless of the underlying reason, should be provided access to a single  
35 stall restroom, but no student shall be required to use such a restroom.

36

#### 37 *F. Locker Room Accessibility*

38 The use of locker rooms by transgender students shall be assessed on a case-by-  
39 case basis with the goals of maximizing the student's social integration and equal  
40 opportunity to participate in physical education classes and sports, ensuring the  
41 student's safety and comfort, and minimizing stigmatization of the student. In most  
42 cases, transgender students should have access to the locker room that corresponds

1 to their gender identity consistently asserted at school. Any student who has a need  
2 or desire for increased privacy, regardless of the underlying reason, should be  
3 provided with a reasonable alternative changing area such as the use of a private  
4 area (e.g., a nearby restroom stall with a door, an area separated by a curtain, a P.E.  
5 instructor's office in the locker room, or a nearby health office restroom), or with a  
6 separate changing schedule (e.g., using the locker room that corresponds to their  
7 gender identity before or after other students). Any alternative arrangement should be  
8 provided in a way that protects the student's ability to keep his or her transgender  
9 status confidential. In no case shall a transgender student be required to use a locker  
10 room that conflicts with the student's gender identity.

11

12 *G. Physical Education Classes & Intramural Sports*

13 Transgender and gender nonconforming students shall be permitted to participate in  
14 physical education classes and intramural sports in a manner consistent with their  
15 gender identity.

16

17 *H. Interscholastic Competitive Sports Teams*

18 Transgender and gender nonconforming students shall be permitted to participate in  
19 interscholastic athletics in a manner consistent with their gender identity.

20

21 *I. Dress Codes*

22 Transgender and gender nonconforming students have the right to dress in a manner  
23 consistent with their gender identity or gender expression. In general, schools may  
24 not adopt dress codes that restrict students' clothing or appearance on the basis of  
25 gender.

26

27 *J. Discrimination/Harassment*

28 It is the responsibility of each school and the **SRSD** to ensure that transgender and  
29 gender nonconforming students have a safe school environment. This includes  
30 ensuring that any incident of discrimination, harassment, or violence is given  
31 immediate attention, including investigating the incident, taking appropriate corrective  
32 action, and providing students and staff with appropriate resources. Complaints  
33 alleging discrimination or harassment based on a person's actual or perceived  
34 transgender status or gender nonconformity are to be handled in the same manner  
35 as other discrimination or harassment complaints.

36

**ASSIGNMENT OF STUDENTS TO A SCHOOL**

Resident students of the Shaker Regional School District (SRSD) shall be assigned to a public school within SRSD by the Superintendent, or designee.

In unusual and extraordinary circumstances parent(s) or guardian(s) may wish to request a change of assignment to another public school within SRSD or a public school in another district. When the parent(s) or guardian(s) believe that the assignment already made will result in a manifest educational hardship to the student, and not in the best interest of the student because of such hardship, the Shaker Regional School Board (SRSB) will consider a request, unless the Superintendent is allowed by statute to do so,<sup>1</sup> according to the procedure stated below.<sup>2,3</sup>

-The parent(s) or guardian(s) shall make a written request, through the Superintendent's office, detailing the specific reasons why they believe that the current assignment constitutes a manifest educational hardship. Any such written request must, if at all, be made by the parent(s) or guardian(s) within fifteen (15) days of notice of the assignment made by the Superintendent or designee.

-SRSB will place on the agenda at a board meeting within fifteen (15) days of receipt the written request of the parent(s) or guardian(s). At such time, the parent(s) or guardian(s) may address SRSB. SRSB will hear the parent(s) or guardian(s) request in non-public session, subject to the right of the parent(s) or guardian(s) to have the matter heard in public session.<sup>4</sup>

-The parent(s) or guardian(s) of the student may use whatever information they deem appropriate to support their request. The parent(s) or guardians(s) must submit information demonstrating to SRSB that the current assignment is a manifest educational hardship.

-In determining whether the current assignment of the student constitutes a manifest educational hardship, and what the corresponding appropriate action should be (which may include, but not be limited to, assignment to a public school in another district) SRSB shall consider all information given it by the parent(s) or guardian(s), the recommendations of the Superintendent, and any other information which SRSB deems relevant and useful.<sup>5</sup>

-SRSB reserves the legal right to make a determination on whether a given request constitutes a manifest educational hardship, and what the corresponding action should be, on a case by case basis.

-A placement made relative to a student's special education needs and services shall not be deemed a change of school assignment for purposes of this section.

-SRSB will render its decision in writing within seven (7) days after the meeting in which the parent(s) or guardian(s) addressed SRSB, and will forward its written decision to the parents or guardians via the Superintendent.

---

<sup>1</sup> NH RSA 292:2 II

<sup>2</sup> NH RSA 193:3 II

<sup>3</sup> ED 320

<sup>4</sup> NH RSA 91-A:3 II (c)

<sup>5</sup> NH RSA 193:4



1 -If a parent or guardian is aggrieved by the decision of SRSB, he/she may appeal to  
2 the State Board of Education.<sup>6</sup>  
3

4 Tuition and Transportation  
5

6 The Superintendents involved in the reassignment of schools under this policy shall  
7 jointly establish a tuition rate for each student. Tuition payments shall be the  
8 responsibility of the pupil's resident school district. Some or all of the tuition may be  
9 waived by the Superintendent of the receiving district for good cause shown or pursuant  
10 to other board policy, if applicable.  
11

12 The cost of transportation shall be the responsibility of the parent/guardian.

---

<sup>6</sup> ED 200

1

2 **ENTRANCE AGE REQUIREMENT**

3 It is the responsibility of parents to enroll any child at least 6 years of age and under 18  
4 years of age to attend the public school to which the child is assigned in the district,  
5 except as allowed by statute.<sup>1</sup>

6

7 A student may enter grade one if his/her chronological age will be six on or before  
8 September 30 of the year of entering school.<sup>2</sup>

9 A student may enter kindergarten if his/her chronological age will be five on or before  
10 September 30 of the year of entering school.

11 A birth certificate must be presented upon registration for school enrollment as proof of  
12 the date of birth.

---

<sup>1</sup> RSA 193:1

<sup>2</sup> *RSA 193:1 II*

**ENROLLMENT OF STUDENTS**

Students shall be enrolled in school on a full-time basis.<sup>1</sup> "Full-time basis" is defined as attending classes for the full instructional day within the public school system or in conjunction with another state-accredited institution such as a vocational-technical school or a college or university for concurrent enrollment.<sup>2</sup> The exceptions to this policy shall be:

- for fifth-year seniors
- students who have a program approved by the Principal and Superintendent
- for special education students whose Individual Educational Plans require variations of student schedules
- for students in an approved home education program
- for students enrolled in non-public schools which do not offer a like course or activity
- for a child excused by the Superintendent because the child is physically or mentally unable to attend school<sup>3</sup>

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<sup>1</sup> NH RSA 193:1

<sup>2</sup> NH RSA 193:1-a

<sup>3</sup> NH RSA 193:1 I (c)

**ADMISSION PROCEDURES**

Parents/guardians must register new students prior to their first day in school.

New students may not enter **Shaker Regional School District (SRSD)** until their registration is complete and includes:

- ♦ proof of physical examination by a licensed physician, Advanced Registered Nurse Practitioner or physician's assistant;<sup>1 2</sup>
- ♦ immunization records;<sup>3 4</sup>
- ♦ a certified copy of the child's birth certificate, and;
- ♦ proof of residency.<sup>5</sup>

---

<sup>1</sup> Ed 311.03(b)

<sup>2</sup> See SRSD Policy JLCA

<sup>3</sup> NH RSA141-C

<sup>4</sup> See SRSD Policy JLCB

<sup>5</sup> NH RSA 193:12, II, III

<sup>6</sup>RSA 110-D, Interstate Compact on Educational Opportunities for Military Children

**ADMISSION OF NON RESIDENT AND TUITION STUDENTS**

Non-resident students may attend Shaker Regional School District (SRSD) schools when their attendance has been approved by the Shaker Regional School Board (SRSB).<sup>1</sup> Tuition will be charged at a rate set by the SRSB and billed quarterly in advance to the sending district or parent responsible for payment. When a sending district is responsible for tuition, prior approval must be received from the sending district school board. Attendance will be allowed to continue only if all tuition payments are received within 60 days of the billing date.

The district in which the student resides shall retain all responsibility for the provision of special education and related services<sup>2</sup>

The SRSD will not provide transportation, to and from school, for non-resident and tuition students.

In a divorce decree, or parenting plan developed pursuant to RSA 461-A, a child's legal residence for school attendance purposes may be the school district in which either parent resides, provided the parents agree in writing to the district the child will attend and each parent furnishes a copy of the agreement to the school district in which the parent resides. Transportation will not necessarily be provided for students admitted under this provision and under corresponding law. The Superintendent or designee will make all determinations as to whether transportation will be provided in such circumstances. The Superintendent or designee's decision will be final.

Under extenuating circumstances, the SRSB may waive this policy for students who move out of SRSD allowing the student to complete the current school year.

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<sup>1</sup> RSA 193:12 VII

<sup>2</sup> RSA 193:3; RSA 186-C

**ADMISSION OF EXCHANGE AND FOREIGN STUDENTS**

The **Shaker Regional School Board (SRSB)** may accept exchange students on a J-1 Visa who reside within the **Shaker Regional School District (SRSD)** as participants in group-sponsored exchange programs. The **SRSB** may waive tuition for these exchange students.

The **SRSB** may limit the number of foreign exchange students admitted to the **SRSD**.

The Superintendent or designee shall be responsible for determining the visa status and eligibility of foreign exchange students applying for admission to **SRSD** schools.

Exchange students shall be subject to all **SRSB** policies and administrative rules and procedures governing students, including immunization requirements.<sup>1</sup>

The Superintendent shall publish rules and procedures related to this policy.

---

<sup>1</sup> See SRSD Policy JLCB

1

2 **ADMISSION OF TRANSFER STUDENTS**

3 Transfer students will be initially placed in accordance with the data forwarded and  
4 grade placement made by the sending district. Such placement is tentative and subject  
5 to reassignment by the Superintendent of Schools or his/her designee.

6 Transfer students in kindergarten and grade 1 will be admitted in keeping with Policy  
7 JEB.

## ADMISSION OF HOMELESS STUDENTS<sup>1</sup>

As required by law, the Shaker Regional School District (SRSD) shall ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youths.<sup>2</sup> The SRSD shall work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible. The Superintendent shall designate an appropriate staff person to be the SRSD's liaison for homeless students and their families.<sup>3</sup>

### 1.1 Definition

Homeless students<sup>4</sup> are defined as lacking a fixed, regular and adequate nighttime residence, including:

1. Sharing the housing of other persons due to loss of housing or economic hardship;
2. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Are abandoned in hospitals;
5. Awaiting foster care placement;
6. Living in public or private places not designed for or ordinarily used as a regular sleeping accommodations for human beings;
7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings;
8. Are migratory children living in conditions described in previous examples.

### 1.2 Enrollment

To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Parents or guardians of homeless students may request of the administration enrollment in the school in which attendance area the student is actually living. The administrator shall respond to request within 48 hours.

### 1.3 Enrollment Dispute

If there is an enrollment dispute, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent or guardian shall be informed of the SRSD's decision and their right of appeal. Unaccompanied youth will also be enrolled pending resolution of the dispute. Once the enrollment decision is made, the school shall immediately enroll the student, pursuant to SRSD policies

<sup>1</sup> NH RSA 193:12

<sup>2</sup> No Child Left Behind Act of 2002, Part C Homeless Education, Section 721 (1)

<sup>3</sup> No Child Left Behind Act of 2002, Part C Homeless Education, Section 722 (g), (1), (J), (ii)

<sup>4</sup> No Child Left Behind Act of 2002



1  
2 **1.4 Student Records**

3 If the student does not have immediate access to the immunization records, the student  
4 shall be admitted under a personal exception. Students and families shall be encouraged  
5 to obtain current immunization records or immunizations as soon as possible, and the  
6 SRSD liaison is directed to assist in this effort. Records from the student's previous  
7 school shall be requested from the previous school pursuant to SRSD policies.  
8 Emergency contact information is required at the time of enrollment consistent with  
9 SRSD policies.

10  
11 **1.5 Transportation**

12 Homeless students are entitled to transportation to their school of origin or the school  
13 where they are to be enrolled. If the school of origin is in a different district, or a  
14 homeless student is living in another district but will attend his or her school of origin in  
15 the SRSD, the districts will make reasonable efforts to coordinate the transportation  
16 services necessary for the student.<sup>5</sup>

17  
18 **1.6 Coordination of Services**

19 The SRSD's liaison for homeless students and their families shall coordinate with local  
20 agencies that provide services to homeless children and youths and their families; other  
21 school districts on issues of transportation and records transfers; and state and local  
22 housing agencies responsible for comprehensive housing affordability strategies.<sup>6</sup> The  
23 SRSD's liaison will also review and report to the Shaker Regional School Board policies  
24 that may act as impediments to the enrollment of homeless students.

25  
26 The Superintendent shall publish Rules and Procedures to implement this policy.

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<sup>5</sup> P.L. 107-110, No Child Left Behind Act of 2001, Part C Homeless Education, Section 722 (g), (1), (J), (iii), (II)

<sup>6</sup> P.L. 107-110, No Child Left Behind Act of 2001, Part C Homeless Education, Section 722 (g), (5), (A-C)

**ASSIGNMENT OF STUDENTS TO CLASSES AND GRADE LEVELS**

Students will be placed in the grade level and class that best meets the student's needs, as determined by the building principal.<sup>1</sup>

Students receiving special education services will be placed in accordance with applicable law.<sup>2 3 4</sup>

The decision of the building principal regarding student placement may be appealed to the Superintendent and then to the Shaker Regional School Board (SRSB).

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<sup>1</sup> SRSD Policy JFABC

<sup>2</sup> 20 U.S.C. 1400 et seq., Individual's with Disabilities Act

<sup>3</sup> 34 C.F.R. 300 et seq., Assistance to the States for the Education of Children with Disabilities

<sup>4</sup> NH Code of Administrative Rules, Section ED 1100

## ATTENDANCE, ABSENTEEISM, AND TRUANCY

### 1.1 Attendance

Regular and punctual attendance is required of each student enrolled in the District.<sup>1</sup> The Board requires that school-aged children enrolled in the District attend school in accordance with all applicable state laws and Board policies.<sup>2</sup> Each building principal is responsible for overseeing attendance procedures and for ensuring that:

1. Attendance is accurately checked, recorded, and reported to the school office each day for each class.
2. All student absences are recorded.
3. All permanent records of student attendance are maintained at school/district office.

### 1.2 Excused Absences

The Board considers the following to be excused absences:

1. Illness
2. Recovery from an accident
3. Required court attendance
4. Medical and Dental Appointments
5. Death in the immediate family
6. Observation or celebration of a bona fide religious holiday
7. School sponsored field trips, college visitations, and athletic trips
8. Such other good cause as may be acceptable to the Principal or permitted by law

Any absence that has not been excused for any of these reasons will be considered an unexcused absence.

In the event of an illness, parent(s) and/or guardian(s) must call the school and inform the district of the student's illness and absence. For other absences, parents must provide a written notice or a written excuse that states reasons for non-attendance. The principal may require parents to provide additional documentation in support of their written notice, including but not limited to doctor's notes, court documents, obituaries, or other documents supporting the claimed reason for non-attendance.

If parent(s) and/or guardian(s) wish for their child to be absent for a reason not listed above, the following process shall be used:

- a. The parent(s) or guardian(s) must provide a written explanation ten days (10) prior to the absence, the reason for such absence, including why the student will be absent and for how long the student will be absent.

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<sup>1</sup> RSA 189:34-36

<sup>2</sup> RSA 193:1

- b. The principal will make the determination as to whether the stated reason for the student's absence constitute good cause and will notify the parents in writing of his/her decision.
- c. If the principal determines that good cause does not exist, parents may request a conference with the Principal for reconsideration.
- d. If parent(s) and/or guardian(s) are not satisfied with the Principal's decision, parents may request a conference with the Superintendent for reconsideration.
- e. If parent(s) and/or guardian(s) are not satisfied with the Superintendent's decision, parents may request a hearing with the School Board.

## **2.1 Truancy**

An unauthorized absence from class or school is considered truancy. Any absence that has not been excused for any of the reasons listed above (i.e. 1.2.1-8 Excused Absences) will be considered an unexcused absence. Truant students shall be subject to school discipline, in accordance with SRSD Policy JIC.

Ten half-days of unexcused absence during a school year is defined as habitual truancy.

A half-day absence is defined as a student missing more than two hours of instructional time and less than three and one-half hours of instructional time.

Any absence more than three and one-half hours of instructional time shall be considered a full-day absence.

The principal and/or truant officer is designated as the district employee responsible for overseeing truancy issues.

Absent students not having parent(s) and/or guardian(s) permission are considered as being truant. Students so identified will be contacted by either a school official or the truant officer and brought to school. The school administration will send a letter to parent(s) and/or guardian(s) of the truant student. If the truancy problem continues, the school administrator shall send, by registered mail, a letter to the parents of the truant student, indicating the nature and seriousness of the problem; a statement of the parent(s) and/or guardian(s) responsibility to ensure that the student attends school; a request for a meeting between the parent(s) and/or guardian(s) and the principal to discuss and develop a plan for reducing the student's truancy; as well as enclosures of SRSD Policy JH and RSA 193:1.

## **2.2 Intervention Process to Address Truancy**

The principal shall ensure that administrative guidelines on attendance properly address the matter of truancy by including a process that identifies students who are habitually truant as defined in section 2.1 Truancy.

When the principal identifies a student as habitually truant or in danger of becoming habitually truant, the principal and/or designee shall develop an intervention with the student, the student's parent(s) and/or guardian(s), and other staff members as may be necessary. The intervention shall include processes including, but not limited to:

- 1 1. Investigation into the cause(s) of the student's truant behavior;
- 2 2. Modification, when and if appropriate, to the student's educational program to
- 3 meet particular needs that may be causing the truancy;
- 4 3. Parent(s) and/or guardian(s) involvement in the development of the plan to
- 5 reduce the truancy;
- 6 4. Seeking alternative and/or additional disciplinary measures in accordance with
- 7 SRSD Policy JIC Discipline of Students and administrative guidelines on student
- 8 discipline.

9  
10 The principal and/or truant officer shall not file a petition alleging a student is in need of  
11 services under RSA 169-D until all of the steps set forth in 1.4 Intervention to Address  
12 Truancy has been followed.

13  
14 The Superintendent shall ensure that this policy is included in or referenced in the  
15 student handbook and is provided to parents or guardians annually at the beginning of  
16 each school year.

17  
18  
19  
20  
21

**STUDENT RIGHTS AND RESPONSIBILITIES<sup>12</sup>**

Student rights and responsibilities shall be published in **Shaker Regional School District (SRSD)** student handbooks and will be made available in another language or presented orally upon request. Student disciplinary procedures will be implemented pursuant to **SRSD** Policy JIC.

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<sup>1</sup> NH Code of Administrative Rules, Section Ed. 306.04(a)(3)

<sup>2</sup> NH Code of Administrative Rules, Section Ed. 306.04(f)

## STUDENT CONDUCT

### **A. General Policy**

The Shaker Regional School Board (SRSB) is committed to promoting a safe, healthy, orderly and supportive school, and learning environment. To achieve that for all, it is important for students to conduct themselves in a manner fitting to their age level and maturity, and with respect and consideration of other students, District personnel and other members of the community. Students are expected and required to maintain appropriate behavior that allows teachers and staff to perform their professional duties effectively and without disruption while on School District property or on property within the jurisdiction of the School District (including vehicles); and/or while attending or engaged in school activities.

Expectations for student conduct and standards of behavior shall be communicated through written Board policies, as well as District and/or school rules. Those policies and rules should be included in a Code of Conduct for each school.

Student conduct that causes material or substantial disruption to the school environment, interferes with the rights of others, presents a threat to the health and safety of students, employees, or visitors, and/or violates the Code of Conduct, or classroom rules is prohibited. Response to violations of the Code of Conduct, however, should be designed to maximize student academic, emotional and social success, while at the same time assuring safety of all students, staff and school visitors. District personnel who interact with students are expected to utilize progressive disciplinary measures, and to place emphasis on educating students so they may grow in self-discipline. Suspensions and expulsions shall be administered consistent with the applicable Code of Conduct and Board policy JICD.

### **B. Student Code of Conduct**

The SRSB delegates to the Superintendent, in consultation with the appropriate building Principal and counselors, the responsibility of adopting and implementing a Student Code of Conduct with such age-appropriate rules and regulations for each school as he/she deems necessary to implement the objectives of this policy.

The Code of Conduct shall be noted in the student handbook. Consistent with the Board's statutory authority, and other Board policies regarding review of administrative rules, regulations and procedures, the School Board retains the authority to modify, supersede, or suspend any provision of the Code of Conduct.

The Code of Conduct should include:

1. A graduated, age-appropriate system of supports and intervention strategies, including but not limited to:
  - parent conferences,
  - counseling,
  - peer mediation,
  - instruction in conflict resolution and anger management,
  - parent counseling and training,
  - community service, and
  - rearranging class schedules.

- 1       2. Graduated, age-appropriate disciplinary consequences, including but not limited  
2       to:  
3       • restriction from extra-curricular activities,  
4       • temporary (same day) removal from class or activity,  
5       • detention,  
6       • temporary reassignment/in-school suspension,  
7       • out-of-school suspension, and  
8       • expulsion.  
9  
10       3. Provisions describing how and when short-term suspensions of up to 5 days,  
11       short-term suspensions up to 10 days, long term suspensions up to 20 days,  
12       and/or expulsion should be imposed. These standards shall make reference to  
13       and reflect:  
14       • the nature and degree of disruption caused to the school environment;  
15       • the threat to the health and safety of pupils and school personnel, volunteers or  
16       visitors;  
17       • whether the conduct or behavior is isolated or repeated.  
18       All temporary (same day) removal from classrooms or activities, restriction from  
19       activities, detentions, suspensions and expulsions shall comport with applicable laws,  
20       regulations and Board policy JICD.  
21  
22       4. Information regarding RSA 193:13, 193-D, this policy, Board policy JICD, and  
23       other Board policies or District/school rules regulating student conduct on and off-  
24       campus. Except where the complete text of a statute, regulation or policy is  
25       required, the Code of Conduct should include age-appropriate language. E.g.,  
26       summaries for elementary grade levels.

27       **C. Implementation and Notice.**

28       The Superintendent shall assure that the Code of Conduct, complete with the  
29       information set out in section B.4, above, shall be in each student handbook, made  
30       available to parents at the beginning of the school year, publicly available on the school,  
31       District and/or SAU district website. Additionally, building Principal(s) shall assure  
32       student awareness of the Code of Conduct and other District policies and building rules.  
33

34       **D. Parental Notification of Simple Assaults.**

35       Pursuant to RSA 193-D:4, I (b), the Superintendent is directed to adopt and implement  
36       procedures to notify parents/guardians of each student involved in a simple assault  
37       (victim and perpetrator) occurring during the school day, when such assault causes: any  
38       form of bodily injury, including bruising or discoloration, or would otherwise constitute a  
39       disciplinable offense under the Code of Conduct. For purposes of this policy, "simple  
40       assault" shall have the same meaning as that provided in RSA 631:2-a (a simple assault  
41       occurs when one purposefully or knowingly causes bodily injury or unprivileged physical  
42       contact to another; or recklessly causes bodily injury to another or negligently causes  
43       bodily injury to another by means of a deadly weapon).  
44



1 **E. Disciplinary Removal of Students with Disabilities.**

2 If a student is disabled under the Individuals with Disabilities Act (IDEA), the New  
3 Hampshire RSA 186-C, Section 504 of the Rehabilitation Act of 1973, the Americans  
4 with Disabilities Act, or any other law providing special rights to disabled students, those  
5 laws shall govern and shall supersede these local policies to the extent these local  
6 policies are inconsistent with those laws. Accordingly, any class or activity removal,  
7 suspension or expulsion of a child with a disability as defined in Ed 1102.01(t) shall be in  
8 accordance with Ed 1124.01.

1

2 **DRESS CODE FOR STUDENTS**

3 Parents have the responsibility to determine each student's dress, but such attire shall  
4 not endanger the health or safety of the student, nor interfere with or potentially disrupt  
5 the educational process of the school.

6 Building principals are authorized to issue regulations to implement this policy, provided  
7 that such regulations are approved by the Superintendent.

8 The Superintendent shall publish rules and procedures related to this policy.

## STUDENT CONDUCT ON SCHOOL BUSES

Students using **Shaker Regional School District (SRSD)** transportation shall be instructed that they are under the jurisdiction of the school from the time they get on the bus, until they depart the bus.

### Bus Driver Responsibility

Students transported in a school bus shall be under the authority of the **SRSD** and under control of the bus driver. The driver of the bus shall be held responsible for the orderly conduct of the students transported. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reasons for a student to be denied the privilege of transportation in accordance with the rules and procedures of the Superintendent.<sup>1</sup>

The bus driver will have responsibility to maintain orderly behavior of students on school buses and will report misconduct to the student's Principal in writing. Video surveillance may be used on buses to support the bus driver's reports of unacceptable conduct.

### Principal's Authority

The School Principal shall have the authority delegated by the Superintendent to suspend the riding privileges of students who are disciplinary problems on the bus by failing to conform to the rules and regulations promulgated by the Superintendent. Parents of children whose pattern of behavior and conduct on school buses endangers the health, safety and welfare of other riders will be notified that their children face the loss of school bus riding privileges in accordance with the student discipline code.<sup>2</sup> Suspensions to continue beyond twenty (20) days must be approved by the **Shaker Regional School Board (SRSB)** (RSA 189:9a).<sup>3</sup>

### Resolution of Conflicts

A parent who wishes to request a change or exemption from any of the Student Transportation rules shall direct that request first to the Superintendent. If the parent is not satisfied by the ruling of the Superintendent, he or she may appeal the ruling within five days to the **SRSB**.

The Superintendent or his/her designee shall publish rules and procedures for conduct on buses and these shall be printed in the Parent-Student Handbook.

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<sup>1</sup> RSA 189:9a

<sup>2</sup> See SRSD Policy JIC

<sup>3</sup> RSA 189:9a

**STUDENT DISCIPLINE AND DUE PROCESS**

It is essential for schools to maintain a safe and orderly environment which supports student learning and achievement. All students are expected to conduct themselves with respect for others and in accordance with School Board policies, school rules, and applicable state and federal laws. Disciplinary action may be taken against students who violate policies, rules, or laws, and/or whose conduct directly interferes with the operations, discipline, or general welfare of the school.

Disciplinary consequences will range from a verbal warning for minor misconduct up to and including expulsion for the most serious offenses. The Shaker Regional School District (SRSD) will follow the procedures set forth by state and federal law, specifically RSA 193:13 and Ed 317, in the discipline of students. The Shaker Regional School Board (SRSB) does not review appeals of student disciplinary decisions unless a right to appeal is explicitly conferred by policy or by law.

Behavior that also violates the law may be referred to law enforcement authorities.

**Temporary Removal from Classroom**

Students may be temporarily removed from the classroom at the discretion of the classroom teacher. A student may be temporarily removed if the student refuses to follow the teacher's directions, fails to follow school policies or rules, disrupts the classroom environment, or otherwise engages in conduct that violates the Student Code of Conduct. During such removals, students will be sent to the building principal's office or designated area.

**Teacher Detention**

Students may be assigned a detention at the discretion of the classroom teacher. A student may receive a detention if the student refuses to follow the teacher's directions, fails to follow school policies or rules, disrupts the classroom environment, or otherwise engages in conduct which violates the Student Code of Conduct.

During such detentions, students will be required to remain at school during non-school hours; elementary students may serve a detention during their recess period(s). Parents will be notified at least twenty-four (24) hours prior to the detention. The length of the detention is left to the discretion of the classroom teacher and will generally not exceed one (1) hour.

**Administrative After-School Detention**

Students may be assigned a detention at the discretion of the building Principal or designee. A student may receive a detention if the student refuses to follow the

1 administrator's directions, fails to follow school policies or rules, disrupts the school  
2 environment, or otherwise engages in conduct which violates the Student Code of  
3 Conduct.

4 During such detentions, students will be required to remain at school during non-school  
5 hours; elementary students may serve a detention during their recess period(s). Parents  
6 will be notified at least twenty-four (24) hours prior to the detention. The length of the  
7 detention is left to the discretion of the administration and will generally not exceed one  
8 (1) hour.

### 9 **Administrative Saturday Morning Detention**

10 High school and middle school students may be assigned a Saturday morning detention  
11 at the discretion of the building Principal or designee. A student may receive a Saturday  
12 morning detention if the student engages in conduct set forth in the Student Code of  
13 Conduct.

14 During such detentions, students will be required to remain at the High School on  
15 Saturday mornings. Parents will be notified hours prior to the detention. The length of  
16 the detention is left to the discretion of building administration, and can be up to three  
17 (3) hours.

### 18 **In-School Suspension**

19 Students may be assigned in-school suspension at the discretion of the building  
20 Principal or designee. During such in-school suspensions, the student will attend school  
21 but will be removed from one or more classes and placed in a restricted and supervised  
22 classroom within the district. The student will be expected to remain of good behavior  
23 and work quietly on school work while serving the in-school suspension. Parents will be  
24 notified 24 hours prior to the in-school suspension.

### 25 **Short-Term Out-of-School Suspension**

26 The building Principal or representative designated in writing by the Superintendent is  
27 authorized to suspend a student for a specific period of time, not to exceed ten (10)  
28 consecutive school days. A suspension may be imposed for:

- 29 • Behavior that is detrimental to the health, safety, or welfare of pupils or school  
30 personnel; or
- 31 • Repeated and willful disregard of the reasonable rules of the school that is not  
32 remediated through imposition of the district's graduated sanctions.

33 During such suspensions, unless otherwise stipulated in writing, a suspended student is  
34 not permitted to attend school classes or activities, school sponsored events, or be on  
35 school property for the duration of the suspension.

1 A student who is subject to a short-term suspension (ten school days or fewer) is  
2 entitled to the following due process:

- 3 1. The student will meet with the building principal or associate principal to  
4 discuss the charges and the evidence against the student. The  
5 principal or associate principal will inform the student of the possibility  
6 of a short-term suspension.
- 7 2. The student will be given an opportunity to present his or her side of  
8 the story at this meeting.
- 9 3. The student and at least one of the student's parents/guardians will  
10 receive a written statement explaining any disciplinary action taken  
11 against the student.

12  
13 Depending on the severity of the student's conduct, the building Principal or designee  
14 may also refer or recommend the student to the Superintendent or to the School Board  
15 for further disciplinary consequences.

#### 16 **Principal Authority**

17 The Principal is authorized by the Superintendent to suspend students from school for a  
18 period not to exceed ten (10) school days for gross misconduct or for neglect or refusal  
19 to conform to the reasonable rules of the school.

#### 20 **Long-Term Out-of-School Suspension**

21 The Superintendent, as the School Board's designee, may extend a student's  
22 suspension for up to an additional ten (10) consecutive school days. A long-term out- of-  
23 school suspension may be imposed for:

- 24
- 25 ● An act of theft, destruction, or violence as defined in RSA 193-D;
- 26 ● Bullying pursuant to school district policy, JICK when the student has not  
27 responded to targeted interventions and poses an ongoing threat to the  
28 safety or welfare of another student; or
- 29 ● Possession of a firearm, BB gun, paintball gun, or airsoft gun.
- 30

31 During such suspensions, unless otherwise stipulated in writing, a suspended  
32 student is not permitted to attend school classes or activities, school sponsored  
33 events, or be on school property for the duration of the suspension.

34 A student who is subject to a long-term suspension is entitled to the following due  
35 process:

- 1 1. Upon recommendation of a long-term suspension and prior to any hearing,  
2 there shall be a written communication to the student and at least one of  
3 the student's parents or guardians, delivered in person or by mail (US  
4 Postal Service) to the student's last known address, which states the  
5 charges and an explanation of the evidence against the student.
- 6 2. A hearing that meets the requirements of Ed 317.04(f)(3)(g).
  - 7 a. The school officials shall present evidence in support of  
8 the charges and the student (or the student's  
9 parent/guardian) shall have an opportunity to present  
10 any defense or reply.
  - 11 b. During the hearing, the student, parent/guardian shall  
12 have the right to examine any witnesses presented by  
13 school officials.
  - 14 c. The hearing shall be either public or private and the  
15 choice shall be that of the student or the  
16 parent/guardian. Provided, nevertheless, that if the  
17 nature of the evidence will violate the privacy of other  
18 students or if the Superintendent determines that  
19 substantial harm to the pupil could result from an ill-  
20 conceived decision to hold the hearing in public, then  
21 the Board reserves the right and obligation to insist  
22 upon a private hearing.
  - 23 d. The student may, together with a parent/guardian,  
24 waive the right to a hearing and admit to the charges.
- 25 3. The student is entitled to a written decision which includes the legal and  
26 factual basis for the conclusion that the student should be suspended.
- 27 4. The written decision shall include notice to the student that the decision  
28 may be appealed. For a long-term suspension issued by Superintendent,  
29 the decision must be appealed in writing to the School Board within ten  
30 days after the issuance of the decision. The School Board will  
31 hold a hearing on the appeal but has the discretion to hear evidence or to rely  
32 upon the hearing conducted by the Superintendent.
- 33 5. For a long-term suspension issued by the School Board, the decision  
34 must be appealed to the New Hampshire State Board of Education within  
35 20 days after receipt of the decision.
- 36 6. The long-term suspension shall remain in effect while an appeal is  
37 pending unless the School Board stays the suspension.

38 Depending on the severity of the student's conduct, the Superintendent may also refer  
39 or recommend the student to the School Board for further disciplinary consequences.

## **Expulsion**

The School Board may expel a student, which permanently denies a student's attendance at school. An expulsion may be imposed for an act that poses an ongoing threat to the safety of students or school personnel and that constitutes:

- A repeated act that would permit a long term suspension;
- Any act of physical or sexual assault that would be a felony if committed by an adult;
- Any act of violence that constitutes a "violent crime" pursuant to RSA 651:5, XIII; or
- Criminal threatening that constitutes a class B felony pursuant to RSA 631:4, II(a).

During an expulsion, unless otherwise stipulated in writing, a student is not permitted to attend school classes or activities, school sponsored events, or occasion school property.

A student who is subject to expulsion is entitled to the following due process:

1. Upon recommendation of an expulsion and prior to any hearing, there shall be a written notice to the student and at least one of the student's parents or guardians, delivered in person or by mail (US Postal Service) to the student's last known address, which states the date, time, and place for a hearing before the School Board. The notice shall be delivered to the student and at least one of the student's parents/guardians at least five calendar days prior to the hearing.
2. The School Board shall conduct the hearing in accordance with New Hampshire Administrative Rule Ed 317.04(f)(3)(g).
  - a. The school officials shall present evidence in support of the charges and the student (or the student's parent/guardian) shall have an opportunity to present any defense or reply.
  - b. During the hearing, the student, or the parent/guardian shall have the right to examine any witnesses presented by school officials.
  - c. The hearing shall be either public or private and the choice shall be that of the student or the parent/guardian. Provided, nevertheless, that if the nature of the evidence will violate the privacy of other students or if the Board determines that substantial harm to the pupil could result from an ill-conceived decision to hold the hearing in public, then the Board reserves the right and obligation to insist upon a private hearing.
  - d. The student may, together with a parent/guardian, waive the right to a hearing and admit to the charges.
3. Before expelling a pupil under this section the School Board shall consider each of the following factors:



- 1 a. The student's age;
  - 2 b. The student's disciplinary history;
  - 3 c. Whether the student has a disability;
  - 4 d. The seriousness of the violation or behavior committed by the
  - 5 student;
  - 6 e. Whether the school district has implemented positive behavioral
  - 7 interventions;
  - 8 f. Whether a lesser intervention would properly address the violation
  - 9 or behavior committed by the student.
- 10 4. The School Board shall issue a written decision stating whether the student is
  - 11 expelled and, if so, the length of the expulsion. If the decision is to expel, the
  - 12 decision must include the legal and factual basis for the decision including the
  - 13 specific statutory reference prohibiting the act for which the student is expelled.
  - 14 5. The expulsion shall run until the School Board reviews it and restores the
  - 15 student's permission to attend school. The written decision shall state any action
  - 16 that the student may take to be restored by the School Board. The decision shall
  - 17 also state that the student has the right to appeal the decision to the New
  - 18 Hampshire State Board of Education at any time while the expulsion remains in
  - 19 effect.

20 Any expulsion shall be subject to review by the School Board, if requested, prior to the

21 start of each school year. A student seeking restoration of permission to attend school

22 shall file a written request with the Superintendent prior to the start of each school year

23 which details the basis for the request.

#### 24 **Possession of a Firearm**

25 Pursuant to RSA 193:13, IV, any student who brings or possesses a firearm (as

26 defined in 18 U.S.C. § 921) in a safe school zone, as defined in RSA 193-D:1 without

27 written authorization from the Superintendent or designee shall be expelled from school

28 by the SRSB for a period of not less than 12 months.

29 Pursuant to RSA 193:13, VI, a student who is expelled from school in another state

30 under the provisions of the Gun Free School Zones Act of 1994 shall not be eligible to

31 enroll in the SRSD during such expulsion. If the out of state expulsion is for an indefinite

32 period of time, the student may petition the School Board for enrollment upon

33 establishing residency.

34 As provided in RSA 193:13, VII, both of the above expulsions may be modified by the

35 Superintendent upon review of the specific case in accordance with other applicable law.

36 The expelled student must submit a written application to the Superintendent requesting

37 modification of the expulsion, and the student will be required to submit sufficient

evidence in the form of letters, work history, or other documents that it is in the school's best interest and the student's best interest to allow a modification.

### **Superintendent Authority**

The School Board authorizes the Superintendent to reinstate a suspended or expelled pupil on a case-by-case basis.

### **Educational Assignments**

The student's school will make all educational assignments available to the suspended student during the student's suspension.

The school district will provide alternative educational services to a student whenever the student is suspended in excess of twenty (20) cumulative days within any school year. Such alternative educational services will be determined by the school Principal or Assistant Principal and shall be designed to enable the student to advance from grade to grade.

No student shall be penalized academically solely by virtue of missing class due to suspension.

The School Board, in its discretion, may authorize educational services to be provided to an expelled student in an alternative setting on a case-by-case basis.

### **Behavior Intervention Plans**

The student's school will develop an intervention plan for any student who has been suspended more than ten (10) cumulative school days in any school year. The intervention plan will be designed to proactively address the student's problematic behaviors.

### **Students with Disabilities**

Discipline of students with identified or suspected disabilities will be in accordance with the Individuals with Disabilities Education Act of 2004, New Hampshire State Law on Special Education (RSA 186-C), New Hampshire Standards for the Education of Children with Disabilities (Ed 1100), and Section 504 of the Rehabilitation Act of 1973.

### **Code of Conduct**

The School Board authorizes the Superintendent, or designee, to establish a Code of Conduct which will contain a system of supports and consequences designed to correct student misconduct and promote behavior within acceptable norms. The Code of Conduct will include a graduated set of age-appropriate responses to misconduct and will set forth standards for short-term suspensions up to five (5) school days, short-term

suspensions up to ten (10) school days, long term suspensions up to 20 school days, and expulsion. Such standards will make reference to the nature and degree of disruption caused to the school environment, the threat to the health and safety of pupils and school personnel, and the isolated or repeated nature of incidents forming the basis of disciplinary action. (See policy JIC)

#### **Superintendent and Principal Designees.**

Except where otherwise stated in this policy, the Superintendent may delegate any authority s/he has under this policy, and a principal may delegate any authority s/he has under this policy, to other appropriate personnel.

#### **Notice**

This policy and school rules which inform the student body of the content of RSA 193:13 shall be included in the student handbook and made available on the District's website to students, parents, and guardians. The Principal or designated building administrator shall also inform the student body concerning this policy and school rules which address the content of RSA 193:13 through appropriate means, which may include posting, and/or announcements. Nothing herein shall prevent a school principal from printing, posting, and/or announcing other rules applicable to the school.

#### **Cross References:**

Student Rights and Responsibilities, Policy JI  
Code of Conduct/Student Behavior Standards, Policy JIC  
Weapons on School Property, Policy JICI  
Pupil Safety and Violence Prevention – Bullying, Policy JICK

#### **Legal References:**

18 U.S.C. § 921, Definition of Firearm RSA 189:15, Regulations  
RSA 193:13, Suspension & Expulsion of Pupils  
RSA 651:5, XIII, Annulment of Criminal Records - Violent Crimes RSA 631:4, II(a), Criminal Threatening  
RSA Chapter 193-D, Safe School Zones  
RSA Chapter 193-F, Pupil Safety and Violence Prevention  
NH Code of Administrative Rules, Section Ed 306.04(a), Policy Development NH Code of Administrative  
Rules, Section Ed 306.04(f), Student Discipline  
NH Code of Administrative Rules, Section Ed 317, Standards and Procedures for Suspension and Expulsion of  
Pupils Including Procedures Assuring Due Process

**STUDENT PUBLICATIONS**

Student publications and media must receive prior authorization by the Superintendent or designee.

Publications and media shall include any form of print or electronic information distributed or available for use by a class of recipients, including the general public.

Any categories of published work must be approved by the Superintendent to be considered a Shaker Regional school publication.

Only authorized publications and media shall be distributed on or from school property.

Content of all school publications shall be under the supervision of a school principal or his/her designee. Nothing shall be published in student publications that is libelous, slanderous, obscene, copyrighted, advocates illegal activities, or otherwise may cause substantial disruption to the school. Student publications are subject to all school regulations and Shaker Regional School Board policies. Verbiage, clothing, props (including but not limited to display of firearms, other weapons, drugs, tobacco, or alcohol), and gestures, etc., that are prohibited in school are prohibited from student publications. The school principal or his/her designee will review all school-sponsored publications before they are printed, posted or distributed to ensure the publication conforms to these standards.

1

2 **GANG ACTIVITY**

3 The Shaker Regional School District (SRSD) shall not allow gangs or groups which  
4 advocate or promote activities threatening the safety or well-being of any person or the  
5 destruction or the defacing of SRSD property.

6 The Superintendent shall publish rules and procedures related to this policy.

**HAZING**

No student, student organization, or any person associated with any organization allowed by the Shaker Regional School District (SRSD), shall engage or participate in hazing.<sup>1</sup>

For the purposes of this policy, hazing is defined as any act directed toward a student, or any coercion or intimidation of a student to act or to participate in or submit to any act, when: (1) Such act is likely or would be perceived by a reasonable person as likely to cause physical or psychological injury to any person; and (2) Such act is a condition of initiation into, admission into, continued membership in or association with any organization. Hazing includes but is not limited to an activity which recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization sanctioned or authorized by the Board of Education.

"Endanger the physical health" shall include, but is not limited to, any brutality of a physical nature, such as whipping; beating; branding; forced calisthenics; exposure to adverse weather elements; forced consumption of any food, alcoholic beverage, drug or controlled dangerous substance; or any forced physical activity which could adversely affect the physical health or safety of the individual.

"Endanger the mental health" shall include any activity, except those activities authorized by law, which would subject the individual to extreme mental stress, such as prolonged sleep deprivation, or any other forced activity which could adversely affect the emotional or mental health or dignity of the individual.

Any hazing activity upon which the initiation or admission into or affiliation with an organization sanctioned or authorized by the Board of Education is conditioned, directly or indirectly shall be presumed to be a forced activity, even if the student willingly participates in such activity.

This policy is not intended to deprive SRSD authorities from taking necessary and appropriate disciplinary action toward any student or employee. Students or employees who violate this policy will be subject to disciplinary action which may include expulsion for students and employment termination for employees.<sup>2</sup>

The Superintendent shall take reasonable measures within the scope of the SRSD's authority to prevent student hazing. All hazing reported to the SRSD or which any SRSD staff member has knowledge of shall be promptly reported to law enforcement, as required by RSA 631:7, Student Hazing.<sup>3</sup>

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<sup>1</sup> NH RSA 631:7

<sup>2</sup> See SRSD Policy JIC

<sup>3</sup> RSA 631:7, Student Hazing

## **SUBSTANCE ABUSE BY STUDENTS**

The School District shall provide a drug, tobacco, vaping and alcohol-free environment<sup>1</sup> in school and at all school-related functions. A school function is defined as one that is authorized and conducted by the school with school officials present, in charge, and on duty, such as, but not limited to:

---Interscholastic athletic contests<sup>2</sup>

---Student organization activities<sup>3</sup>

---Field trips<sup>4</sup>

---School dances

### Alcohol

No student shall purchase, attempt to purchase, possess, distribute or use any alcoholic beverage in any facility, on school grounds, in any school vehicle or at any school function.

### Tobacco

No student shall possess, distribute or use any tobacco product in any facility, on school grounds, in any school vehicle or at any school function. <sup>5</sup>

### Illegal Drugs

The taking of, or being under the influence of, illegal drugs, and/or the possession of same, in any form, is not permitted on district property nor at school functions at any time.

### Other Substances

Students may not use, nor be under the influence of, any substance designed to affect the central nervous system, create or induce a condition of intoxication, hallucination, or elation, or change, distort or disturb the person's eyesight, thinking process, balance or coordination. Students may not use vaping paraphernalia and/or vaping products. Legal use of prescribed medications are excluded from this policy.

### Consequences

- 1) Parents will be informed immediately when a student is in violation of this policy and the matter will be brought to the attention of the Shaker Regional School Board.
  - a. In case a student appears to be under the influence of a substance or has admitted to being under the influence, the parent will be notified by school authorities to come for the student and remove him/her to his home or to medical facilities.
  - b. In severe cases, or if the parents will not come to the school, the Principal is authorized to call the appropriate authorities to remove the student from the school. Parents will be notified of this action and be responsible for any expenses incurred.

<sup>1</sup> RSA: 193-B

<sup>2</sup> NH RSA 571 – C:2

<sup>3</sup> SRSD Policy JJA

<sup>4</sup> SRSD Policy IJOA

<sup>5</sup> NH RSA 126-K

- 1       2) Any student in violation of this policy will be suspended from school for up to ten  
2       school days and a conference with the school administrator, student and parents  
3       shall be held.
- 4       3) Further, any violation of this policy will be turned over to the proper authorities for  
5       investigation into misdemeanor or felony conduct.
- 6       4) An appraisal of the student must be conducted by the District's Substance Abuse  
7       Counselor. This may result in a referral to an outside agency for consultation or  
8       a therapy plan.
- 9       5) Students will be expected to complete a community service project established in  
10      collaboration with the student, his/her parent, counselor, and administration.
- 11      6) Students who participate in extra or co-curricular activities may be subject to  
12      further consequences as outlined in the agreement for those activities.
- 13      7) Depending on the misconduct, the matter may be referred to the Superintendent  
14      and/or Shaker Regional School Board for further disciplinary action.



**WEAPONS ON SCHOOL PROPERTY**

The Shaker Regional School District (SRSD) shall not allow on school property<sup>1</sup> or at school functions:

- Weapons, such as, but not limited to, powder and gas actuated firearms, explosives, incendiaries, martial arts weapons<sup>2</sup>, electronic defense weapons<sup>3</sup>, metallic knuckles or knives
- Use of any object as a threatening weapon, as determined by the building administration.

Student violations of this policy will result in school disciplinary action<sup>4</sup> and a written report to local law enforcement authorities.<sup>5</sup>

In addition, any student who is determined to have brought a firearm<sup>6</sup> in a safe school zone<sup>7</sup> will be expelled for not less than twelve months<sup>8</sup>. This expulsion may be modified by the Superintendent upon review of the specific case.<sup>9</sup>

Weapons under control of law enforcement personnel are permitted.

The Superintendent shall provide notice to students and staff of this policy through appropriate references in the student and employee handbooks or through other reasonable means.

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<sup>1</sup> RSA 193-D:1 V

<sup>2</sup> RSA 159:24

<sup>3</sup> RSA 159:20

<sup>4</sup> See Policy JIC

<sup>5</sup> NH RSA 193:D IV:I

<sup>6</sup> See Section 921 of Title 18 of the United States Code

<sup>7</sup> See Policy ADD

<sup>8</sup> RSA 193:13 III

<sup>9</sup> RSA 193:13 IV

**ELECTRONIC COMMUNICATION DEVICES**

Students are allowed to be in possession of paging devices, cellular phones, or other communicating devices. The use of such devices is restricted to non-instructional time, as determined by the school principal.

Upon receipt of a signed Student Acceptable Use Agreement for Personal Wireless Devices<sup>1</sup>, students may use such devices during instructional time, as determined by the school principal or their designee.

Students participating in extra-curricular activities or athletics must contact their sponsor or coach for his/her rules involving cell phone use after hours or on after-school bus trips. Sponsors and coaches will set their rules and establish their consequences for the use and/or misuse of these devices.

The **Shaker Regional School District (SRSD)** will not be responsible for loss, damage or theft of any electronic communication device brought to the school.

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<sup>1</sup> SRSD Policy EGA

## **PUPIL SAFETY AND VIOLENCE PREVENTION POLICY – BULLYING**

Conduct constituting bullying will not be tolerated in or by the District.<sup>1</sup>

The Shaker Regional School Board believes that all students are entitled to learn in a school environment that is safe and secure. All students are expected to conduct themselves with respect for others and in accordance with this policy, other Board policies and school rules governing student conduct. The Board will take reasonable steps to protect all students from the harmful effects of bullying and cyberbullying that occurs at school and/or that interferes with student learning and orderly school operations.

The Superintendent is responsible for implementing this policy. School principals and/or designees are responsible for enforcing this policy and school rules.

### **1.1 Definitions**

For purposes of this policy, the following definitions shall apply:

- A) "Bullying" means a single significant incident or a pattern of incidents involving a written, verbal, or electronic communication, or a physical act or gesture, or any combination thereof, directed at another student which:
  - 1. Physically harms a student or damages a student's property;
  - 2. Causes emotional distress to a student. For the purposes of this policy, the term "emotional distress" means distress that materially impairs the student's participation in academic or other school-sponsored activities. The term "emotional distress" does not include the unpleasantness or discomfort that accompanies an unpopular viewpoint;
  - 3. Interferes with a student's educational environment;
  - 4. Creates a hostile environment; or
  - 5. Substantially disrupts the orderly operation of the school.
- "Bullying" shall also include actions motivated by an imbalance of power based on a student's actual or perceived personal characteristics, behaviors or beliefs, or motivated by the student's association with another person based on the other person's characteristics, behaviors or beliefs, or motivated by the student's association with another person and based on the other person's characteristics, behaviors or beliefs if those actions cause one or more of the results in paragraphs (1) through (5) above.
- B) "Cyberbullying" means conduct defined in section 1.2.A. that takes place through the use of electronic devices.
- C) "Electronic devices" include but are not limited to telephones, cellular phones, computers, pagers, electronic mail, instant messaging, text messaging, and websites.
- D) "School property" means all real property and all physical plant and equipment used for school purposes, including public or private school buses or vans.

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<sup>1</sup> RSA 193-F:2-F:10

1 E) "Perpetrator" means a student who engages in bullying or cyberbullying.

2  
3 F) "Victim" means a student against whom bullying or cyberbullying has been  
4 perpetrated.

## 5 **1.2 Prohibited Conduct**

6 Students are prohibited from bullying and cyberbullying actions or communications  
7 directed toward other students which:

- 8 A) Occur on, or are delivered to, school property or a school-sponsored activity or  
9 event on or off school property; or  
10 B) Occur off school property or outside of a school-sponsored activity or event, if  
11 the conduct interferes with a student's educational opportunities or substantially  
12 disrupts the orderly operations of the school or school-sponsored activity or  
13 event.

14 Students are further prohibited from retaliating against or making false accusations  
15 against a victim, witness or anyone else who in good faith provides information about an  
16 alleged act of bullying or cyberbullying.

17  
18 Bullying or cyberbullying of a student on the basis of sex, sexual orientation, race, color,  
19 ancestry, national origin, religion, age, marital status, familial status, pregnancy, physical  
20 or mental disability may constitute illegal discrimination under federal and/or state laws.  
21 Complaints regarding such conduct may be processed through SRSD Board's  
22 Nondiscrimination Grievance Procedure (AC-R).

## 23 **1.3 Reporting Bullying and Cyberbullying**

24 Students who are subjected to bullying or cyberbullying, or who observe  
25 bullying/cyberbullying by or against other students are strongly encouraged to report it to  
26 appropriate school personnel such as a school principal, assistant principal, guidance  
27 counselor and/or teachers.

28  
29  
30 Any school employee or employee of a company under contract with the District (e.g.:  
31 for transportation services), who has witnessed or has reliable information that possible  
32 incidents of bullying or cyberbullying has occurred are required to report such incidents  
33 and/or information to the school principal and/or designee as soon as possible.  
34 Parent(s), guardian(s), and/or other adults should report any concerns about possible  
35 bullying or cyberbullying of students to the school principal.

## 36 **1.4 Report Handling and Investigation**

- 37  
38 A) The school principal and/or designee shall notify the parent(s)/guardian(s) of the  
39 alleged victim(s) and perpetrator(s) that a bullying/cyberbullying report has been  
40 made within 48 hours of the report. The content of the notification shall comply with  
41 the Family Educational Rights and Privacy Act<sup>2</sup>. However, the school principal  
42 and/or designee may request a wavier of this parent  
43 notification requirement from the Superintendent. The Superintendent may waive  
44 parent(s) and/or guardian(s) notification at this stage of the procedure if he/she  
45 determines this to be in the best interest of the victim(s) and/or the perpetrator(s).  
46 Any such wavier of the parent notification requirement shall be made in writing to the  
47 principal and/or designee.

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2 <sup>2</sup> 20, U.S.C. 1232g

- 1 B) An investigation of the bullying/cyberbullying report will be initiated by the school  
2 principal or designee within five (5) school days.
- 3
- 4 1. The alleged perpetrator(s) will be provided the opportunity to be heard as part of  
5 the investigation.
- 6
- 7 2. Privacy rights of all parties shall be maintained in accordance with the Family  
8 Educational Rights and Privacy Act<sup>3</sup>.
- 9
- 10 3. The school principal and/or designee shall keep written record of the  
11 investigation.
- 12
- 13 4. The school principal and/or designee may take remedial measures to reduce the  
14 risk of further bullying/cyberbullying, retaliation and/or to provide assistance to  
15 the alleged victim while the investigation is pending.
- 16
- 17 5. The school principal and/or designee shall consult with the Superintendent as  
18 appropriate concerning the investigation and any remedial measures or  
19 assistance provided.
- 20
- 21 6. The investigation shall be completed within 10 school days of receipt of the  
22 Report, if practicable. The Superintendent may grant in writing an extension of  
23 time to complete the investigation of up to 7 additional days, if necessary. The  
24 Superintendent shall notify all parties involved of any such extension.
- 25
- 26 7. If the school principal and/or designee substantiates the bullying/cyberbullying  
27 report, he/she shall, in consultation with the Superintendent determine what  
28 remedial and/or disciplinary actions should be taken against the perpetrator(s)  
29 and determine what further assistance should be provided the victim(s), if any.
- 30 8. The school principal and/or designee shall inform the victim(s), the perpetrator(s)  
31 and their parent(s)/guardian(s) of the results of the investigation and any  
32 remedies and/or assistance provided by the school, including strategies for  
33 protecting students from retaliation. Such communication may be made by  
34 telephone, email, writing or personal conference. The date, time, method, and  
35 location (if applicable) of such notification and communication shall be noted in  
36 the report. Notification shall be provided within 10 school days and shall be  
37 consistent with the student privacy rights under the applicable provisions of the  
38 Family Educational Rights and Privacy Act of 1974 (FERPA).
- 39
- 40 C) After investigation, if it is determined that a student has engaged in bullying conduct,  
41 made false accusations, or retaliated against other students prohibited by this policy,  
42 the student shall be subject to appropriate disciplinary action<sup>4</sup>
- 43
- 44 D) The parent or legal guardian may appeal the principal's decision to the  
45 Superintendent within ten (10) days of the completion of the investigation by the  
46 principal and/or designee. If the parent(s)/guardian(s) is not  
47 satisfied with the superintendent's decision, they may appeal in writing within ten  
48

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<sup>3</sup> 20, U.S.C. 1232g

<sup>4</sup> SRSD Policy JIC

(10) days to the school board. If the parent or legal guardian is not satisfied with the Board's decision, they may appeal to the State Board of Education<sup>5</sup>. Such an appeal shall be in writing and filed with the Commissioner of Education with a copy to the Superintendent of Schools and mailed to the NH Department of Education.

### **1.5 Training**

The school administration shall provide appropriate training on this policy for all school employees, regular school volunteers and any employees of companies contracted to provide services directly to students annually. The purpose of this training is to prevent bullying and cyberbullying if possible, and to educate staff on how to properly identify, respond to and report incidents of bullying and cyberbullying.

The school administration shall annually provide age-appropriate education programs for students and parents regarding this policy, bullying and cyberbullying prevention, how to identify, respond to, and report bullying and cyberbullying.

All training and education programs shall be initially approved by the School Board based on the recommendation of the Superintendent. School administrators are responsible for scheduling the required training and education programs each year.

### **1.6 Annual Report to New Hampshire Department of Education**

The Superintendent shall prepare and submit an annual report of substantiated bullying/cyberbullying incidents on a form provided by the New Hampshire Department of Education. Such reports shall not contain personally identifiable information regarding students.

### **1.7 Immunity**

Any employee of the District or contract company, regular school volunteer, student or parent(s)/guardian(s) shall be immune from civil liability for good faith conduct arising out of or pertaining to the reporting, investigation, findings, and the development or implementation of any recommended response under this policy.

### **1.8 Policy Dissemination**

The Superintendent shall provide notice to students and staff of this policy through appropriate references in student and employee handbooks; district website, and/or through other reasonable means. It shall also be provided to any company contracted with the district who shall then be responsible for providing the policy to their employees.

The Superintendent shall publish rules and procedures related to this policy.

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<sup>5</sup> RSA 193:13 II

1

2 **PREGNANT STUDENTS**

3 Maternal or paternal status shall not affect the rights and privileges of students to  
4 receive a public education.

5

6 Pregnant students shall be permitted to continue in school in all instances when  
7 continued attendance has the sanction of the expectant mother's licensed medical  
8 provider. The School Principal may require a licensed medical provider's statement of  
9 activity limitations.

10

11 The Shaker Regional School District encourages students to complete their education  
12 and will strongly support those efforts.

## SEARCHES OF STUDENTS AND THEIR PROPERTY<sup>1</sup>

### Student Searches

A student is subject to search by **Shaker Regional School District (SRSD)** administration if reasonable suspicion exists that evidence of a violation of the law or school rules will be uncovered. Authorized administrators are permitted to arrange for the use of trained canines to aid in the search process.

Establishing reasonable suspicion. The following review of the basis for search shall occur before conducting a search:

- Identify the student's suspicious conduct, behavior or activity, the source of the information and the reliability of the source of information.

- If suspicion could be confirmed, would such conduct be a violation of the law or school rules?

- Is the student likely to possess or have concealed any item, material or substance which is itself prohibited or which would be evidence of a violation of the law or school rule?

Conducting the search. If the Principal, or his/her designee determines that reasonable suspicion exists to search a student's clothing, personal effects, desk, locker, assigned storage area or automobile, the search shall be conducted as follows:

- If evidence of criminal activity is suspected and criminal prosecution will be recommended if confirmed by the search, consult law enforcement officials regarding the appropriateness of a search by a law enforcement officer.

- If evidence of violation of a school rule is suspected, and if that is confirmed by the search, the matter will be handled solely as a student discipline action. The Principal or authorized personnel will proceed to search by asking the student to remove all items from pocket(s), purse(s), handbags, backpacks, gym bags, or other places of concealment.

### Locker Searches

Lockers, desks and storage areas are the property of the **SRSD**. When assigned a locker, desk or storage area, a student shall be responsible for its proper use and care.

A student's locker, desk or storage area may be searched by **SRSD** staff if reasonable suspicion exists that evidence of a violation of the law or school rules will be uncovered. School staff shall report a student's suspicious activity to the principal prior to initiating a search, except in emergency situations when the risk of harm to students or staff demands immediate action.

Building principals should refer to these procedures for conducting searches of students and their property, for guidance in establishing whether a search is reasonable under the circumstance.

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<sup>1</sup> NH Constitution, Part I, Article 19



1 Administrative or health and welfare inspections may be conducted at any time for the  
2 purpose of locating misplaced library books, textbooks or other school property or to  
3 ensure that all lockers, desks or storage areas are being kept clean and free from  
4 potential health or safety hazards. Periodic inspections of lockers will reinforce the  
5 district's ownership of lockers and the minimal expectation of privacy students have in  
6 the contents of their lockers.

7 Principals may search all lockers, desks or storage areas without prior notice given to  
8 students and without reasonable suspicion that the search will yield evidence of any  
9 particular student's violation of the law or school rules.

10  
11 During a search of all student lockers, if the school official conducting the search  
12 discovers any container within the locker that may conceal contraband, the container  
13 may be searched according to **SRSD** procedures governing searches of students and  
14 their property. A "container" for the purpose of this policy may include, but is not limited  
15 to: an article of clothing, a handbag, purse, backpack, gym bag or any other item within  
16 which contraband material may be concealed.

#### 17 18 Searches of Student Automobiles

19 Parking an automobile on school property is a student privilege and not a right. As part  
20 of this privilege, the **SRSD** may search students' automobiles while parked on school  
21 property if the **SRSD** has reasonable suspicion that a violation of school rules or policy  
22 has occurred. Students consent to having their automobiles searched by parking in  
23 school parking lots.

## STUDENT INTERVIEWS AND INTERROGATIONS

### Interviews by School Administrators

When a violation of **Shaker Regional School Board (SRSB)** policy or school rules occurs, the school principal or designee may question potential student victims and witnesses without prior consent of the parent, guardian, or legal custodian. If a school official is investigating a report of child abuse<sup>1</sup> regarding the student and the suspected perpetrator is a member of the student's family, no contact with the student's family will be made.

### Interrogations by School Administrators

In situations where a student is suspected of violating **SRSB** policy or school rules, the principal or designee may interrogate the suspected student if the school official has reasonable grounds to suspect that such a violation has occurred. The nature and extent of the questioning must be reasonably related to the objectives of the questioning. The student will have the opportunity to present his or her side of the story, orally or in writing to the proper school administrator.

### Interviews and Interrogations by Law Enforcement Officers

Law enforcement officers may interview students regarding their knowledge of suspected criminal activity and may interrogate students who are themselves suspected of engaging in criminal activity. Except when law enforcement officers have a warrant or other court order, or when an emergency or other exigent circumstances exist, such interviews and interrogations are discouraged during the students' class time. The principal or principal's designee has the right and the obligation to take reasonable steps to prevent disruption of school operations and the educational process. The principal or designee shall work with law enforcement officers to coordinate efforts and minimize or prevent such disruption in cases of student interviews and interrogations.

Unless required by law, no student shall be interviewed by non-school officials unless accompanied by a member of the staff or administration known to the student. In the event of disagreement, the principal or designee shall immediately contact the Superintendent or Shaker Regional School District legal counsel for assistance.

### Notification of Parent/Guardian

The administration shall notify parents at the earliest opportunity of any formal interviews or interrogation of their child, either by school or non-school officials unless directed not to by the Division of Children, Youth and Families (DCYF) or law enforcement.

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<sup>1</sup> SRSD Policy JLF

**STUDENT DEMONSTRATIONS**

The **Shaker Regional School District (SRSD)** recognizes the rights of students to assemble and advocate peacefully so long as the day-to-day educational environment is not disrupted or hampered.

When student demonstrations include violations of the rights of other students to an education or when such demonstrations involve force, threat of force, or actual violation of the law, those students responsible will be subject to discipline consistent with and in accordance with **Shaker Regional School Board** policy.<sup>1</sup>

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<sup>1</sup> SRSD Policy JIC

## STUDENT CLUBS AND ORGANIZATIONS

The Shaker Regional School District (**SRSD**) permits the formation and operation of certain student organizations in its schools and permits such organizations to meet on school premises during non-instructional time. The purpose of this policy is to establish criteria governing the operation of student organizations.

### School-Sponsored Student Organizations

School-sponsored student organizations serve as an extension of the regular school curriculum. Their function is to enhance the participants' educational experience and supplement the course materials within the educational program of the schools. The activities of these organizations should bear a clear relationship to the regular curriculum. Student organizations meeting these criteria and approved by the principal will be deemed to be officially recognized, school-sponsored student organizations.

### Non School-Sponsored Student Organizations

Subject to the provisions of this policy, secondary school students are permitted to form and conduct meetings of noncurriculum-related and non school-sponsored student organizations. Such organizations must be student initiated and directed, and school personnel, parents and any other persons who are not students enrolled in the **SRSD** are prohibited from directing, controlling, conducting or regularly attending the meetings of such organizations. The fact that such organizations are permitted to conduct meetings under this policy shall not constitute **SRSD** support for the purposes of such organizations or the content of any meetings thereof.

### Application for Authorization of Student Organizations

Each school shall establish procedures for application for authorization of student organizations. These procedures may contain deadlines by which applications must be submitted and a minimum number of members which an organization must have. These procedures shall contain requirements for a charter, proposed name, proposed name of faculty member, if any, to act as supervisor and commitment to compliance with applicable policies and laws.

### Organizational Charter

- Students or school staff seeking authorization to establish a student organization shall prepare a charter setting forth the name and purposes of the organization, meeting schedule, and describing the types of activities in which club members may be engaged.
- The **SRSD** may limit, deny, or revoke a charter to an organization if necessary to:
  - Protect the physical, emotional, psychological, or moral well being of students and faculty
  - Maintain order and discipline on school premises; or
  - Prevent a material and substantial interference with the orderly conduct of a school's educational activities
- Only the school principal may present a student organization to the Shaker Regional School Board (**SRSB**) for recognition. An organization must be recommended by the Superintendent and approved by the **SRSB** before the organization may operate.
- Membership in all student organizations shall be available on a voluntary basis and limited to students enrolled or currently eligible to be enrolled in the authorizing

1 school. Student organizations may establish academic qualifications for membership  
2 where necessarily related to the purposes of the organization. No student shall be  
3 illegally discriminated against on account of his or her race, gender, color, national  
4 origin or religion.

#### 5 6 Organization Supervision

7 School-sponsored student organizations shall be supervised by one or more *district*  
8 *employees*. Selection and nomination of the organization's supervisor shall be the  
9 responsibility of the school principal for approval by SRSB. Supervisor stipends will be  
10 determined in accordance with the Shaker Regional School District Collective  
11 Bargaining Agreement with Shaker Regional Education Association, NEA – New  
12 Hampshire. Supervisors shall participate in the direction of all activities of the  
13 organization. The supervisor or an adult designated by the supervisor shall attend all  
14 meetings. Non school-sponsored student organizations shall not have a faculty  
15 supervisor. However, the meeting(s) shall be monitored by the school staff to the extent  
16 necessary to assure building security. No school employee shall be compelled to  
17 monitor a meeting of any non school-sponsored student organization if the content of  
18 such meeting is contrary to the beliefs of that school employee.

#### 19 20 Meetings of Student Organizations

- 21 - All approved student organizations shall have the right to meet on school premises  
22 during non-instructional time as designated by the school principal. No student  
23 organization shall be denied equal access to school facilities during designated  
24 meeting times on the basis of the religious, political, philosophical or other content of  
25 the speech at the meetings of such organization.
- 26 - The principal of each school shall develop rules and procedures related to meetings  
27 of student organizations and setting the times and facilities which are available for  
28 such meetings. Meeting times shall be limited to non-instructional time before or  
29 after regular classroom hours or during established activities periods. These rules  
30 and procedures shall be made available to all students.
- 31 - Failure to comply with provisions of this policy shall be grounds for revocation of the  
32 right to continue to conduct meetings under this policy.

#### 33 34 Use of Public Funds and Fundraising<sup>1</sup>

- 35 - No public funding or support shall be extended to any non school-sponsored student  
36 organization other than the opportunity to meet on school premises on an equal  
37 basis as other student organizations.
- 38 - Non school-sponsored organizations may not declare any affiliation with or by the  
39 **SRSD**.

#### 40 41 Compliance with Law and Policy

42 Student organizations shall not engage in any activity which is contrary to law, **SRSD**  
43 policy or school rules; which disrupts or clearly threatens to disrupt the orderly operation  
44 of the school; or which would adversely affect the health, safety or welfare of any  
45 students or staff members. Student organizations shall comply with the purchasing  
46 policy of the **SRSD** and may not extend the credit of the **SRSD**.

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<sup>1</sup> Policy JJE

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**2 STUDENT PARTICIPATION FEES**

3

4 The Shaker Regional School Board (SRSB) may impose participation fees in order to  
5 maintain athletic and co-curricular programs. No fees will be imposed for required  
6 academic programs.

7

8 Participation fees, when imposed by the SRSB, will be levied on participants in athletic  
9 and co-curricular activities. No participation fees shall be imposed on students who  
10 participate in the Free and Reduced Meals Program or on students for which specified  
11 co-curricular programs are a component of the Individualized Education Plan (IEP).  
12 Payment of the fee permits participation in the athletic and co-curricular program.  
13 Amounts to be charged shall be established by the SRSB.

14

15 Fees will be paid according to a schedule and a method of payment that provide for  
16 safekeeping of the money collected and accurate record keeping. Fees shall be  
17 deposited in the Shaker Regional School District (SRSD) non-lapsing Athletics/Co-  
18 Curricular Revolving Fund.<sup>1</sup> The SRSD Athletics/Co-Curricular Funds shall be  
19 withdrawn and disbursed monthly as recommended by the SRSB Athletics/Co-Curricular  
20 Revolving Fund Committee and authorized by SRSB.

21

22 The Superintendent is responsible for developing administrative rules and procedures to  
23 implement this policy.

24

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<sup>1</sup> RSA 914:3-c

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2 **FUND-RAISING ACTIVITIES BY STUDENTS**

3 Student initiated fundraising activities must be for the support of the school mission and  
4 associated with a school-sponsored organization. Fundraising will not be school  
5 sponsored unless it is approved by the Superintendent or designee. All fundraising  
6 money must be deposited in the school activity accounts which shall be maintained  
7 according to rules and procedures established by the Superintendent or his/her  
8 designee.<sup>1</sup>

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<sup>1</sup> SRSD Policy JJF

**STUDENT ACTIVITIES FUNDS<sup>1</sup>**

Each school shall have and maintain a student activities account to manage class funds and student organization<sup>2</sup> funds into which students have deposited money in the name of the school. All such accounts shall be approved by the Shaker Regional School Board (SRSB). All monies collected shall be receipted by the principal or designee and deposited on the same day, if possible. All funds shall be deposited within two business days of receipt.

The principal of the school shall be responsible for the proper administration of each organization's funds in accordance with generally accepted accounting practices and procedures. The principal of the school shall designate a school bookkeeper and shall ensure that all sponsors have been informed of all proper administrative procedures.

The accounts for activity funds shall be kept by the school bookkeeper who shall receive training by the Superintendent's office.

Student activity funds shall be included in the annual audit of the SRSD fiscal accounts. Student activity accounts are subject to audit at any time by the Superintendent or his/her designee.

Monies collected by student groups shall be disbursed only for purposes authorized by the organization. The principal or a designee shall approve all disbursements. All funds raised by student organizations must be expended for purposes that directly and/or indirectly benefit the students.

The Superintendent shall publish rules and procedures to implement this policy.

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<sup>1</sup> SRSD Policies DGA, DH, DJC, DM

<sup>2</sup> SRSD Policy JJA



1

**Code JJG**

2 **NON-SCHOOL SPONSORED CONTESTS FOR STUDENTS**

3 Non-school sponsored contests may be permitted when in support of the school's  
4 educational mission and approved by the Superintendent.

**ATHLETICS**

The **Shaker Regional School Board (SRSB)** has authorized the Superintendent to establish an integrated intramural athletic and interscholastic athletic program which is a part of a comprehensive and equitable co-curricular activities program.

Athletic programs shall be provided to maximize opportunities for student participation, promote gender equity and encourage the physical and social development of student-athletes. Participation in athletic programs is a privilege, not a right.

Student participation in elementary and middle school athletics shall be subject to rules and procedures published by the Superintendent.

Student participation in high school interscholastic athletics shall be subject to the rules adopted by the New Hampshire Interscholastic Athletic Association and all Shaker Regional School District policies which may pertain.

The Superintendent shall closely monitor all athletic scheduling to ensure that students and staff are not losing substantial instructional time.<sup>1</sup>

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<sup>1</sup> SRSD Policy IJOA

**ELIGIBILITY FOR HIGH SCHOOL ATHLETICS/EXTRA-CURRICULAR ACTIVITIES<sup>1</sup>**

Belmont High School students will be required to meet eligibility requirements presented by Belmont High School or other state or national recognized extra curricular standards, whichever is more stringent. Eligibility requirements are as follows:

1. Eligibility for each marking period is determined by grades received in the previous grading period. Semester and/or yearly grades have no effect on eligibility.
2. Students must have received passing grades in a minimum of four (4) classes and/or two (2) blocks per grading period.
3. Summer school grades will be considered by the administration in any review of a student's eligibility.
4. Students who lose their academic eligibility while participating in an extra curricular activity in which the season extends beyond the semester will not be allowed to continue participating. Students participating in extra curricular activities who do not meet academic requirements will lose eligibility at the time that the report card is issued.
5. Transfer students' academic eligibility for participation in any extra curricular activities will be determined initially by their incoming latest report card. Transfer students whose incoming report card does not meet the academic requirements will be denied academic eligibility for that marking term in the school district.
6. A special education student who is working toward a special diploma/certificate must make standard progress in those courses taken as determined by the student's Individualized Educational Program (IEP). A special education student who is working toward a standard diploma must meet the same academic standards for participation in athletic activities.
7. Any student with two or more failing grades from the previous marking quarter will not be eligible for that season.
8. Any student with one failing grade from the previous marking quarter will be placed on athletic probation. The student will have the failing grade checked in two weeks from the date report cards were issued. At that point if the student's grade is passing then that student will be deemed eligible. If at any time throughout the remainder of the marking period the grade falls below failing, that student will be ineligible for the remainder of that season.

The Principal and/or athletic director shall monitor the academic performance of student-athletes and extra-curricular participants to evaluate eligibility.

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<sup>1</sup> Eligibility at the elementary and middle levels shall be determined by the school principal.

**GUIDELINES FOR PROPER SPORTSMANSHIP**

School administrators shall insist that good sportsmanship be practiced by all participants and spectators. Participation in athletic programs is a privilege, not a right. To earn that privilege, student-athletes, coaches and spectators must abide by the following rules of good sportsmanship:

**Student-Athletes/Participants**

1. maintain academic eligibility standards as determined by the **Shaker Regional School Board (SRSB)**
2. be respectful and courteous of teammates, opposing teams and officials
3. respect the integrity/judgment of officials and accept their decisions without question
4. be humble in victory and gracious in defeat

Any student-athlete found to have violated this policy may be subject to appropriate discipline<sup>1</sup> to be administered by either the coach or school administrators. Such discipline may range from loss of playing time to temporary or permanent suspension of the student-athlete's participation on the athletic team. Disciplinary measures will be considered on a case-by-case basis.

**Coaches**

1. shall provide a positive example of conduct for student-athletes, spectators, team members and fans
2. shall abide by the rules of the game in letter and in spirit
3. shall respect the integrity and judgment of the officials/referees
4. must demonstrate that s/he values fair play, honest rivalries, courteous relations and graceful acceptance of the results
5. shall take corrective action on any student-athlete who violates the code of conduct found within this policy

Coaches are expected to promote good sportsmanship in the activities in which they participate. Instances of failure to do so will result in disciplinary action, such as oral and written reprimands. Failure to correct negative behavior may result in suspension or dismissal.

**Spectators**

1. shall exhibit good sportsmanship at athletic events
2. shall serve as a model for their own children and for other young people in the community
3. will be expected to demonstrate self-control and dignity while participating in athletic events

Failure to do so is cause for administrators and/or security personnel to suggest that they are not serving as a good role model for young people. If the negative behavior persists or is particularly offensive, they will be asked to leave the contest.

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<sup>1</sup> SRSD Policy JIC

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2 **CORPORAL PUNISHMENT**

3 No teacher, administrator, student, or other person shall subject a student to corporal  
4 punishment or condone the use of corporal punishment by any person under his or her  
5 supervision or control. Permission to administer corporal punishment shall not be  
6 sought or accepted from any parent, guardian, or school official.

7 Physical restraint is authorized when needed to protect the safety of the individual  
8 student and/or other students and employees. Documentation of any incident requiring  
9 such restraint will be given to the Principal.<sup>1</sup>

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<sup>1</sup> NH RSA 627:6 II

## USE OF RESTRAINTS AND SECLUSION <sup>1</sup>

### Definitions:

1. (a) "**Restraint**" means bodily physical restriction, mechanical devices, or any device that immobilizes a person or restricts the freedom of movement of the torso, head, arms, or legs. It includes mechanical restraint, physical restraint, and medication restraint used to control behavior in an emergency or any involuntary medication. It is limited to actions taken by persons who are school or facility staff members, contractors, or otherwise under the control or direction of a school or facility.

(b) "Restraint" shall not include:

(1) Brief touching or holding to calm, comfort, encourage, or guide a child, so long as limitation of freedom of movement of the child does not occur.

(2) The temporary holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a child to stand, if necessary, and then walk to a safe location, so long as the child is in an upright position and moving toward a safe location.

(3) Physical devices, such as orthopedically prescribed appliances, surgical dressings and bandages, and supportive body bands, or other physical holding when necessary for routine physical examinations and tests or for orthopedic, surgical, and other similar medical treatment purposes, or when used to provide support for the achievement of functional body position or proper balance or to protect a person from falling out of bed, or to permit a child to participate in activities without the risk of physical harm.

(4) The use of seat belts, safety belts, or similar passenger restraints during the transportation of a child in a motor vehicle.

(5) The use of force by a person to defend himself or herself or a third person from what the actor reasonably believes to be the imminent use of unlawful force by a child, when the actor uses a degree of such force which he or she reasonably believes to be necessary for such purpose and the actor does not immobilize a child or restrict the freedom of movement of the torso, head, arms, or legs of any child.

2. "**Medication restraint**" occurs when a child is given medication involuntarily for the purpose of immediate control of the child's behavior.

3. "**Mechanical restraint**" occurs when a physical device or devices are used to restrict the movement of a child or the movement or normal function of a portion of his or her body.

4. "**Physical restraint**" occurs when a manual method is used to restrict a child's freedom of movement or normal access to his or her body.

5. "**Seclusion**" means the involuntary placement of a child alone in a place where no other person is present and from which the particular child is unable to exit, either due to physical manipulation by a person, a lock, or other mechanical device or barrier. The

term shall not include the voluntary separation of a child from a stressful environment for the purpose of allowing the child to regain self-control, when such separation is to an area which a child is able to leave. Seclusion does not include circumstances in which there is no physical barrier between the child and any other person or the child is physically able to leave the place. A circumstance may be considered seclusion even if a window or other device for visual observation is present, if the other elements of this definition are satisfied.

#### **Procedures for Managing The Behavior of Students:**

The Superintendent is authorized to establish procedures for managing the behavior. Such procedures shall be consistent with this policy and all applicable laws. The Superintendent is further authorized to establish any other procedures necessary to implement this policy and/or any other legal requirements.

#### **Circumstances in Which Restraint May Be Used:**

Restraint will only be used to ensure the immediate physical safety of any person when there is a substantial and imminent risk of serious bodily harm to the student or others.

Restraint will only be used by trained school staff.

Restraint will not be as punishment for the behavior of a student.

Restraint will not be imposed for longer than is necessary to protect the student or others from the substantial and imminent risk of serious bodily harm.

No period of restraint of a student may exceed 15 minutes without the approval of a supervisory employee designated by the director to provide such approval. No period of restraint of a student may exceed 30 minutes unless an assessment of the mental, emotional, and physical well-being of the student is conducted by a trained and authorized employee.

#### **Circumstances in Which Seclusion May Be Used:**

The **Shaker Regional School Board (SRSB)** recognizes the statutorily imposed conditions of seclusions and hereby adopts those conditions, as defined by RSA 126-U:5-b.

Seclusion may only be used when a student's behavior poses a substantial and imminent risk of physical harm to the student or others.

Seclusion will be used only by trained school staff.

Seclusion will not be used as a form of punishment for the behavior of a student.

#### **Prohibition of Dangerous Restraint Techniques:**

The **SRSB** recognizes and hereby prohibits the use of "dangerous restraint techniques" as defined in RSA 126-U:4.

**Reporting Requirements and Parental Notification:**

In the event restraint or seclusion is used on a student, the building principal will, within 24 hours, verbally notify the student's parents/guardian of the occurrence.

The building principal will, within 5 business days after the occurrence, submit a written notification/report to the Superintendent. The notification shall contain all the requirements and information as mandated by RSA 126-U:7, II. The Superintendent may develop a reporting form or other documents necessary to satisfy these reporting requirements.

Unless prohibited by court order, the Superintendent will, within 2 business days of receipt of the notification required in the above paragraph, send by first class mail to the child's parent or guardian the information contained in the notification/report. Each notification/report prepared under this section shall be retained by the school for review in accordance with state board of education rules and the department of health and human services rules.

If a school employee has intentional physical contact with a student in response to a student's aggressive misconduct or disruptive behavior, the building principal will make reasonable efforts to inform the student's parent or guardian as soon as possible, but no later than the end of the school day. The building principal will also prepare a written report of the incident within five (5) business days of the incident. The report will include information required under RSA 126-U:7, V.

**Transportation: (RSA 126-U:12)**

The **Shaker Regional School District (SRSD)** will not use mechanical restraints during the transportation of children unless case-specific circumstances dictate that such methods are necessary.

Whenever a student is transported to a location outside the school, the Superintendent or designee will ensure that all reasonable and appropriate measures consistent with public safety are made to transport or escort the student in a manner which:

1. Prevents physical and psychological trauma;
2. Respects the privacy of the child; and
3. Represents the least restrictive means necessary for the safety of the child.

Whenever a student is transported using mechanical restraints, the Superintendent or designee will document in writing the reasons for the use of the mechanical restraints.

<sup>1</sup> RSA 126-U, Limiting the Use of Child Restraint Practices



1

2 **STUDENT INSURANCE PROGRAM**

3 The **Shaker Regional School District (SRSD)**, through the Superintendent, shall  
4 identify and make available a student accident insurance policy which may be  
5 purchased by the student through parents or guardians.

6

7 If a student qualifies for the free school lunch program the **SRSD** shall provide payment  
8 for school-time accident coverage, upon request of the parent or guardian.

1

2 **STUDENT HEALTH SERVICES<sup>1</sup>**

3 The Shaker Regional School District (SRSD) shall ensure that qualified personnel<sup>2</sup>  
4 work with the administration and staff to maintain the health and safety of all students.  
5 Such personnel shall carry out health inspections and assessments, the treatment of  
6 minor injuries and illnesses, and the making of referrals to other health agencies.

7 A staff member may give immediate treatment to an injured or ill student or staff  
8 member during school hours, or during school related activities.<sup>3</sup> Emergency medical  
9 care will be provided pursuant to the guidelines of Shaker Regional School Board  
10 (SRSB) Policy EBBC/JLCE.<sup>4</sup> Follow-up medical attention for the student is the  
11 responsibility of the parent/guardian or the person designated by the parent/guardian.

12 The Superintendent shall publish rules and procedures related to this policy.

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<sup>1</sup> NH RSA 200:26-41 and Ed 306.13

<sup>2</sup> ED 306.12

<sup>3</sup> NH RSA 200:40

<sup>4</sup> See SRSD Policy EBBC/JLCE

## PHYSICAL EXAMINATIONS OF STUDENTS

Recognizing that a student's health history can change rapidly, the nurses of the Shaker Regional School District (**SRSD**) encourage annual physical examinations for all students.

### Physical Examinations Upon Entry

Each student shall have a complete physical examination by a licensed physician, physician assistant, or advanced registered nurse practitioner within a one-year period prior to or upon first entry into school.<sup>1,2</sup> If an examination has not been performed within the past year, a child may be conditionally admitted only if the **SRSD** is presented with documentation of an appointment for a physical examination with a licensed physician, advanced registered nurse practitioner or physician's assistant within thirty (30) days of the day of admission.<sup>3</sup> Evidence of the examination shall be maintained as part of the student's permanent health record.

No physical examination shall be required of a child whose parent or guardian objects thereto in writing on the grounds such physical examination is contrary to the child's religious tenets and teachings.<sup>4</sup>

### Physical Examinations for Interscholastic Athletic Participation

#### Middle School:

Students shall be ineligible to participate in interscholastic athletics (practices or games) unless there is on file in the school a medical statement provided by a physician (within the meaning of NH RSA 329) certifying the student athlete has passed a pre-participation physical examination within one year prior to the beginning of the student athlete's middle school career. Physicals shall be updated yearly.<sup>5</sup>

#### High School:

Students shall be ineligible to participate in interscholastic athletics (practices or games) unless there is on file in the school a medical statement provided by a physician (within the meaning of NH RSA 329) certifying the student athlete has passed a pre-participation physical examination within one year prior to the beginning of the student athlete's high school athletic career. Physicals shall be updated yearly.<sup>6</sup>

Any student athlete who has been significantly ill or injured since the last exam shall be re-examined by a physician in order to be eligible to participate in interscholastic athletics. Documentation of the exam, from the physician, must be provided to the school nurse.

### Physical Examinations in Special Cases

In the event that a Nurse, Coach or Administrator feels a student's health or physical condition warrants examination by an appropriate practitioner, such examination may be requested by the **SRSD**.<sup>7</sup> If the parent refuses such a request, the child may, at the

<sup>1</sup> NH RSA 200:32

<sup>2</sup> See SRSD Policy JFA

<sup>3</sup> Ed 311.03 (b)

<sup>4</sup> NH RSA 200:32

<sup>5</sup> NH Interscholastic Athletic Association Handbook, By Law Article II, Section 11

<sup>6</sup> NH Interscholastic Athletic Association Handbook, By Law Article II, Section 11

<sup>7</sup> NH RSA 200:34

- 1 election of the administration, be excluded from school enrollment<sup>8</sup> or sports
- 2 participation. Documentation must be provided to the school nurse.

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<sup>8</sup> NH RSA 200:39

## IMMUNIZATIONS OF STUDENTS

### Immunizations Required

All students shall be immunized prior to school admission, according to the requirements adopted by the Commissioner of the New Hampshire Department of Education.<sup>1,2,3</sup>

Failure to be properly immunized may result in exclusion from school.<sup>4</sup>

Principals will notify parents/guardians of this requirement so that the necessary plans can be made with the student's personal health care provider to ensure that the standard is met.

Evidence of immunization shall be maintained as part of the student's permanent health record.<sup>5</sup>

### Homeless Students and Unaccompanied Youth.

Pursuant to the McKinney-Vento Act and Board Policy JFABD, homeless students and/or unaccompanied youth, may enroll and attend school while the Homeless Liaison works with the family/student to obtain examinations or documentation of the same.

### Exemptions

A licensed physician may exempt a student from this requirement if the immunization(s) will be detrimental to his/her health.<sup>6</sup> An exemption shall apply only to the specific immunization referenced in the physician's written statement, and will continue for one year or the length of time stated in the physician's statement. ***A child will be excused from immunization for religious reasons, upon receipt of a statement, signed by the child's parent/guardian, stating that the child has not been immunized because of religious beliefs***<sup>7</sup>

In the event of an outbreak of a communicable disease, students who have been exempted from immunization requirements will be excluded from school for a period of time. The length of the exclusion will be established after consultation with the NH Department of Health and Human Services, if such students are considered to be at risk.<sup>7</sup>

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<sup>1</sup> NH RSA 141-C:20-a

<sup>2</sup> See SRSD Policy JFAA

<sup>3</sup> NH Department of Education School Health Resource Manual

<sup>4</sup> NH RSA 141-C:20-a II

<sup>5</sup> NH RSA 141-C:20-b II

<sup>6</sup> NH RSA 141-C:20-c I

<sup>7</sup> NH RSA 141-C:20-c II

## COMMUNICABLE DISEASES

The SRSD shall adhere to the following requirements in prevention, control and containment of communicable diseases in schools:

### Universal Precautions

Routine Universal Precautions<sup>1</sup> shall be followed at all times and adequate sanitation in facilities will be available for handling blood or body fluids within the school setting.

### Instruction

Instruction shall be provided to all students on the principal modes by which communicable diseases are spread. The best methods for the prevention and/or limiting the spread of these diseases shall be taught to all students according to grade appropriate curriculum with education provided to all staff members as needed.

### Immunization Compliance

Students shall be in compliance with the immunization requirements of the State of New Hampshire<sup>2</sup> and Shaker Regional School District Policy<sup>3</sup>. Students not meeting the immunization requirements, taking into account exemptions, shall be excluded from school.

### Exclusion from School

In the event anyone within the school is discovered or suspected to have a communicable disease that may result in transmission to other students, faculty, or staff, that person shall be immediately isolated pending further medical examination. The New Hampshire Communicable Disease Control Section of the Department of Health and Human Services shall be notified immediately.

Any student or staff member found to be infected with a communicable disease that bears risk of transmission will be excluded from school until that individual's primary care physician or other medical personnel indicating that the individual does not bear the risk of transmitting the communicable disease provide medical clearance or the condition is no longer considered contagious according to the State of New Hampshire guidelines.<sup>4</sup>

### Emergency Measures

Some infectious diseases, viruses, etc., may be so dangerous and or the risk of casual transmission so great, that effective response will require emergency measures. Based upon specific recommendations of local, state and/or federal health authorities, the Superintendent is authorized to implement such additional, extraordinary emergency measures as may be necessary and appropriate to address the health risk. Examples may include, but are not limited to, school closure, population exclusion (stay-at-home type instructions), mandatory screenings, mandatory use of personal protective equipment (PPE's), social distancing orders, administrative leaves or temporary adjustments in duties. Such measures should be taken with prior notice to the Board, if practicable, or as soon as possible thereafter. The Board Chair may determine that the circumstances, or the measures implemented by the Superintendent, warrant a special or an emergency meeting of the School Board.

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<sup>1</sup>U.S. Department of Labor, Occupational Safety and Health Administration, Regulations (Standards 29-CFR)

<sup>2</sup> NH RSA 141-C:20 – a-e

<sup>3</sup> SRSD Policy JLCB

<sup>4</sup> NH RSA 141-C:20-d

**ADMINISTERING MEDICATION TO STUDENTS<sup>1</sup>**

Any student who is required to take, during the school day, a medication prescribed by a licensed physician shall be supervised in taking medication by a school nurse who shall be responsible for administering the medication. If the nurse is not available, the building principal or designee may assist students in taking required medications by making such medications available to the student as needed and by observing the student as he/she takes or does not take his/her medication.

A student may possess and self-administer a metered dose inhaler or a dry powder inhaler to alleviate or prevent asthmatic symptoms, auto-injectors for severe allergic reactions, and other emergency, injectable medications, if authorized in writing by both the student's physician and parent/legal guardian. In addition to filling out the written authorization form, the parent or guardian must also provide written proof of the diagnosis, and verification that the student has the knowledge and skills to safely possess and use the medication in a school setting.

Prescribed medication shall not be taken during school hours unless specifically required, in writing, by the student's health care provider.

Non-prescription medication shall only be taken by students when supervised by the school nurse or designee, who must have written authorization from the child's parent unless the student has reached the age of 18.

Students shall not share any prescription or over-the-counter medication with another student. Each year, the **Shaker Regional School District (SRSD)** shall notify students in writing of this prohibition and that violations shall result in appropriate disciplinary action, including but not limited to suspension or expulsion.

The Superintendent shall publish rules and procedures to protect and control medications administered in schools.

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<sup>1</sup> Ed 311.02

**EMERGENCY MEDICAL CARE**

In the event of a medical emergency, Emergency Medical Services (EMS) shall be called by school personnel.<sup>1</sup> School staff, to the extent of the staff member's training, shall provide immediate and adequate emergency care for an injured or ill person.

If the incident is one involving the use of the school's automated external defibrillator (AED), the school nurse shall report it to the NH Department of Safety.<sup>2</sup>

Current emergency information cards, which are signed by a parent or guardian and designate persons to act on their behalf when unavailable, will be kept on file with the school office and in the student's permanent health record.

The Superintendent shall publish rules and procedures related to this policy.

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<sup>1</sup> NH RSA 200:40

<sup>2</sup> NH Code of Administrative Rules ED 306.12 B



## Wellness Policy

The Shaker Regional School District (SRSD) shall have a local Wellness Advisory Committee comprised of students, parents, teachers including at least one physical education teacher, food service staff, school administrators, school nurses, and a school board representative. *The purpose of this committee is to assess the nutrition and physical activity environment throughout the district and make recommendations to the Board for a comprehensive wellness program. Each school will include the existence, purpose, and call for volunteers to the committee in their communication with parents/guardians. The Middle School and High School will also provide the information to students who may wish to serve on the committee. The SAU Office will provide information about the committee on the District website.*

*All foods available during the school day will meet or exceed the District's nutrition standards, as required by the Healthy Hunger-Free Kids Act (HHFKA) of 2010. Such offerings will meet or exceed the regulations issued by the US Secretary of Agriculture as applicable to schools. Meals shall be available for purchase during school hours to every student. The SRSD shall ensure that guidelines for reimbursable meals meet those set by the United States Department of Agriculture. Healthy food choices brought from home are encouraged, however such food for individual consumption is excluded from this policy.*

*Nutrition education and promotion can positively influence lifelong eating habits and choices through clear messaging of evidenced-based techniques and by creating food environments that encourage healthy nutrition choices. Nutrition education shall be integrated into the regular course of instruction wherever possible.*

*The District will promote healthy food and beverage choices for all students and will encourage participation in the school lunch programs. Participation in the school lunch program will be accomplished through the on-line and in-school posting and availability of lunch menus. Healthy food and beverage choices will be promoted by ensuring that all foods and beverages meet or exceed the USDA Smart Snacks in School nutrition standards as well as providing colorful signage, posters, and promotional materials displaying health food and beverages.*

*Each school will supply a list of healthy snacks to parents who wish to provide snacks for classroom celebrations, and will encourage parents to choose from the list. Food will not be used as an incentive or reward.*

*The District will provide students and families educational opportunities regarding healthy choices in nutrition. This may be accomplished through a combination of the following:*

- SRSD will offer a Health, Food and Nutrition class each semester in the Middle School and High School.*
- Canterbury Elementary School and Belmont Elementary School students will be offered the opportunity to participate in a garden program, which will include planning, planting, cultivating, harvesting, and utilizing garden produce.*
- Any eligible SRSD elementary school will participate in the Fresh Fruit and Vegetable Program, when approved by the State of NH, Bureau of Nutrition,*

1                   *and will incorporate nutrition education with the Fresh Fruit and Vegetable*  
2                   *Program with classroom staff providing modeling behaviors and nutrition*  
3                   *information.*

- 4                   • *SRSD nursing personnel will provide individual counseling in nutrition to*  
5                   *students upon request or referral by School Counseling Staff or other District*  
6                   *personnel.*

7  
8                   The SRSD recognizes that participation in sixty (60) minutes of daily developmentally  
9                   appropriate, exercise is a reasonable goal for students. The goal may be accomplished  
10                  through a combination of the following:

- 11                  • *SRSD will provide a daily 15-minute recess for all elementary and middle*  
12                  *school students.*
- 13                  • *SRSD will offer a physical education class each semester in the Middle*  
14                  *and High School.*
- 15                  • *SRSD will offer a school-based wellness activity at each school, such as*  
16                  *Field Day or Winter Activities/Sports Day.*
- 17                  • *SRSD will offer co-curricular activities including club sports, intramurals,*  
18                  *and interscholastic athletics for students in Elementary, Middle, and High*  
19                  *School.*

20  
21                  The principal at each school is charged with the operational responsibility for ensuring  
22                  that the school meets the SRSD policy.

23  
24                  The SRSD Wellness Committee will *meet no less than three (3) times per year to*  
25                  *assess the implementation and success of this policy. Minutes of those meetings will be*  
26                  *made available to the public on the District website, by communication through the*  
27                  *schools to parents and by an annual report to the SRSB.*

28  
29                  The Superintendent of Schools shall publish rules and procedures to implement this  
30                  policy, based on the recommendations of the Wellness Advisory Committee and in  
31                  compliance with national and state nutritional guidelines for healthy living.

## CONCUSSION AND HEAD INJURY

Although the majority of concussions may occur in “contact” or “collision” sports, to ensure the safety of all District students, this policy will apply to any student who sustains a head injury regardless of cause and has been diagnosed with a concussion by a physician or other licensed medical professional. SRSD also understands the importance of educating students, parents, and school staff about the risks of concussions and the need for careful management of the post-injury healing process.

### Academic Issues in Concussed Students

When a student experiences a concussion, regardless of whether the injury was a result of a school related or non-school related activity, the school district staff shall be mindful that the concussion may affect the student’s ability to learn and function as they typically would. A graduated stepwise return to learn protocol will be followed to ensure the student is able to maintain his/her academic responsibilities while recovering from the concussion. Development of a Section 504 Accommodations plan may be considered for concussions with symptoms lasting longer than five academic days; when the student has been diagnosed with post concussive syndrome; or by recommendation of the diagnosing healthcare provider.

### Student-Athletes with Suspected Concussions

Coaches are required to be alert to situations where a student-athlete may have experienced a concussion. However, there may be situations where a coach may not have observed an incident, which could result in a concussion or other brain injury. A student-athlete and his or her parent/guardian are required to report to the coach any incident that may result in a concussion or head injury and any possible symptoms.

Any student-athlete who is suspected of experiencing a head injury in practice or in a game shall be immediately removed from play. The student-athlete shall not be allowed to return to play or participate in either the current or future practices or games until he or she is evaluated and cleared by a licensed health care provider and receives written medical authorization to return to play. The student-athlete’s parent/guardian must also complete and sign the SRSD Parental Permission to return to play form. The SRSD may limit a student-athlete’s participation to “graduated return to play” plan, as determined by the student’s treating health care provider. Return to play includes but is not limited to physical education classes and recess.

Please see Rules and Procedures for more information.

### Athletic Director or Administrator in Charge of Athletic Duties

Each spring, the athletic director or designee shall review any changes that have been made in procedures required for concussion and head injury management or other serious injury by consulting with the New Hampshire Interscholastic Athletic Association (NHIAA). If there are any updated procedures, they will be added and used for the upcoming school year.

1    Coaching Staff

2  
3    The Shaker Regional School Board (SRSB) requires all coaches and encourages all  
4    volunteer coaches to complete training as required by NHIAA, New Hampshire  
5    Department of Education and /or other pertinent organizations.  
6

7    Concussion Information to Parents and Student-Athletes

8  
9    The Athletic Director will distribute this policy and a concussion information sheet to all  
10   student athletes at sign-ups or try-outs for each sport or at the orientation program for  
11   each sport. A parent/legal guardian and the student-athlete must submit a signed  
12   acknowledgment indicating that they have reviewed and understand the information  
13   provided before being permitted to participate in practice and games.  
14

15   The Superintendent shall publish Rules and Procedures for this policy.  
16

17   Legal References

18       *RSA 200:49, Head Injury Policies for Student Sports*  
19       *RSA 200:50, Removal of Student-Athlete*  
20       *RSA 205:51, School Districts; Limitation of Liability*  
21       *RSA 200:52, Definitions*

1

2 **SPECIAL PHYSICAL HEALTH NEEDS OF STUDENTS<sup>1</sup>**

3 The Shaker Regional School District will meet the special physical needs of all students,  
4 consistent with state and federal law.  
5

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<sup>1</sup> *NH Department of Education Administrative Rules, Ed 306.04 (a)(20)*

**SCHOOL GUIDANCE AND COUNSELING PROGRAM**

The Shaker Regional School District (SRSD) shall provide a school guidance program that is comprehensive, developmentally appropriate, and fosters academic achievement and personal growth for all its students.

The program will include the following<sup>1</sup>:

- ◆ Promotion of personal, interpersonal, health, academic, and career development for all students through classroom programs and other services.
- ◆ Prevention, intervention, and crisis response services.
- ◆ Distribution of information and support to students and families about academic programming, community supports, and other relevant information.
- ◆ Conformance with national standards, including “The ASCA National Model: A Foundation for School Counseling Program,” published by the American School Counselor Association (“ASCA”) in 2012.
- ◆ A summary report of student performance in achievement, attendance, and behavior shall be provided to the Shaker Regional School Board (SRSB) at least once a year, addressing the effectiveness of the school counseling program.
- ◆ All provisions of NH Administrative Rules, Section Ed 306, Minimum Standards for Public School Approval.

The Superintendent shall develop and have on file a comprehensive K-12 School counseling program implementation plan consistent with this policy and kept current biennially.

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<sup>1</sup> NH Code of Administrative Rules Ed 306.39

**BEHAVIOR MANAGEMENT AND INTERVENTION**

The Superintendent shall set forth procedures for behavior management<sup>1</sup> and interventions that are designed to maintain a positive environment conducive to learning.<sup>2</sup>

The Superintendent and his/her designees shall maintain an adequate system of recordkeeping regarding disciplinary infractions and interventions.

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<sup>1</sup> SRSD Policy JIC

<sup>2</sup> NH Code of Administrative Rules, Section Ed. 306.04(16)

**SUICIDE PREVENTION AND RESPONSE**

The School Board is committed to protecting the health, safety and welfare of its students and school community. This policy supports federal, state and local efforts to provide education on youth suicide awareness and prevention; to establish methods of prevention, intervention, and response to suicide or suicide attempt ("postvention"); and to promote access to suicide awareness, prevention and postvention resources.

A. District Suicide Prevention Plan and Biennial Review. The Superintendent shall develop and provide to the Board for approval, a coordinated written District Suicide Prevention Plan (the "Plan") to include guidelines, protocols and procedures with the objectives of prevention, risk assessment, intervention and response to youth suicides and suicide attempts.

1. Specific Requirements for Plan Terms: The District Suicide Prevention Plan shall include terms relating to:

- a) Suicide prevention (risk factors, warning signs, protective factors, referrals);
- b) Response to in-or-out-of-school student suicides or suicide attempts (postvention, suicide contagion);
- c) Student education regarding safe and healthy choices, coping strategies, recognition of risk factors and warning signs of mental disorders and suicide; and help seeking strategies;
- d) Training of staff, designated volunteers, and contracted personnel on the issues of youth suicide risk factors, warning signs, protective factors, response procedures, referrals, post-intervention and resources available within the school and community;
- e) Confidentiality considerations;
- f) Designation of any personnel, in addition to the Director of Student Services, School Psychologist and Social Worker, District Suicide Prevention Coordinator and Building Suicide Prevention Liaisons, to act as points of contact when students are believed to be at an elevated risk of suicide;
- g) Information regarding state and community resources for referral,



1 crisis intervention, and other related information;

- 2
- 3 h) Dissemination of the Plan or information about the Plan to
- 4 students, parents, faculty, staff, and school volunteers;
- 5
- 6 i) Promotion of cooperative efforts between the District and its
- 7 schools and community suicide prevention program personnel;
- 8
- 9 j) Other provisions deemed appropriate to meet the objectives of
- 10 this Policy (e.g., student handbook language, reporting
- 11 processes, "postvention" strategies, memorial parameters, etc.).
- 12

13 2. Biennial Review: No less than once every two years, the

14 Superintendent, in consultation with the Director of Student

15 Services, School Psychologist or Social Worker with input and

16 evidence from community health or suicide prevention

17 organizations, and District health and guidance personnel, shall

18 update the District Suicide Prevention Plan, and present the

19 same to the Board for review. Such Plan updates shall be

20 submitted to the Board in time for appropriate budget

21 consideration.

22

23 B. Suicide Prevention Coordinator and Liaisons.

24

25 1. District Suicide Prevention Coordinator The Director of Student

26 Services shall act as the District Suicide Prevention Coordinator,

27 who, under the direction of the Superintendent shall be responsible

28 for:

29

- 30 a) developing and maintaining cooperative relationships with and
- 31 coordination efforts between the District and community
- 32 suicide prevention programs and personnel;
- 33
- 34 b) annual updating of (i) State and community crisis or intervention
- 35 referral intervention information, and (ii) names and contact
- 36 information of Building Suicide Prevention Liaisons, for inclusion
- 37 in student handbooks and on the District's website;
- 38
- 39 c) developing - or assisting individual teachers with the
- 40 development - of age appropriate student educational
- 41 programing , such that all students receive information in the
- 42 importance of safe and healthy choices and coping strategies,
- 43 recognizing risk factors and warning signs of mental disorders
- 44 and suicide in oneself and others, and providing help-seeking
- 45 strategies for oneself or others, including how to engage school
- 46 resources and refer friends for help;

d) developing or assisting in the development of the annual staff training required under section C of this policy;

e) Such other duties as referenced in this Policy or as assigned by the Superintendent.

2. Building Suicide Prevention Liaison. The Director of Student Services, School Psychologist, Social Worker or School Counselor, or in his/her absence, the building principal, shall be designated as the Building Suicide Prevention Liaison, and shall serve as the in building point-of-contact person when a student is believed to be at an elevated risk for suicide. Employees who have reason to believe a student is at risk of suicide, or is exhibiting risk factors for suicide, shall report that information to the Building Liaison, who shall, immediately or as soon as possible, establish and implement a response plan with the District Suicide Prevention Coordinator.

C. Annual Staff Training. The Superintendent shall assure that beginning with the 2020-21 school year, all school building faculty and staff, designated volunteers, and any other personnel who have regular contact with students, including contracted personnel or third-party employees, receive at least two hours of training in suicide awareness and prevention. Such training may include such matters as youth suicide risk factors, warning signs, protective factors, intervention, response procedures, referrals, and postvention and local resources.

D. Dissemination. Student handbooks and the District's website will be updated each year with the contact information for the Building Suicide Prevention Liaison(s), State and community crisis or intervention referral intervention resources. The District Suicide Prevention Plan will be made available on the District's, and each school's respective websites.

### **Legal References:**

*RSA 193-J: Suicide Prevention Education*

### **Other Resources:**

- *The New Hampshire Department of Education's Bureau of Student Wellness, Office of Social and Emotional Wellness (OSEW), provides resources and technical assistance to school districts to work collaboratively with their community to respond to the needs of students through a multi-tiered system of support for behavioral health and wellness. For further information see: [www.nhstudentwellness.org](http://www.nhstudentwellness.org)*
- *American Foundation for Suicide Prevention (AFSP) - <https://www.afsp.org>*
- *Suicide Prevention Resource Center - <http://www.sprc.org>*
- *The National Suicide Prevention Lifeline - <https://www.suicidepreventionlifeline.org>*
- *The Trevor Project - <https://www.thetrevorproject.org>*

1

2 **CHILD ABUSE REPORTING**

3 Any Shaker Regional School District (SRSD) employee or contracted personnel who, in  
4 the course of his/her duties, has reason to suspect that a child is being abused or  
5 neglected<sup>1</sup> shall make a report immediately to the Division of Children and Youth  
6 Services and notify the school principal that a report has been made.<sup>2</sup>

7

8 The Principal or Administrator of each school shall post a sign in a public area within the  
9 school that is readily accessible to students, in the form provided by the New Hampshire  
10 Department of Health and Human Services, Division for Children, Youth, and Families,  
11 that contains instructions on how to report child abuse or neglect, including the phone  
12 number for filing reports and information on accessing the Division's website.

---

<sup>1</sup> NH RSA 169-C:29

<sup>2</sup> NH RSA 169-C:34, III

NH RSA 169-C :30, Nature and Content of Report

NH RSA 189 :72m Child Abuse or Neglect Information

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**SUPERVISION OF STUDENTS**

Students should be under the supervision of a member of the school staff, or principal's designee, while they are in school, participating in or attending school functions. All school staff shall ensure the safety of students even when they are not specifically scheduled for supervisory duty.

All dangerous conditions in the school should be reported at once to the building principal.

The supervisory duties shall include boarding and disembarking from District provided transportation on school grounds.

The Superintendent will publish rules and procedures to implement this policy.

**STUDENT DISMISSAL PRECAUTIONS**

Once a student has entered onto school grounds during the academic day, the student shall not leave the school grounds until the regularly scheduled time of departure, except as allowed by the Superintendent or his/her designee.

School officials will presume that each parent has equal authority to exercise rights of visitation, removal of the student from school, the right to inspect and review educational records, and all other rights and privileges extended to parents. Requests from parents asking the school to restrict the release of a student to the other parent will not be honored unless accompanied by a court order or other legally binding document which corroborates the request.

The Superintendent shall publish rules and procedures related to this policy.

1

2 **AUTOMOBILE USE BY STUDENTS**

3 Secondary school students may park their vehicles on school property under the  
4 following conditions<sup>1</sup>:

- 5 - They hold a valid driver's license
- 6 - They register with the school office and receive a parking permit
- 7 - They display a parking permit issued through the office of the principal

8 Parking at the school is a privilege granted by the school and may be withdrawn if it is  
9 abused.

10 The Superintendent shall publish rules and procedures related to this policy.

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<sup>1</sup> SRSD Policy JIH

1

**Code JM**

2 **AWARDS AND SCHOLARSHIPS**

3 The Shaker Regional School District shall allow awards and scholarships to recognize  
4 individual student achievement. Any person or organization that proposes to sponsor  
5 such an award/scholarship must obtain the approval of the Superintendent.

## STUDENT RECORDS AND ACCESS

The Shaker Regional School District (SRSD) shall develop and maintain a comprehensive system of student records and reports dealing with all facets of the school program operation and which shall comply with the federal "Family Educational and Privacy Act of 1974" (FERPA)<sup>1</sup>, Every Student Succeeds Act (ESSA), Health Insurance Portability and Accountability Act (HIPAA)<sup>2</sup> and other applicable statutes governing student records.

These records shall be stored in a safe and secure manner. They are private records to be used only by the professional staff immediately concerned with the student's welfare. They shall also be made available to the parents or legal guardians of a minor student or a student of legal age (18 or older).

### Protected Health Information

The SRSD recognizes an individual's right of privacy with regards to Protected Health Information (PHI). Except as otherwise permitted or required by law or this policy, individual health and medication information received by SRSD in the performance of its duties is deemed to be strictly confidential. Disclosure to anyone is prohibited unless that disclosure conforms to legal or operational requirements, or is specifically authorized, in writing, by the subject. Any disclosure, when permitted or required, shall be only the amount necessary and appropriate to the circumstances; will be made only to person(s) authorized to receive the information; and will be in accordance with the published rules and regulations related to this policy.

### Directory Information

"Directory information" may be publicly released without permission of the parents. The SRSD designates the following items as directory information:

- ◆ Student's name
- ◆ Address
- ◆ Participation in activities and sports
- ◆ Photograph
- ◆ Diplomas, honors and awards received
- ◆ Most recent previous educational institution attended

Parents and eligible students will be notified of their rights under the Family Educational Rights and Privacy Act annually by publication in the student handbooks of each of the Shaker Regional Schools. Parents or legal guardians of a minor student or a student of legal age who do not want this information released must notify the school system in writing, each year, if any of the designated directory information is to be withheld.

### Military Recruiters

Military recruiters or institutions of higher learning shall have access to secondary school students' names, addresses, and telephone listings unless the student or parent/guardian requests that such information not be released without prior written consent. The SRSD shall notify parents/guardians of the option to make such a request and shall comply with any requests received.<sup>3</sup>

<sup>1</sup> United States Code, Title 20, Chapter 31, Sec. 1232 g.

<sup>2</sup> Health Insurance Portability and Accountability Act of 1996, Public Law 104-91

<sup>3</sup> PL 107-110, *The No Child Left Behind Act of 2001*



1    Access by Others

2    The SRSD will require a written consent before information, other than directory  
3    information, may be divulged to third parties.

4    The SRSD may disclose, without the consent or knowledge of the eligible student or  
5    parent/guardian, personally identifiable information in the educational records of a  
6    student to the Attorney General of the United States or his/her designee in response to  
7    an ex parte order in the connection with the investigation or prosecution of terrorism  
8    crimes. The SRSD is not required to record such disclosure of information and is  
9    protected from liability for disclosing such information in good faith.

10   The Superintendent shall publish rules and procedures to implement this policy.

## **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1323g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive Funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Parents or eligible students have the right to inspect and review the student's education records maintained by the school in accordance with SRSD Policy JRA. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parents or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31)

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information in accordance with Policy JRA.

For additional information or technical assistance you may call (202) 260-3887 (voice). Individuals who use TDD may call the Federal Information Relay Service at 1-800-877-8339. Families may also contact Family Policy Compliance Office; US Department of Education; 400 Maryland Avenue, SW; Washington, DC 20202-5920.

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**TABLE OF CONTENTS**

**SECTION K: SCHOOL - COMMUNITY - HOME RELATIONS**

Section K contains policies, regulations, and exhibits on parent and community involvement in schools. Except for policies concerning education agencies, statements on public sector relations with the school district are located in this section, too.

<b><u>Code</u></b>	<b><u>Title/Content</u></b>
KA	Parent and Community Involvement
KB *	Title 1 Parent Involvement
KBE	Parent Organizations
KCBB	Surveys and Polling
KCD	Public Gifts/Donations
KDC *	Website Publishing
KE	Public Concerns
KEC *	Reconsideration of Instructional Materials
KED	Facilities or Services – Grievance Procedure (Section 504)
KF *	Community Use of School Buildings and Grounds
KFA	Public Conduct on School Property
KH *	Solicitations in the Schools by the Public
KI *	Visitors to the Schools

**\* The Superintendent of Schools has published Rules and Procedures related to this policy.**

## PARENT AND COMMUNITY INVOLVEMENT

The Superintendent is assigned responsibility for encouraging the use of all appropriate means of keeping the community accurately informed about its schools and for understanding the community attitudes and ambitions for its schools. To this end, free and open exchange of views is desirable, proper and necessary.

In order to achieve this goal, and to evaluate progress toward it, the Shaker Regional School Board (SRSB) sets the following objectives for our schools<sup>1</sup>:

1. Develop public understanding of all aspects of school operation, to discover public attitudes toward issues in education, and to investigate the public's aspirations for the education of their children;
2. Strive to involve parents and family members of all ages and grade levels;
3. Provide parent educational activities throughout the school year to help parents support their children's learning;
4. Faculty shall provide opportunities to guide parents on ways to assist with homework, give feedback to teachers, and how parents can help their children improve skills and perform well on assessments.
5. Frequently communicate school performance, student progress, personalized learning strategies as adopted by the school district, and academic opportunities, using both print and online formats;
6. Work with agencies and businesses to support community-based activities that prepare children for school and promote ongoing achievement;
7. Promote collaboration among parents, schools and community on school improvement and student achievement projects;
8. Strive to harness all available community resources to engage each student in achieving the necessary skills and knowledge;
9. Encourage business partnerships to assist students in the successful transition to employment or further education; and
10. Secure adequate financial support for a sound educational program.

The SRSB recognizes the parent-teacher organizations as media through which District personnel, parents and other citizens may discuss educational concerns and problems and work together toward solutions.

The SRSD Strategic Plan is an initiative designed to involve parents, faculty and administration in the identification and development of Action Plans to achieve the mission and objectives of the SRSD. It is a process that seeks and interprets public attitudes, identifies the procedures of the school system, and executes a program of action to encourage public involvement and to earn public understanding and acceptance.

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<sup>1</sup> NH Code of Administrative Rules Ed 306.04(a) (11) and (k)

## 2 TITLE ONE PARENT INVOLEMENT IN EDUCATION

3

4 This policy is required only for districts receiving Title I funds. The **Shaker Regional School**  
5 **Board (SRSB)** endorses the parent involvement goals of Title I and encourages the regular  
6 participation by parents of Title I eligible children in all aspects of the program. The education  
7 of children is viewed as a cooperative effort among the parents, school and community. In this  
8 policy, the word "parent" also includes guardians and other family members involved in  
9 supervising the child's schools.

10

11 Pursuant to federal law, the **Shaker Regional School District (SRSD)** will develop jointly with,  
12 agree on with, and distribute to parents of children participating in the Title I program a written  
13 parent involvement policy. At the required annual meeting of Title I parents, parents will have  
14 opportunities to participate in the design, development, operation and evaluation of the  
15 program for the next school year. Proposed activities shall be presented to fulfill the  
16 requirements necessary to address the requirements of parental involvement goals. In  
17 addition to the required annual meeting, at least three additional annual meetings shall be held  
18 for parents of children participating in the Title I program. These meetings shall be used to:

19

- 20 1. Involve parents in the joint development of the Title I program plan and in the process of  
21 reviewing the implementation of the plan and suggesting improvements.
- 22
- 23 2. Provide the coordination, technical assistance and other support necessary to assist  
24 participating schools in planning and implementing effective parental involvement activities  
25 to improve student academic achievement and school performance.
- 26
- 27 3. Build the schools' and parents' capacity for strong parental involvement.
- 28
- 29 4. Coordinate and integrate Title I parental involvement strategies with those of other  
30 educational programs.
- 31
- 32 5. Conduct, with the involvement of parents, an annual evaluation of the content of the  
33 parental involvement policy and its effectiveness in improving the academic quality of the  
34 schools served. This will include identifying barriers to greater participation by parents in  
35 activities authorized by law, particularly by parents who are economically disadvantaged,  
36 have disabilities, have limited English proficiency, have limited literacy, or are of any racial  
37 or ethnic minority background. The district will use the findings of such evaluation to design  
38 strategies for more effective parental involvement and to revise, if necessary, the parental  
39 involvement policies.
- 40
- 41 6. Involve parents in the activities of the schools served. Title I funding, if sufficient, may be  
42 used to facilitate parent attendance at meetings through payment of transportation and  
43 childcare costs. The parents of children identified to participate in Title I programs shall  
44 receive from the school Principal and Title I staff an explanation of the reasons supporting  
45 each child's selection for the program, a set of objectives to be addressed, and a description of  
46 the services to be provided. Opportunities will be provided for the parents to meet with the  
47 classroom and Title I teachers to discuss their child's progress. Parents will also receive  
48 guidance as to how they can assist in the education of their children at home.

49

50 Legal References:

51

20 U.S.C. §6318, Title I - Parental Involvement

**PARENT ORGANIZATIONS**

The **Shaker Regional School District (SRSD)** recognizes that the education of children is a cooperative effort among the parents, school and community. With this philosophy in mind, the **SRSD** shall cooperate in the establishment and ongoing operation of parent-teacher organizations at each school in the **SRSD** to promote parental involvement in school activities.

Parent-teacher organizations shall be afforded the benefits as allowed to school-sponsored student organizations.

- Any group seeking authorization to establish a parent-teacher organization shall prepare a charter setting forth the name and purposes of the organization, meeting schedule, and describing the types of activities in which club members may be engaged. The proposed charter shall be presented to the school principal for his/her review.
- Only the school principal may present a parent-teacher organization to the Shaker Regional School Board (**SRSB**) for recognition. An organization must be approved by the **SRSB** before the organization may operate.
- The **SRSD** may limit, deny, or revoke a charter to an organization if necessary to:
  - Protect the physical, emotional, psychological, or moral well being of students and faculty
  - Maintain order and discipline on school premises; or
  - Prevent a material or substantial interference with the orderly conduct of a school's educational activities

As parent organizations are independent organizations not under the direct supervision of the **SRSD**, they fall outside the liability coverage of the **SRSD**.

1

**Code KCBB**

2 **SURVEYS AND POLLING**

3 On occasion schools may issue surveys asking for information about and/or the views of  
4 students on selected topics of interest to national, state and local organizations.

5 Students and parents shall be notified of such studies and the purpose for which the  
6 information gathered shall be employed. Students, and parents on behalf of their child,  
7 may decline to participate.

## PUBLIC GIFTS/DONATIONS

Gifts from organizations, community groups and/or individuals, which will benefit the Shaker Regional School District (SRSD), shall be encouraged. A gift shall be defined as money, real or personal property and personal services provided without consideration.

### 1.1 Acceptance of Gifts/Donations

Any gift presented to the SRSD must be accompanied by a letter to the Superintendent from the donor identifying the subject and purpose of the gift and any restriction that may apply for official action or recognition of the Shaker Regional School Board (SRSB).

Gifts with a value of \$500 or less may be accepted by the Superintendent subject to the criteria listed below and a written report shall be provided to the SRSB. Proposed gifts with a value of \$500.01 or more shall be acted upon in public session by the SRSB. Proposed gifts with a value of \$5000 or more shall require the SRSB to hold a public hearing regarding any action to be taken with the gift.<sup>1</sup>

When considering acceptance, SRSB shall use at least the following criteria:

- a. Is the purpose consistent with the mission and goals of SRSD.
- b. Will it involve significant costs for installation or maintenance, or initial and continuing financial commitments from school funds.
- c. Will it place restrictions on the school program.
- d. Will it be inappropriate or harmful to students.
- e. Will it imply endorsement of any business or product.<sup>2</sup>
- f. Will it be in conflict with any provision of SRSB policy or applicable state and federal law.

Individuals, groups, or businesses contemplating a gift to a school or the district shall be encouraged to discuss in advance with the Superintendent and/or Principal what gifts are appropriate and needed.

Any gift accepted shall become the property of the SRSD and are subject to the same controls and regulations that govern the use of all district-owned property. SRSB shall be responsible for the maintenance of any gift it accepts.

At the time of acceptance of the gift, there will be a definite understanding with regard to the use of the gift including whether it is intended for the use at one particular school or all schools in the district. SRSB will make every effort to honor the intent of the donor in its use of the gift.

The SRSD shall acknowledge the gift/donation in a format accepted by the Internal Revenue Service.

### 1.2 Right of Refusal

SRSD reserves the right to refuse any gift.

### 1.3 Athletic/Co-Curricular Gifts/Donations

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<sup>1</sup> RSA 198:200-b

<sup>2</sup> SRSD Policy KH



1 Monetary gifts specified for athletic/co-curricular programs shall be deposited in the  
2 SRSD non-lapsing Athletics/Co-Curricular Revolving Fund. SRSD Athletics/Co-  
3 Curricular Funds shall be withdrawn and disbursed monthly as recommended by the  
4 SRSB Athletics/Co-Curricular Revolving Fund Committee and authorized by SRSB.

5  
6 1.4 Athletic/Co-Curricular Fund

7 The SRSB shall establish, nominate, and appoint members to the SRSD Athletics/Co-  
8 Curricular Revolving Fund Committee.<sup>3</sup> Members shall include two (2) members of the  
9 SRSB, the Superintendent or designee, and four (4) principals or his/her assistant  
10 principal. The committee shall be charged to make recommendations to the SRSB to  
11 distribute both the principal and the income derived from the investment of fund principal  
12 for the purpose of supporting athletic/co-curricular programs. Recommendations may  
13 include, but are not limited to funding athletic/co-curricular stipends in accordance to  
14 Appendix B, transportation, dues & fees, game officials, uniform replacement, and new  
15 or replacement equipment.

16  
17 SRSD shall comply with all state and federal auditing requirements. The SRSD  
18 Athletics/Co-Curricular Revolving Fund's financial records and funding activity shall be  
19 reported monthly to the SRSB.

20  
21 The Superintendent is responsible for developing administrative rules and procedures to  
22 implement this policy.

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<sup>3</sup> SRSD Policy BDE

## WEBSITE PUBLISHING

Official **Shaker Regional School District (SRSD)** websites will be hosted and maintained on **SRSD** computer networks. Websites that are hosted outside of the **SRSD** that contain references to any students, staff or facilities of the **SRSD** are not considered official websites, and the **SRSD** will not be responsible for their content.

The **SRSD** website is intended to provide a means of sharing information about school curriculum and instruction, school-authorized activities and other information relating to **SRSD** schools and mission. Instructional resources for staff and students may also be provided.

The Superintendent is responsible for the content of the district website. **SRSD** websites are official publications and must follow similar guidelines as other district publications<sup>1</sup>. For individual school websites, the principal has primary responsibility for the website and its content. For individual teacher websites, the teacher has primary responsibility for the website and its content. All information published on **SRSD** websites must be approved by the principal or his/her designee. The Superintendent will act as the final authority when issues arise concerning potentially sensitive content.

All postings to the school or district websites will be performed by authorized individuals only. These individuals must have been provided with secure access by the Information Technology (IT) staff and have been given approval by the **Shaker Regional School Board (SRSB)**, school principal and/or the Superintendent of Schools. The administration may remove any publication that adversely affects the operation of the school computer networks.

The Superintendent shall publish rules and procedures necessary to implement this policy.

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<sup>1</sup> See SRSD Policy JICE

**PUBLIC CONCERNS/COMPLAINTS**

A concern/complaint by a member of the public regarding **Shaker Regional School District (SRSD)** activities, facilities, and personnel, in order to be addressed, shall be referred through the proper administrative channels before consideration or action by the Shaker **Regional School Board (SRSB)**.<sup>1</sup>

The proper channel for public concerns/complaints involving instruction, discipline, learning materials or facilities will be as follows:

1. Teacher or staff member involved
2. Building Principal
3. Superintendent of Schools
4. Shaker Regional School Board

In the event a concern/complaint is made directly to an individual **SRSB** member, the **SRSB** member shall refer the person making the complaint to the Superintendent for investigation. The Superintendent may delegate the investigation to an appropriate party.

If the member of the public will not personally present the complaint to the Superintendent or Principal, the **SRSB** member shall then ask that the complaint be written and signed. The **SRSB** member will then refer the complaint to the Superintendent for investigation.

The **SRSB** may decline to hear any complaint which will interfere with its ability to serve as an impartial trier of fact in any related student or personnel matter. This complaint procedure shall not supersede or modify any right held by employees of the **SRSD** under federal law, state law, contract or collective bargaining agreement.

A concern by a member of the public regarding school district activities, facilities, and personnel, in order to be addressed, shall be referred through the proper administrative channels before consideration or action by the **SRSB**.

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<sup>1</sup> See also SRSD Policy BEDH

**RECONSIDERATION OF INSTRUCTIONAL MATERIALS**

Reconsideration of instructional materials will be by means of a written request for reconsideration<sup>1</sup> provided to the principal of the school. This request may be completed by the person asking for the review or by any staff member in consultation with the person asking for the review. Any such request will be reviewed, according to the criteria in Policies IJ or IJL, by the principal. Such review shall be completed within seven (7) days of receipt of the request, and a report of the principal's findings will be provided to the Superintendent.

Cases that are unresolved at the principal's level shall be referred to the Superintendent for a review and recommendations by an adhoc review panel composed of at least five members which may include one or more of the following: a teacher, an administrator, a member of the clergy, a member of the public, and a student. Such review shall be completed within twenty-one (21) days of receipt of the principal's report.

If the Superintendent or the person requesting the review objects to the conclusion and recommendations reached by the Review Panel, such matter may be brought to the **Shaker Regional School Board (SRSB)**, upon written petition.

The Superintendent shall publish rules and procedures related to the implementation of this policy.

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<sup>1</sup> See KEC - R

**FACILITIES OR SERVICES – GRIEVANCE PROCEDURE<sup>1</sup> (SECTION 504)**

No otherwise qualified individual with a disability in the United States<sup>2</sup> shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.<sup>3</sup> Any qualified handicapped person, or persons, who feels subject to discrimination with respect to Section 504 of the Rehabilitation Act has the right to file a formal grievance.

Any qualified handicapped person, or persons, who has a grievance shall discuss it first with the appropriate building Principal in an attempt to resolve the matter informally at that level.

If, as a result of the discussion, the matter is not resolved to the satisfaction of the aggrieved party within five (5) school days, the aggrieved party shall set forth the grievance in writing to the Principal. The Principal shall communicate his/her decision to the aggrieved party in writing within five (5) school days of receipt of the written grievance.

The aggrieved party, no later than five (5) school days after receipt of the Principal's decision, may appeal the Principal's decision to the Section 504 Coordinator. The appeal to the Coordinator must be made in writing reciting the matter submitted to the Principal and the aggrieved party's dissatisfaction with decisions previously rendered. The Coordinator shall meet with the aggrieved party to attempt to resolve the matter as quickly as possible, but within a period not to exceed five (5) school days. The Coordinator shall communicate his/her decision in writing to the aggrieved party and the Principal not later than five (5) school days after the meeting.

If the grievance is not resolved to the aggrieved party's satisfaction, the aggrieved party, no later than five (5) school days after receipt of the Coordinator's decision, may submit a written request for a hearing with the Shaker Regional School Board (**SRSB**) regarding the alleged discrimination through the Superintendent of Schools. The hearing will be held within thirty (30) calendar days of the written request. **SRSB** must provide the aggrieved party with a written decision on the appeal within ten (10) calendar days after the hearing.

Between the date the aggrieved party requests the hearing and the date the hearing is held, the aggrieved party and **SRSD** may continue to negotiate. If **SRSD** and aggrieved party agree on a mutual solution to the alleged discrimination, the hearing would be canceled

The decision of **SRSB** is final pending any further legal recourse as may be described in current local district, state or federal statutes pertaining to Section 504 of the Rehabilitation Act of 1973.

<sup>1</sup> Title 34 C.F.R. Subtitle B, Chapter 1, Part 104, Subpart A, Section 104.7(b)

<sup>2</sup> Section 504 of the Rehabilitation Act of 1973, Section 7(20)

<sup>3</sup> Title 34 C.F.R. Subtitle B, Chapter 1, Part 104, Subpart A, Section 104.4

**COMMUNITY USE OF SCHOOL BUILDINGS AND GROUNDS**

School buildings and grounds may be used by responsible individuals and groups as long as it does not interfere with the school's mission and is in conjunction with published rules and procedures. Approval shall be granted by the Superintendent.

Approval may be denied due to lack of appropriate space or if a previous activity by the applicant resulted in a violation of any aspect of any Shaker Regional School Board (SRSB) policy or guidelines.

When schools have been closed because of inclement weather, the buildings and grounds will be closed for all use. The schools do not assume the responsibility of contacting groups when such closures occur.

No school buildings or grounds shall be used for any purpose which could result in picketing, rioting, disturbing the peace or damage to property or for any purpose prohibited by law.

The SRSB must approve any special requests or exceptions to this policy and/or regulations. The Superintendent shall publish rules and procedures for the use of school buildings and grounds.

**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 Shaker Regional School District (SRSD) 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 SRSD 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;<sup>1</sup>
7. Impede, delay, disrupt, or otherwise interfere with any school activity or function (including using electronic devices 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;<sup>2</sup>
9. Operate a motor vehicle in violation of an authorized SRSD employee's directive or posted road signs.
10. Violate other SRSD policies or regulations, or an authorized SRSD 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 SRSD 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.

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<sup>1</sup> SRSD Policy JICI

<sup>2</sup> NH RSA 635:2 Criminal Trespass  
RSA: 193:11 Disturbance

## SOLICITATIONS IN THE SCHOOLS BY THE PUBLIC

### Promotional Materials in the Schools

Unless specifically authorized by the Superintendent, there shall be no:

- Advertising in schools
- Distribution or posting of promotional materials
- Business or political solicitations

Within the context of this policy, solicitation means to approach with a request for acceptance or action, or to urge support for a view or cause.

### Use of Schools for Promotional Purposes

The facilities, the name, the staff, the children of the schools, the school system, or any part thereof, shall not be employed in any manner for advertising or otherwise promoting the interests of any commercial or other non-school agency or organization except that:

- a school may cooperate in furthering the work of any nonprofit and/or community-wide social service agency, provided that such cooperation promotes the educational or other best interests of the district.
- the schools may participate in radio or television programs under commercial sponsorship, acceptable to the Superintendent, when such participation is supplementary or beneficial to the program of the schools.
- school publications<sup>1</sup> may accept and publish paid advertising under established procedures

The **Shaker Regional School District (SRSD)** retains final editorial authority to accept or reject submitted advertisements in a manner consistent with this policy and the related rules and procedures. The inclusion of advertisements in **SRSD** publications or on **SRSD** property does not constitute approval or endorsement of any issue, product, organization, activity or position referenced in the advertisement.

Promotional materials will not be distributed through the schools except in support of approved school sponsored organizations<sup>2</sup> and parent organizations<sup>3</sup>.

Any authorization by the Superintendent of any of the acts above shall be to the educational, instructional or other benefit of students.

The Superintendent shall publish rules and procedures related to the implementation of this policy.

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<sup>1</sup> See SRSD Policy JICE

<sup>2</sup> See SRSD Policy JJA

<sup>3</sup> See SRSD Policy KBE



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2 **VISITORS TO THE SCHOOLS**

3 All persons, other than **Shaker Regional School District (SRSD)** employees and  
4 students enrolled in a school, who may come to a school for any reason during the  
5 school day are considered visitors. A visitor must report to the school office and receive  
6 permission to be on the school grounds.

7 A person who wants to meet with a teacher for the purpose of discussing a particular  
8 issue shall do so only at a time when it does not interrupt the normal school program. A  
9 person who wants to make such arrangements may do so by securing an appointment  
10 with the teacher through the office of the Principal or by direct contact with the teacher.

11 The Superintendent shall publish rules and procedures necessary to implement this  
12 policy.

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**TABLE OF CONTENTS**

**SECTION L: EDUCATION AGENCY RELATIONS**

Section L contains policies, regulations, and exhibits on the school district's relationship with other education agencies -- including other school systems, regional or service districts, private schools, colleges and universities, education research organizations, and state and national education agencies.

**Code**                      **Title**

LDA .....Student Teaching and Internships

**STUDENT TEACHING AND INTERNSHIPS**

The **Shaker Regional School Board (SRSB)** recognizes post-secondary student-teacher programs as an important aspect of a future teacher's education. Therefore, the **Shaker Regional School District (SRSD)** will cooperate with institutions of higher education in the training of student-teachers.

All persons involved in programs must recognize that the first and primary responsibility of the **SRSD** is to the students within its schools. If at any time a student-teacher becomes unacceptable, the **SRSD** reserves the right to refuse that student-teacher further teaching experience within the **SRSD**.

Student-teachers who work in the **SRSD** shall be accepted only after approval of the Superintendent and the Principal of the building in which the person is to teach.

Student-teachers are restricted to not more than three non-consecutive days of substitute teaching, except in emergency situations.

Student-teachers shall be subject to a Criminal History Records Check, including fingerprinting, prior to working in the **SRSD**. The cost of such efforts will be borne by either the sending program or the student-teacher/intern.