

Indian River School

2022 - 2023

Student Handbook



The purpose of this handbook is to provide information about the protocols, procedures, and expectations for the community of Indian River School. If you have questions that are not answered in this handbook, please do not hesitate to ask an IRS staff member for clarification.

This agenda belongs to:

Name: _____

Grade: _____

Homeroom: _____

MASCOMA INSPIRES!

August 2022

Dear Students & Families,

Welcome to the 2022 - 2023 school year at Indian River School. We look forward to working with the students and their families to fulfill the IRS community vision, mission, and goals.

Indian River School is a community of approximately 340 learners with students in grades 5, 6, 7 and 8 as well as all of our staff members. In order to ensure an environment that is healthy, safe, and conducive to learning, we have organized this handbook to clarify parameters, procedures and expectations.

The staff of IRS wishes to welcome and nurture every student at IRS this year as we commit-alongside the students to demonstrate respect for self, others, and every element of the environment.

We hope this school year will offer every student meaningful opportunities to learn, explore, apply, and practice new academic and social skills.

*Sincerely,
Kevin Towle
Principal*

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VISION, MISSION, & GOALS

Mascoma Valley Regional School District Mission Statement

We are a community that values creativity, curiosity and the pursuit of excellence, cultivating our strengths and interest to inspire partnerships in the district, community and the world beyond.

Mascoma Valley Regional School District Vision Statement

Mascoma Inspires! Build the path you want to take.

Indian River School Vision Statement

Indian River School will be a place that creates a caring, healthy, interactive learning community that reaches every student's needs and learning style.

Indian River School Mission Statement

Students will acquire the necessary skills and develop qualities and characteristics that will empower them to lead productive and fulfilling lives within the communities they choose.

Indian River School Goals for Students

- To become skilled as reflective readers and writers, as well as users of mathematics, scientific inquiry, and technology;
- To become critical thinkers across academic areas;
- To demonstrate understanding of the curriculum through the planning and development of quality ideas and products;
- To develop the ability to work and interact productively with others by using sound communication skills and being respectful of all people;
- To display a healthy self-image with the ability to practice self-control, to use problem solving skills and to demonstrate self-confidence; and
- To be enthusiastic, engaged learners.

The Indian River School community has chosen the Tiger as a symbol that represents our dedication to ensuring a peaceful, safe community. The tiger is considered a "protector of peace" and signifies the virtue "righteousness" or integrity. As a mascot, the Tiger is a strong and valiant presence. The Student Council of 2007-08 purchased a costume for our mascot, who appears at ball games as well as unexpected, but welcome, visits throughout the year.

GO IRS TIGERS!

INDIAN RIVER SCHOOL PERSONNEL

45 Royal Road, Canaan, NH 03741

Telephone: 603-632-4357; FAX: 603-632-4262

Indian River School Website: www.mascomaschools.org

Administrative Office Team

Mr. Towle, *Principal*
Mrs. Buckwold, *Administrative Assistant*
Mrs. Poitras, *Guidance Secretary*
Mr. Kilton, *Grade 5/6 Guidance Counselor*
Mrs. Moulton, *Behavior Coach*

Ms. Guinness, *Associate Principal & Athletic Director*
Mrs. Ignacio, *School Secretary*
Mrs. Donica, *Grade 7/8 Guidance Counselor*
Mrs. Christie, *Social Worker*
Ms. Boas, *Nurse*

Special Education Team

Mr. McLean, *Special Education Coordinator*
Ms. Campbell, *Special Education Teacher*
Ms. Guitar, *Special Education Teacher*

Mrs. Barney, *SpEd clerical aide*
Ms. Frost, *Special Education Teacher*
Mrs. Mills, *Special Education Teacher*

Unified Arts Team

Mrs. Hollander, *Librarian/Media Specialist*
Mr. Lorenz, *Music & Chorus Teacher*

Mrs. King, *Art Teacher*
Mr. Wassel, *Health Teacher*

Mr. Lantman, *Physical Education Teacher*
Ms. Wilber, *Music & Band Director*

Grade-Level Academic Teams

Grade 5

Mrs. DeWolfe
Mrs. Hutchins
Mrs. Lyman
Mrs. Rissala

Grade 6

Ms. Dunkerton
Mrs. Follensbee
Mrs. Labore
Mr. Cota
Mrs. Childs

Ms. Fryer, Reading Specialist

Grade 7

Mr. Durphey, LA
Mr. Hill, Math
Mrs. Prouty, LA
Mrs. Saulnier, SCI
Mr. Williams, SS

Grade 8

Ms. Fisher, LA
Mrs. Green, Math
Mr. MacPhee, SS
Mrs. Oliver, SCI
Mrs. Westgate, LA

Mrs. Mock, Reading Specialist

Paraeducators Team

Mrs. Allen
Ms. Kelley
Mrs. Steller

Mrs. Carter
Mrs. Lund
Mrs. Truman

Ms. Churchill
Ms. Martell
Mr. Wood

SAU 62 District Services & Supports 603-632-5563

Mr. Eastman, Court Liaison
603-236-6950

Officer Matt Bunten SRO
603-632-4308 Ext. 2040

Cynthia Collea, Social
Worker 603-340-1091

Caroline Christie, Social
Worker 603-556-1694

Facilities, Transportation, & Food Services

Corrado Paramithiotti, Facilities Director
Mr. Oliver, Day Custodian
Ms. Nowell, Night Custodian
Mr. O'Mara, Night Custodian

Conner Torrey, Transportation Supervisor, 603-632-1199
Danielle Pushee, Special Edu Bus Services, 603-632-5563, Ext 3007
Anton Prikazchikov, Director of Food Services, 603-632-4308 Ext. 2048

Other District Schools

Mascoma Valley Regional High School 603-632-4308 FAX 603-632-5419
EVS 603-632-4231 FAX 603-632-5482

CES 603-523-4312 FAX 603-523-8872

MASCOMA VALLEY REGIONAL SCHOOL DISTRICT CALENDAR
2022- 2023

August

23-25 Teachers' Professional days
30 School Begins: First Day of Students' Attendance

September

2, 5 NO SCHOOL (Labor Day)
23 Early Release for Students; Teachers' Professional Workshops

October

7 Early Release for Students; Teachers' Professional Workshops
10 NO SCHOOL (Columbus Day)

November

10 Early Release for Students; Parent-Teacher Conferences
11 NO SCHOOL (Veterans' Day)
23, 24, 25 NO SCHOOL (Thanksgiving Holiday)

December

21 – Jan 2 NO SCHOOL (Holiday Vacation)

January

3 School Resumes
13 Early Release for Students; Teachers' Professional Workshops
16 NO SCHOOL (Martin Luther King, Jr. Day)

February

20 - 25 NO SCHOOL (February Break)

March

30 - 31 NO SCHOOL for Students; Teachers' Professional Workshops

April

10 - 14 NO SCHOOL (April Break)
19 Early Release for Students; Parent-Teacher Conferences

May

3 Early Release for Students; Teachers' Professional Workshops
29 NO SCHOOL (Memorial Day)

June

16 Last Day of Student Attendance (if no snow days)
19 NO SCHOOL (Juneteenth)
30 Last Day of Teacher Attendance (with 10 snow days)

INDIAN RIVER DAILY SCHEDULES

Grades 5 - 8			Grades 5-8		
Regular			Early Dismissal		
Period			Period		
1	8:00 - 8:47		1	8:00 - 8:32	
2	8:47 - 9:34		2	8:32 - 9:04	
3	9:34 - 10:21		3	9:04 - 9:36	
4	10:21 - 11:08		4	9:36 - 10:08	
5 L	11:08- 11:52	5/6 L/R (L 22/R 22)	6	10:08 - 10:40	
5		7 / 8	7	10:40 - 11:09	
5 L	11:52 - 12:36	7/8 L/R (L 22/R 22)	5L	11:09 - 11:49	5/6 Lunch/Recess
5 SH		5 / 6 SH	5		7 / 8
6	12:36 - 1:23		5L	11:49 - 12:29	7/8 Lunch/Recess
7	1:23 - 2:10		8		5 / 6
8	2:10- 2:57		Adv.	12:29-12:40	(No Band or SH)
Delayed Opening			Assembly - Advisory		
Period			Period		
1	10:00 - 10:33		1	8:00 - 8:43	
2	10:33 - 11:03		2	8:43 - 9:26	
5 L	11:03 - 11:43	5/6 Lunch/Recess	3	9:26 - 10:09	
5		7 / 8	4	10:09 - 10:49	
5L	11:43 - 12:21	7/8 Lunch/Recess	5 L	10:49 - 11:29	5/6 Lunch/Recess
SH		5 / 6 SH	5		7 / 8
			5L	11:29 - 12:09	7/8 Lunch/Recess
3	12:21 - 12:53		SH		5 / 6 SH

4	12:53 - 1:25		6	12:09 - 12:52	
6	1:25 - 1:57		7	12:52 - 1:35	
7	1:57 - 2:30		8	1:35 - 2:18	
8	2:30 - 2:58		Assembly	2:18 - 2:58	

Key: SH = Study Hall UA = Unified Arts L = Lunch R = Recess

RESPONSIBILITIES AND EXPECTATIONS

What follows is a list of expectations in all learning spaces, programs and activities in, or related to, the Indian River School:

Professional Regard for the Focus on Learning and Learners

- Use respectful voices, actions, and words when making a request or asserting an opinion
- Honor the classroom, program, or activity expectations of teachers and supervisors
- Respect the intellectual property of others by giving credit to their original ideas and products.

Courteous Community Interactions

- Practice empathy by listening to other perspectives and trying to understand
- Be a good neighbor/citizen by celebrating differences and diversity
- Ask permission before borrowing anything from another person, or from the school
- Use proper manners during meals or refreshments in the school or on campus
- Use proper manners for disposing of litter or rubbish, for stacking lunch trays, for washing hands in restrooms, and for picking up or cleaning up any area of IRS
- Walk to the right when passing others in the halls or on campus.

Safe Practices in School Environment

- Follow all safety procedures and directives
- Honor the personal space of others by refraining from unwelcome, aggressive, or sexual touching
- Upon arrival to school, go immediately and directly to the designated waiting area
- Upon dismissal from school, proceed immediately and directly to arranged/scheduled transportation, or walk off campus by designated walkways in an orderly, safe manner
- Enter and exit IRS through the front doors unless accompanied by a supervisor or staff
- Walk bicycles on campus, secure bicycles in the rack provided, use helmets when riding
- Carry all after-school recreational items on school grounds, because skateboards, roller blades, skis & other equipment are allowed only in authorized, adult-supervised activities.

CHAIN OF COMMUNICATION

Nearly all issues are appropriately and satisfactorily resolved in the first conversation with the staff member most directly involved in the concern. For those that are not, the chain of communication provides many ways to resolve an issue through meaningful conversation that will help to build understanding and trust.

1. **The first conversation in a “chain of communication” should be with the person most directly involved. Students and parents should communicate school-related concerns in a conversation with the teacher, coach, or leader of an activity.**
2. The second conversation should be in a conference with a school counselor.
3. If the concern is still not adequately resolved, a student or parent can arrange a conference with the assistant principal or principal.
4. Only after a student or parent has progressed from a conversation with the staff member most directly involved, and then to the administration, would it be appropriate to contact the Superintendent, and then the School Board.

Communicating with Staff Members: Teachers are readily accessible by phone or email. (A staff member’s email address is the first letter of their first name, followed by their last name, and “@mvrds.org”. Emily Smith’s email address would be: esmith@mvrds.org). Teachers welcome and encourage direct communication with parents; however, if a parent calls during a period in which a teacher is instructing, the call may be forwarded to a voice mailbox. The teacher will return the call at the earliest appropriate time in the school day – the planning period, lunch period, before or after school.

Parent-Teacher Conferences, Open House, and Visits: Parents are encouraged to attend all formal, scheduled opportunities to visit the school. See “Visits” below for details about arranging a class visit with a teacher. Parent conferences in the fall and spring are scheduled to discuss academic progress. These are extremely important and all families are encouraged to attend both conferences.

ARRIVAL AND DEPARTURE

The District contracts Butler Bus Company to provide transportation to and from our four schools.

Bus Conduct: Riding the bus to and from school is a privilege, not a right. While on the bus and/or in transport, all students are expected to honor IRS behavioral expectations as well as all additional bus regulations. The driver is to be honored with respect at all times. Safety is the highest concern, and distracting the driver or disrespecting his/her directives is a serious offense that may impact the safety of everyone on the bus.

- Students are allowed to listen to music on a personal electronic device through the use of headphones. Students are not permitted to play music on the bus that is audible to other students in their vicinity.
- Students on all district buses are to be sectioned by age group (elementary students in the front of the bus, middle school students in the middle, high school students in the back).

- Unacceptable behavior may result in a student’s assignment to a particular seat on the bus for up to, but not to exceed, the duration of the school year. A bus driver may assign a student a seat anywhere on the bus, at any point in time, for any reason they deem necessary.
- If unacceptable behavior persists despite redirection, or if the unacceptable behavior is particularly egregious, a student’s bus privileges may be revoked for up to, but not to exceed, the duration of the school year.

Before School: The start of the school day is 8:00 a.m. Students should not arrive at school prior to 7:40 a.m. In the event of a delayed start, the start of the school day is 10:00 a.m. In this case, students should not arrive at school prior to 9:40 a.m.

Parents and guardians who wish to drop their students off in the morning must access the Indian River School via the road that goes straight up the hill and to the right of the high school. The road that turns off to the left and cuts beneath the high school is exclusively for district buses.

When students arrive they are to go directly to the designated waiting area. 5th graders assemble in the amphitheater each morning. 6th, 7th, and 8th graders assemble in the gymnasium. Students are not to wander through the building, or around campus. The only exceptions to these arrival times are for those students who are part of one of the school’s select music ensembles, or with special permission from a staff member for another specific purpose.

Students who board a bus at Canaan Elementary or Enfield Village School may go inside the school foyer no earlier than 10 minutes before the bus arrives. IRS students are expected to stay in the front foyer, to refrain from physical contact, to talk quietly, and to use only language and behavior appropriate to the school setting. All district employees have full authority, and IRS students are to comply with directives given by employees in any of the district school facilities (custodians, food servers, bus drivers, supervisors, teachers, and administrators). Students must take the first available bus to Indian River.

After School: Students are to go directly to their bus or ride upon dismissal unless remaining after school for a school sponsored activity. Social visits or waiting for rides in the partner school building will not be permitted.

All changes or usual after-school transportation arrangements are to be decided in advance of the school day, and students are to bring written permission and directions from a parent or guardian. Students cannot ride a bus they do not typically take unless they have a bus pass from the front office. Students will not be issued a bus pass without express permission from their parents or guardian.

WEATHER-RELATED OR EMERGENCY SCHOOL CLOSURES

School closings, delayed openings, and weather-related emergencies are posted on the school website, announced in the local media, and communicated directly to families via an automated phone and email system.

Delayed Opening: 10:00 a.m. – 3:00 p.m. Students are not to arrive at school more than 20 minutes before the start of a delayed opening (not before 9:40 a.m.). There will be no outdoor activities permitted during the school day of a Delayed Opening that was necessary due to weather, regardless of any improved conditions.

Cancellation of After-School Activities: The Superintendent will make a decision for all district activities in a timely manner prior to the end of the school day. If the Superintendent does not cancel all activities, the athletic director, coaches, or activity sponsors may make a decision to cancel or postpone a particular activity in consultation with the building administrators. If after school activities are canceled during the day, students are permitted and encouraged to contact their parents before the end of the school day.

ATTENDANCE

State law requires that every person between the ages of 6 and 18 attend school. Research, experience, and common sense confirm that daily attendance and full participation in every instructional experience are significant factors in academic success. The student, parents, and school authorities must share the responsibility for acceptable student attendance.

Tardies: Students who arrive at school after the first bell (8:00 a.m.) must report immediately to the office to explain the reason for tardiness and to obtain an admit slip for class.

- 10 Tardies - Will result in the issuance of a form letter expressing concern about the student's pattern of late arrivals and its impact on his or her educational experience
- 20 Tardies - Will result in the issuance of a second form letter and a meeting will be scheduled between the student, a parent/guardian, an administrator, a guidance counselor, and the School Resource Officer to create a plan to improve the student's punctuality to school
- 30 Tardies - Will result in the issuance of a third form letter, a second meeting, and a detention for the student. Every 5th tardy thereafter (35th, 40th, 45th) will result in a detention for the student.

Absences: In accordance with district policy, a *half-day* absence is defined as “a student missing more than 2 hours of instructional time and less than 3.5 hours of instructional time. Any absence of more than 3.5 hours of instructional time shall be considered a *full-day* absence.” (JH)

Communicating Absences to the School: When a student is absent from school, a parent or guardian is expected to call to explain the reason before 9:00 a.m. **If a call is not received from the parent of an absent student prior to 9:00 a.m., that absence will be marked as *unexcused*,** and a member of the Front Office staff will call the parent to verify the child's welfare. If the IRS staff member is unable to

confirm the absence with a parent or guardian, a report may be made to the School Resource Officer to investigate the circumstances of the student's absence.

Excused Absences: In accordance with district policy, absence from school for any of the following reasons will be considered "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. 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." (JH)

Unexcused Absences: If a student misses more than 2 hours of instructional time without communicating appropriately with the school and/or without gaining the necessary sanction from an administrator, that student's absence will be marked as "unexcused."

- 3 Unexcused Absences - Will result in the issuance of a form letter expressing concern about the student's lack of attendance and its impact on his or her educational experience.
- 5 Unexcused Absences or 10 half day Unexcused Absences - Will result in the issuance of a second form letter and a meeting will be scheduled between the student, a parent/guardian, an administrator, a guidance counselor, and the School Resource Officer to create a plan to improve the student's attendance. At this point, the school or district may choose to make a referral to the Department for Children, Youth, & Family Services.

A parent is not obligated to wait for a letter to begin a dialogue with the school regarding their child's attendance. If a parent has a concern regarding their son or daughter's attendance record, they should contact a building administrator at their convenience to schedule a meeting.

Attendance Impact on Afterschool Events: A student who is absent for 3.5 hours or more of the school day may not attend or participate in after school athletic, recreational, or social activities.

Vacations During Instructional Days (Not Scheduled Holidays): It is expected that parents plan their family vacations during the non-school days scheduled throughout the year. With only 180 school days available in a 365-day year, it is important for students to attend and participate in all instructional days that are scheduled. In the event that a family has an unusual and rare opportunity for a family excursion during scheduled instructional days, the parent should write a letter to the principal explaining the situation. This should be done at least two weeks prior to the absence. The administration maintains the right to deny such requests.

Making Up Work for an Anticipated Absence (Vacation, Appointment, etc.): Students and their parents are also expected to contact teachers before a scheduled absence to obtain information about upcoming assignments. Teachers may wish to provide their course plans, assigned projects, recommended reading or writing assignments, and any other work that will be expected upon the student's return to school. Teachers may prefer to organize, with the student, the missed assignments and homework upon the student's return. Students are responsible for all missed work. Deadlines for missed work are at the teacher's discretion.

Making Up Work for an Unanticipated Absence (Illness, Family Emergency, etc.): Students who are absent due to an illness or unexpected difficulty will be allowed the same number of days that they were absent to make up the missed classwork and homework. However, an extensive project generally has several deadline dates, therefore work should be made up within the extent of time allotted for the long-range assignment.

DAILY LOGISTICS

Lockers: Each student will be assigned a locker in close proximity to their homeroom. **Only school locks will be authorized for use on student lockers.** Students may obtain locks from the office at any time. Unauthorized locks will be removed. Lockers, like all school equipment, are the property of the school and are supervised and maintained by school authorities.

Hall Passes: Students must obtain a hall pass with a teacher's signature for permission to travel unsupervised to a restroom, the nurse, the office, or to another learning area during a class period. The number of students excused for hall passage during a class period may be limited by teachers.

Restrooms: Students are to use the restroom on the same floor as the class they are in at the time they need to use the restroom. There is a restroom located in the gym which may be used by students during times that they are scheduled to be in the gym, such as PE and lunch. Students are expected to practice courtesy, cleanliness, and safety in all restrooms. Writing on walls, damaging equipment, littering, or misusing products or equipment may result in the need for a supervisor to accompany a student, or group of students, during designated restroom breaks. Students who are responsible for damages or vandalism will be expected to pay restitution, and may be subject to other appropriate consequences.

Lost and Found: It is wise to place a permanent label on all items brought to school. Lost items that are labeled are easily returned to the owner, and any claims of possession are resolved without dispute. Unidentified articles of clothing, books, sports equipment, and other common items left in public areas of

the school will be taken to a display shelf near the main entrance to the school. Jewelry, purses, or other smaller personal items of greater monetary value will be stored in the front office until claimed.

Buying, Selling, and Trading: Students are not permitted to exchange goods and services during the school day. One student may not buy an item from another student, nor may two students exchange items, even if they deem those items to be of equivalent value. There is one exception to this rule: Students may trade playing cards during *Gaming Club* under the supervision of the supervising staff person.

Snacks: Each grade will set snack time based on their schedule. The Wellness Policy (JLCF) recognizes the importance of proper nutrition and developmentally appropriate physical activity as ways of promoting healthy lifestyles, minimizing childhood obesity, and preventing other diet-related chronic diseases. Healthy snacks are encouraged. Water is encouraged. **Candy, soft drinks, or high energy drinks are not permitted.**

RECESS

Recess is held outdoors with only two exceptions:

- The temperature drops below 10°F with the windchill
- There is steady, moderately-heavy precipitation

Students must come to school with the appropriate clothing for wet and cold conditions.

Playground Guidelines:

- Listen to the adults on the playground
- Use appropriate language
- No food or drinks are allowed on the playground unless enclosed in a lunchbox
- No throwing any items not approved for recess (**including snow**)
- Use equipment appropriately
 - Swings
 - One at a time on the swings
 - No flipping the swings over the top of the swing set
 - No standing on the swings
 - No standing in front of or behind the swings
 - Students may climb the side bars of the swing set, but may not climb across the top, horizontal bar
 - No climbing or jumping on the basketball hoop posts

- Stay within the designated recess area
 - Cannot go around the corner of the 6th grade wing
 - Cannot play on rows of boulders lining road down to athletic fields
 - Cannot go beyond the top of the hill near the 7th grade wing
 - Cannot go past the line of saplings along the access road for busses
 - Cannot go down the hill from the playground without permission and supervision
- No hands-on in anger
- No use of cellphones/electronics
- No PDA

Sliding/Sledding Guidelines:

- Must be directly supervised by at least one teacher while sliding
- Sled/Slide:
 - Feet-first in a seated position
 - Feet-first lying on his/her back
 - Cannot slide on feet or in standing position
 - One student at a time *on a sled*
 - One sled at a time *in a given track/chute*
- Use school issued sleds only (students may not bring sleds from home)
- Those students using equipment must slide to the right of the stairs while facing down the hill, and those not using equipment must slide to the left of the stairs while facing down the hill; all students must come back up the stairs in the middle of the hill; students waiting their turn for a sled must form one line at the top of the stairs

Bus Loop Guidelines:

- Students are to remain on the sidewalk at all times
- Students may not step into the road, nor into the grass/snow
- Students are to move around the loop in a counterclockwise direction
- Students may move about the loop at any pace they choose, but they must be respectful of, and avoid physical contact with, other students in the loop
- Students may not hit or touch road signs posted around the loop
- Balls and other playground equipment are not permitted on the bus loop
- Students must maintain an appropriate volume
- Students wishing to sit or stand may congregate on the paved area at the entrance to the middle school
- Students may not run or otherwise engage in active play in this space

Indoor Recess Guidelines:

- Students are to be in their designated Homeroom
 - There is no traveling between or visiting other Homerooms
- Students are not permitted to use computers in classrooms

- Students needing to complete *academic work* on a computer may sign-out of their Homeroom to visit the library at this time

LUNCH

School Meals: The District contracts Cafe Services to provide breakfast and lunch at the four schools. Monthly menus and other information are provided by Cafe Services:

Breakfast = \$1.60 Lunch = \$2.75

Per MVRSD Policy EF, Policy EFA and Policy JLCF the district shall ensure all students have access to a healthy school lunch as outlined by the USDA. No student will be subject to different treatment from the standard school lunch meal or school cafeteria procedures. The parent of each student shall receive and acknowledge receipt of the policies through the student handbook.

- No student will be denied meals regardless of other charges at the school.
- No student will be denied meals for disciplinary reasons.
- No student will be denied meals because of unpaid charges if the student has money in hand for the current day's meal.

We encourage families to fill out a confidential application for Free or Reduced-Price School Meals. The application may be filled out electronically at www.mymealtime.com or a paper copy may be obtained from the district website https://mascomaschools.org/food_services.

We also encourage families to set up a Mealtime account in order to fund their student's meals. You may also set up a low balance email notification.

The District's expectation is that parents will provide their child(ren) with a lunch from home or funds for a school meal. If a student does not have sufficient funds on their account the parent will be called and asked to send lunch or funds with their child. After the third day the District Social Worker will be asked to contact the child's parents. After a week the NH Division of Child, Youth and Family Services (DCYF) will be contacted. At no time will a student be allowed to charge a la carte items.

For Mealtime balance questions: Cafe Services 603.632.4308 ext 2048 or fooddirector@mvrdsd.org

For Free & Reduced application questions: Martha MacDonald 603.632.5563 ext. 3004 or mmacdonald@mvrdsd.org.

Nuisance Items: Lunch is a time for eating and socializing appropriately with peers. It is not a time for games or playing with toys. Cards, balls, spinning tops, and other miscellaneous recreational items are not permitted in the gymnasium during the lunch blocks.

GRADING

Assessment of students' academic growth is ongoing in each learning activity. Teachers use a variety of assessment tools (rubrics, tests, quizzes, reflective journals, portfolios, research papers, reports, and homework).

Grading Periods: The academic year is divided into four 45-day quarters. All academic courses are year-long. Unified Arts courses are divided into five 36-day classes.

Grading Scale:

A+	97-100	B+	87-89	C+	77-79	D+	67-69	F	Below 60
A	93-96	B	83-87	C	73-76	D	63-66		
A-	90-92	B-	80-82	C-	70-72	D-	60-62		

Communication Pertaining to Grades: One midterm progress report is generated for every student each quarter. One report card is generated for every student at the end of each quarter. Report cards are sent home during the week which follows the end of a grading period. Teachers are expected to communicate regularly with parents whose children are at risk of academic failure. Parents may contact teachers at any time to discuss a student's progress.

Homework: Homework is meant to be an extension of the school-day learning experience. It is provided as practice or application of new skills, exploration of an essential question or inquiry, or as a reflective response to a learning experience. Parents are encouraged to ask their children what they have learned and what their homework is meant to accomplish. They can help by establishing a place and time that might enhance their children's efforts to engage in assigned homework. Parents are also encouraged to contact teachers to confirm the due dates of long-term assignments, to find out about make-up assignments after a student's absence, and inquire about regular expectations for daily or weekly assignments. At IRS, homework is a percentage of the average grade for courses.

Honor Roll:

- Academic Honor – Students who have earned all A's and B's (**in all core content and unified arts courses**) will be honored for their accomplishment at the end of the grading period in which the status is earned.
- High Academic Honor – Students who have earned all A's and not more than one B (**in all core content and unified arts courses**) will be honored for their accomplishment at the end of the grading period in which the status is earned.
- Extensive Academic Honor – Students who maintain Academic Honor or High Academic Honor status *throughout the entire year* will be acknowledged during the school's final honors ceremony.

Retention: The Mascoma Valley Regional School District's policy for Student Retention states that a "student may be retained in a grade level if the student can be expected to significantly benefit from the

retention. Retention will be considered if the student has not reached a standard of achievement necessary for satisfactory progress in the next grade. Occasionally children who are not sufficiently mature socially, emotionally, or mentally may be retained.” (*IKE*)

Academic Honesty: Plagiarism is hereby defined as “an act or instance of using or closely imitating the language and thoughts of another author without authorization and the representation of that author’s work as one’s own, as by not crediting the original author” (dictionary.com). Students may paraphrase the work of others by putting that work in their own words. Students may also quote another author directly by using the appropriate punctuation and providing the appropriate credit to the author. Students who engage in plagiarism and/or cheating, either by their acts or assistance to others, will receive a warning for their first offense. For their second offense, they will receive NO CREDIT for the entirety of the academic assignment or assessment.

High school credit courses: Placement for IRS students seeking Mascoma Valley Regional High School credit courses will be determined by NWEA cut scores set by the high school. Students who seek to take high school classes, while a student at the middle school, will need to work with guidance counselors to support this in their schedule. If this is not possible virtual learning opportunities will need to be considered.

STUDENT SERVICES

Counseling: Indian River has two school counselors - one for students in 5th and 6th grade and one for students in 7th and 8th grade. These counselors provide individual counseling, small thematic groups, drug abuse resistance education, and resources for families and parents. In addition to two guidance counselors, Mascoma Valley Regional School District also provides two social workers, a consulting school psychologist, a behavior coach, and a substance abuse & prevention counselor.

Student Support Team (SST): This is a formal team and process to which a student may be referred due to academic concerns that are not changing through classroom or team interventions. It is often, though not always, the step taken before a Special Education referral is made.

Mandated Reporting of Child Abuse or Neglect: If a child is being physically, sexually, or emotionally abused, he or she may communicate an incident or situation to any Indian River School staff member. Every staff member is considered a “mandated reporter.” If a staff member hears a report from a child or has a strong reason to be concerned, he or she is mandated by federal law to report a concern or child’s statement to the Division of Children, Youth, and Family Services. Employees of DCYF then decide to what extent and how to investigate the report. At IRS, every staff member is informed of this federal mandate. Notification to the alleged perpetrator of the abuse is not a requirement. A mandated reporter may remain anonymous and is protected by law. According to the Mascoma Valley Regional School District Board policy, district employees are “required by law to report any suspected abuse or neglect. Any school employee having reason to suspect that a child is being or has been abused or neglected shall

immediately report his/her suspicions to the building principal and immediately notify the appropriate state officials at the New Hampshire Department of Health and Human Services. The principal will notify the Superintendent that such a report to Health and Human Services has been made.” This is in accordance with RSA169-C:29, 30, & 31.

LIBRARY MEDIA CENTER

The Library Media Center provides a welcoming environment for students and staff to access a variety of materials and spaces. The center maintains a comprehensive collection of printed and digital materials, space for work in varied size groups, a variety of hands-on activities, special sessions for targeted instruction, and technical support for Chromebooks and digital media. The Media Center is open daily from 7:30 a.m. to 3:30 p.m.

The library catalog is available by visiting <https://mvr.sd.follettdestiny.com> and choosing Indian River School. Students may sign into Destiny Discover to search for their next book, create reading lists, take out eBooks and audiobooks, and place holds on books.

Print books, eBooks, audiobooks and other materials may be checked out for two weeks at a time and can be renewed as needed. The limit is two pleasure reading books at a time, and additional books may be checked out for assignments.

Mission Statement: The Mission of the Library Media program is to ensure that all students and staff have the resources and support necessary to become successful, lifelong learners.

Goals: To promote and support reading and listening as the basis for instruction
To encourage excellence in student learning
To support and maintain the technology provided by the district
To create a space for a variety of learning opportunities
To provide resources and activities that contribute to lifelong learning

Assistance: Resetting passwords: Assistance with access to Plus Portals, loaning, repair, and charging of devices, training on the use of programs and apps

Book recommendations are always welcome, and new titles arrive throughout the year. The Media Center hosts two Scholastic Book Fairs each year, which benefit the school. Please feel free to contact the library at 603-632-4357 x1222 or via email at irslibrary@mvr.sd.org.

PUBLIC SAFETY & VIOLENCE PREVENTION

The District and the Indian River School staff are committed to maintaining a safe and peaceful school learning environment by addressing any and all concerns about harassment and bullying.

Harassment: Harassment is characterized by verbal expressions and/or physical actions that insult, offend, subjugate, harm, or threaten another person.

Bullying: Bullying is an intentional, repeated verbal, physical, and social harassment characterized by targeting a particular student or group of students that exerts power meant to diminish the value of others. Bullying is characterized by verbal abuse such as name-calling, teasing, excluding, shunning, ridiculing, taunting, humiliating, insulting or threatening, and by physical abuse such as aggressive actions including but not limited to tripping, shoving, punching, toying with possessions, pinning, slapping, challenging, and other aggressive or threatening actions meant to intimidate or hurt. Bullying should be reported to school authorities to be investigated.

Physical aggression between equals, between friends, or between unconnected strangers is not considered “bullying;” however, *any* physically aggressive actions should be reported immediately to a school authority for investigation.

Violence Prevention: Bystanders should avoid being an audience or participants in the actions; any witnesses are encouraged to report a situation immediately to ensure timely interventions for safety. Victims should feel safe in reporting abuse. They may report a situation or a concern to a teacher, guidance counselor, the Title IX coordinator, or administrators.

PBIS AND TIGER CODE EXPECTATIONS

Indian River School has committed to PBIS (Positive Behavior Interventions and Supports) as a framework for managing student behavior. A major piece of PBIS is giving students clear and consistent expectations for behavior in all areas of our building. At Indian River School, we expect our students to display the Tiger Code (Inspired, Respectful, Safe) in order to create a safe and productive environment for learning. Below you will find our Behavior Matrix which maps out student behavior expectations:



Tiger Code

We are IRS



IRS	Everywhere	Classroom	Hallway	Bathroom	Cafeteria	Recess	Assembly	Bus
I Inspired <i>Always try your best and lead by example.</i>	Lead by example. If it's mean, intervene! Take pride in your school building. Accept differences.	Be an active and engaged learner. Persevere through challenges. Meet or exceed academic and behavioral expectations.	Walk directly where you need to go, quickly and quietly.	Use the bathroom quickly and quietly.	Use your time wisely in order to finish your meal on time. Look for opportunities to help others.	Include others in play. Accept the consequences of your actions.	Be engaged and appropriate. Maintain focus on the event.	Role model your best behavior for other students.
R Respectful <i>Use kind words, actions, and manners.</i>	Use kind words, actions, and manners. Use appropriate volume and language. Follow the directions of all adults. Take care of self, others, and school property.	Protect the learning environment and others' rights to learn. Raise your hand and wait to be called on. Actively listen to the speaker.	Stay to the right. Be considerate of others in the hallway.	Request to use the bathroom at an appropriate time. Keep the bathroom clean and neat. Respect the privacy of others.	Pick up after yourself. Listen respectfully to directions.	Pick up after yourself. Follow directions of all adults. Use equipment appropriately and return when done. Line up when an adult signals.	Clap and respond appropriately. Listen and focus on the presenters. Sit appropriately.	Pick up after yourself. Keep your body and items in your seat.
S Safe <i>Maintain emotional and physical control of yourself.</i>	Respect others' personal space. Follow directions of all adults. Tell an adult about anything unsafe.	Use tools and materials appropriately. Use safe language.	Always have your agenda. Keep hallways and lockers clean. Keep moving to avoid traffic jams.	Get permission before going to the bathroom. Wash hands with soap and water.	Remain seated at a table when eating. Clean up the floor and surrounding area. Place all trash in a garbage or recycling bin.	Stay in control of your body. Come back into the building calmly and quietly. Stay in the recess area.	Enter and exit in a quiet and orderly manner.	Remain seated. Listen to the driver. Wait for a signal to cross the street.

It is the belief of Indian River School that whenever possible consequences for behavior and performance reflect the expectations of society. It is for this reason that IRS follows a progressive discipline philosophy and seeks natural or connected discipline whenever possible.

(Progressive discipline is the act of increasing consequences as the number of discipline referrals increases. This is especially true in the event of a recurring behavior.)

***Students should practice self-discipline, self-control, and character building.
Behavior not conducive to the learning environment will not be tolerated.***

UNACCEPTABLE BEHAVIOR AND RESULTANT CONSEQUENCES

Staff: Redirection for unacceptable behavior is most effective when provided at the time and place of the unacceptable behavior. It is for this reason that every adult working at Indian River School is the “local authority” and is to be respected as such.

Student Support Center: When unacceptable behavior persists despite redirection, or when a student is too emotionally elevated to be receptive to redirection, that student is referred to the Student Support

Center (SSC). The purpose of this space is to help students process the situation for which they were sent to the SSC and to make a plan for avoiding that behavior in the future.

A student may also decide to go to the SSC without a staff member's instruction to do so. If a student is concerned that they will not be able to control their own behavior, they may opt to take a break and visit the SSC of their own accord.

Administration: When unacceptable behavior persists despite several visits to the SSC for the same behavior, or if the unacceptable behavior is particularly egregious, that student is referred to the administration by the SSC staff.

When an unacceptable behavior reaches the administrative level, consequences are at the discretion and in the best judgment of the administrators. Each incident will be investigated as an isolated incident, but **unacceptable behaviors that persist after administrative intervention will incur progressive consequences.** Administrators will use the following guidelines to review specific circumstances and determine an appropriate consequence:

1. The administrator will tell the student the reason for the referral and will review the reports of the situation
2. The student will have the opportunity to explain verbally and/or in writing their perception of the incident and to identify witnesses
3. The incident will be recorded in Indian River Disciplinary Records
4. Parents/Guardians will be informed of the incident and the consequences

Unacceptable behaviors include but are not limited to:

- Disruption
- Disrespect
- Non-compliance
- Unsafe passage in the halls
- Use of hair or body sprays
- Plagiarism
- Cheating
- Vandalism
- Theft
- Inappropriate language
- Late arrival to class
- Threat of physical harm
- Harassment (physical, verbal, sexual)
- Bullying

- Hands-on in anger (including physical action taken in retaliation)
- Possession, use, or being under the influence of illegal substances (alcohol, drugs, tobacco)
- Possession or use of a weapon

Resultant consequences include but are not limited to:

- Warning
- Time away
- Verbal or written apology
- Conference (with students, teachers, parents, guidance, administration)
- Assigned seat
- Community service
- Loss of privileges (use of particular restrooms, access to internet)
- Lunch/recess detention
- After-school detention
- Referral to Title IX Coordinator
- Referral to School Resource Officer (SRO)
- Referral to local law enforcement
- In-school suspension (ISS) for up to 10 days
- Out-of-school suspension (OSS) for up to 10 days
- Expulsion

Damage to School Property: Students are encouraged to use and care appropriately for all school facilities and materials. For accidental damage or loss, the student responsible is expected to make restitution. For intentional damage, vandalism, or theft, the student responsible is expected to make restitution and may be subject to criminal investigation, charges, and fines.

Drug-Free & Violence-Free Safety Zone: In the school, on campus, or in school-related activities, ALL individuals must refrain from possession, use, or being under the influence of tobacco, alcohol, marijuana, or any illegal or damaging substances. Weapons, or any object that is wielded or threatened in a way to cause harm, are prohibited and will be reported immediately to law enforcement officers.

School Resource Officer (SRO): The SRO is a representative of, and liaison to, the local law enforcement office. He/she is a police officer and serves as a law enforcement agent. He/she is also a consultant in regard to distinctions between discipline and criminal issues. The SRO's primary goal and function is to ensure peace and protection for the school community. Matters of truancy, physical aggression or violence, and substance abuse are referred to the SRO.

Suspension: Students suspended from school, in-school or out of school, are not permitted to attend school sponsored events while serving the suspension. Suspensions run for consecutive school days, therefore, if school is canceled during a suspension, the suspension is extended.

Expulsion: The conditions for removal of the right and obligation of a student to attend a public school are set by the School Board under state law. Students may be dismissed from school by the School Board for gross misconduct or for repeated neglect or refusal to conform to the reasonable rules of the school. Expelled students shall not attend school until restored by the School Board. Parents or guardians have a right to appeal a decision to expel a student.

DRESS CODE (Policy JICA)

According to the MVRSD Board Policy JICA, adopted in 2018, when the dress of an individual student constitutes a health problem, is unsuitable for school wear, is a danger to any person, or causes a substantial and material disruption or substantial disturbance, the principal shall take appropriate action to correct the situation. Any student in violation of the dress code will be required to find clothing that meets the code or will be sent home to correct the situation.

In keeping with this policy, students:

- are not to wear “clothing with offensive, vulgar, sexual, or racist language or pictures”
- are not to wear “clothing that glorifies or promotes use of alcohol, drugs or tobacco
- are not to wear clothing that exposes their midsection
- are not to wear hats or caps in the classroom
- are to ensure that undergarments stay covered
- are to wear shoes, sneakers, or sandals with a back strap for safety reasons

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

The following apparel is not to be worn at school: transparent tops, clothing with offensive, vulgar, sexual, or racist language or pictures. All tops will completely cover the mid-section and undergarments are to remain covered. Clothing that glorifies or promotes use of alcohol, drugs or tobacco is not permitted. Hats or caps are not to be worn in classrooms.

Students who violate this policy will be given an opportunity to correct the situation by either changing the clothing, removing the clothing (if appropriate), wearing the clothing inside-out, or other means as determined by the building administration so the student is in compliance with this policy. Students who repeatedly violate this policy may face consequences including: parental notification of repeated infractions, detention, and in-school suspension.

ELECTRONIC DEVICES (Policy JICJ)

The restrictions for student use of electronic devices are necessary to ensure safety, integrity, confidentiality, and our essential focus on Indian River's mission and goals. Mascoma Valley Regional School Board policy states that: "Students shall only use electronic devices within the academic setting for educational purposes and only after obtaining consent from their teacher."

Electronic Devices During School: Though students may have their cell phone and other electronic devices on their person or in their locker throughout the school day, **these items may not be out without explicit permission from a staff member between 7:40am and 3:00pm.** If these items become visible, even if they are not in use, the student in possession of the electronic device will be given a verbal warning. If the electronic device is not removed from view immediately, or if the electronic device becomes visible again in the same school day, the student will be referred to the administration. Electronic devices that reach the administration will be confiscated for the duration of the school day and returned to the student upon dismissal. If a student is referred to the administration for the possession of an electronic device for a second time in the same school year, that device will be confiscated and will be returned, not to the student, but to the parent or guardian of that student. Each subsequent violation of the school's electronic policy will result in the same consequence for the duration of the school year.

Electronic Devices After School: Restrictions for electronic devices apply to IRS after-school educational and co-curricular activities as well. The Athletic Director, coaches, and activity sponsors have the authority to determine permissible use of music players or phones; however, confidentiality rights and integrity expectations may not be violated, therefore pictures and videos may not be taken without the knowledge and explicit permission of the subject(s) of the picture or video.

Appropriate Telephone Use: Students may use their personal cell phones to text or make a call only in the Front Office and with the permission of an administrator or administrative assistant. Before school, during lunch or recess, or after school; or with permission from the nurse, a teacher, or an activity sponsor; students may use the school office phone to make a call to a parent or family caregiver to request transportation due to illness, to confirm transportation home, to communicate a *school-designated* change in an after-school activity, or to relate information about an emergency.

Internet Usage: Use of the Internet or online games that disrupt the learning environment, or that counter the school's behavioral & academic expectations, are prohibited during any school event or activity, before, during, or after school.

Lasers: Laser lights of any kind pose a health/safety risk and are prohibited in the school building and at all school activities.

The Mascoma Valley School District will not be responsible for loss, damage or theft of any item described above, or similar in function, that is brought to school.

PUBLIC DISPLAYS OF AFFECTION

Students are permitted to hold hands or embrace, but any more intimate public displays of affection will result in an automatic referral to the administration and a verbal warning. Further violations of the school's policy on public displays of affection will result in a minimum of a lunch/recess detention.

FROM THE NURSE'S OFFICE

The school nurse provides attention for medical needs, health counseling, support for students' use of prescribed medicine, and emergency treatment in school-day injuries. The nurse also works with the health teacher, guidance counselors, and other staff to develop a wellness program to promote healthy lifestyles. The nurse serves as a liaison between parents, the school, and the medical community.

Elevator Usage: The school elevator is only to be used by students with documented medical needs and express permission from the school nurse. A student with such need may have *one* student accompany them on the elevator, if necessary, for assistance with materials, etc.

Emergency Card Information: It is essential that parents provide accurate, current contact information with more than one phone number where a parent or designated caregiver may be reached in case of emergency. It is also extremely important that parents update the contact information at any time it is changed. Your doctor's name and phone number and the hospital of your choice are required on the emergency card. If you do not provide this essential information, and if we cannot reach you in the case of an emergency, we will have to contact emergency services for transportation to the nearest appropriate medical facility.

Excuses for Restricted Activity: A student who has a medical excuse that prevents or limits participation in physical activities (gym class, recess, etc.) is to bring the physician's note to the school nurse, who will then inform the appropriate staff members. If there is a parent request without a physician's note, the student should talk with the nurse who will then contact the parent to discuss the situation. A student may be excused from active participation but will be expected to be an observing participant in gym class. **A doctor's release will be required to resume activities that have been restricted by a doctor's recommendation.**

Immunization Requirements: Any student registering for admission to any of the Mascoma Valley Regional School District schools must provide documentary evidence of meeting the state requirements for immunization *prior* to school entry for the following: DPT/DT, Polio-Oral Triv. Measles/Mumps/Rubella (given after 1 year of age) and Varicella (Chicken Pox).

In deference to NH State Law RSA 200:38, any child may be exempted from the above immunization requirements if he/she presents evidence from his/her physician that immunization will be detrimental to his/her health, or for religious reasons.

Medication: Any & all medication brought to school must be given to the school nurse. The nurse is not allowed to administer medication (even aspirin) without prior official arrangement with parents as follows:

1. Written authorization from the student's parent or guardian is required. A form is available, but a parent may also provide a written document clearly stating permission for the school nurse, a health aid, or other staff member designated by the principal to administer the prescribed medicine. The permission must include a "holds harmless" release.
2. Procedure for administering medication is to be verified in one of two ways:
 - a. Written statement from the prescribing physician must provide a description of the medication, the method for taking that medication, the appropriate dosage, and the time schedule to be observed
 - b. An accurate, current label on the prescription bottle of the medication

STUDENT ACTIVITIES & OPPORTUNITIES

There are many school sponsored opportunities for students to enjoy at Indian River. Please find some of the school's offerings listed below. New clubs and organizations do spring up from time to time in response to student and staff interest.

Clubs and Organizations: Student Council, Chorus, Select Chorus, Band, Jazz Band, Drama Club, Math Team, Leaders in Prevention, Outdoor Leadership Experience, Destination Imagination, Wrestling, National Junior Honor Society

School Sponsored Events: Spelling Bee, Geography Bee, reading contests, dances, & assemblies

Athletics: A variety of after-school athletic opportunities are offered for both boys and girls including softball, baseball, volleyball, football, cross country, track, field hockey, soccer, and basketball. These activities are coached by paid or volunteer adult sponsors who have submitted all expected documents and obtained permission from the Board of Education. These men and women are therefore qualified as school authorities and should be respected in their supervisory role. The District also employs an IRS Athletic Director to oversee the athletic schedules, building use requests, and coaches or sponsors. A separate Athletic Handbook will be provided and reviewed at the outset of each season by all participating athletes.

Assemblies: During the school year, students will enjoy several assemblies and presentations.

Assembly Protocols

- Students are to enter and exit in an orderly fashion under the direction of supervisors
- Students are to sit with their homeroom, or the class with which they arrive at the assembly, under the supervision of their homeroom teacher, or the teacher to which they are assigned at the time of the assembly
- Audience members are to listen attentively to the presenters and not distract others
- Audience members are to respond appropriately:
 - Clapping for an appropriate length of time and in appropriate moments
 - Cheering with encouraging remarks when appropriate
 - Laughing in response to humor when appropriate
 - Participating with raised hands or as directed by the presenter
(Negative words or actions, stomping, shouting, and disorderly conduct are never appropriate. Offenders will be asked to leave the assembly.)

Dances: The IRS Student Council sponsors several dances throughout the year for 7th and 8th grade students currently enrolled at Indian River. Students who are in lower grades or in high school (or beyond) are not allowed entrance to the dances.

Because the purpose of the dance is to strengthen the community at Indian River, guests from other schools will not be permitted to attend.

Dance Protocols

- Doors open at 6:55 p.m.; students may not arrive at school before this time
- A student may not stay after school to attend a dance unless a staff member has volunteered to supervise that student until 6:55 p.m. and parental consent for that student to stay after school with that staff member has been obtained in writing
- Backpacks must be left in the music room and will not be allowed in the gymnasium
- Students may not bring outside food or drink into the dance
- Running or unsafe behavior is prohibited
- Shoes must be worn at all times
- Students must be polite and courteous at all times
- Students may not take pictures at a school dance
- The dance ends at 9:30pm; students must be picked up in the parking lot behind the gymnasium. If a student is more than 20 minutes late being picked up they will not be allowed to attend the next dance
- If a student is serving a suspension the day of a school dance (in-school or out-of-school), that student may not attend the dance
- If a student is absent from school for more than half the day the day of a school dance, that student may not attend the dance
- The Principal and Assistant Principal retain the right to revoke a student's privilege to attend a school dance for behavioral reasons

FIELD TRIPS

Field trips are an opportunity for students to demonstrate their maturity and independence. All school rules and behavioral expectations apply while off-campus. The Administration maintains the right to revoke a student's privilege to attend a field trip if the student's presence on that field trip would pose a safety risk to other students, staff, or the student in question. Students "excluded will be provided an alternative learning experience" (*IJOA*) in keeping with district policy.

Parent Chaperones: Volunteer chaperones for field trips may be the parent or guardian of students involved in the field trip. In order to serve as a volunteer chaperone, one must adhere to all of the following requirements prior to the field trip:

1. **Contact the staff member** who is organizing the trip to express interest in participating
2. Complete a **Volunteer Application Form** in the Front Office. **Please note that all references will be contacted. Please be sure to provide up to date contact information.**
3. **Complete the Confidentiality Form and submit it with your Volunteer Application Form.**
4. Visit the District's Central Office at 547 US Route 4 in Enfield. The Central Office will contact you for a **Criminal Background Check** at least 2 weeks prior to the date of the trip (Note: This safety check is free of charge to any interested parent or guardian)
5. Wear the **Photo ID Badge** issued to you by the Central Office the day of the field trip

If a volunteer chaperone has not followed these necessary steps, they may not take advantage of the school transportation provided for the field trip. Additionally, they *themselves* must be supervised by a Mascoma Valley Regional School District *employee* at all times they are with students.

VISITING INDIAN RIVER

Parents, guardians, and adult citizens in the communities that support the Indian River School are welcome to visit during the school day. Visitors may park in any available spaces that are not in the bus circle, and they may enter through the front entrance. All other doors are restricted-use and locked or secured. All visitors are to immediately enter the office to register, state the reason for their visit, and obtain a visitor's pass. Visitors who are unknown or new to IRS may be asked to provide identification such as a driver's license or other photo ID. This protocol is a security measure for our students; it is not meant to insult or embarrass a visitor.

Length of Visit: Observing a class or teacher, or participating in a class activity must be arranged in advance with the teacher whose classroom you are visiting. While visitors are truly welcome, lengthy stays can be disruptive to the learning environment. Therefore, it is recommended that visitors remain no more than one class period (40-50 minutes) in a given school day, unless a teacher has informed the office and requested an extended period for the visitor.

Student or Young Adult Visitors: Students who wish to invite a school-age or young adult visitor to IRS must request permission from the principal **a week in advance** of the requested date. Approval of the request is subject to the principal's consideration of the best interest of the students of IRS. If the visit is

approved, the visitor is to adhere to the same expectations as all IRS students, and the visit will be limited to a single class period (40-50 minutes).

APPENDIX - STUDENTS

List of Policies Included:

- I. **AC** – Non-Discrimination, Equal Opportunity Employment and District Anti-Discrimination Plan (4/28/20)
- II. **AC-E** – Annual Notice of Contact Information for Human Rights Officer, Title IX Coordinator, **504** Coordinator and Civil Rights Agencies (4/28/20)
- III. **ACAC** – Title IX Sexual Harassment (9/22/20)
- IV. **ACAC-R** – Title IX Sexual Harassment Grievance Procedures (9/22/20)
- V. **ADC/GBED/JICG** – Prohibitions Regarding Use and Possession of Tobacco Products, E-Cigarettes and E-Liquids in and on School Facilities and Grounds (11/24/20)
- VI. **ECAF** – Audio and Video Surveillance on School Buses (2/22/22)
- VII. **EF** - Food Service Management (1/22/19)
- VIII. **EFA** – Availability and Distribution of Healthy Foods (11/1/18)
- IX. **EFAA** – Meal Charging (8/27/19)
- X. **GBEBB** – Employee-Student Relations (2/11/20)
- XI. **GBEC** – Drug-Free Workplace & Drug-Free Schools (2/26/19)
- XII. **IGDJ** - Interscholastic and Intramural Sports (2/16/17)
- XIII. **IKE** – Promotion and Retention of Students (2/9/21)
- XIV. **JH** - Attendance, Absenteeism and Truancy (12/4/18)
- XV. **JH-R2** - MVRSD Attendance Contract (11/15/18)
- XVI. **JJ** – Student Rights and Responsibilities (4/27/21)
- XVII. **JIC** – Student Conduct (4/27/21)
- XVIII. **JICA** – Student Dress Code (10/23/18)
- XIX. JICC** - Student Conduct on School Buses (2/22/22)
- XX. JICC-R** -School Bus Conduct Rules (2/22/22)
- XXI. JICD** – Student Discipline & Due Process (10/26/21)
- XXII. JICD-R** – Safe School Zones Memorandum of Understanding (4/27/21)
- XXIII. JICDD** – Student Discipline/Out of School Actions (11/10/20)
- XXIV. JICFA** – Hazing (2/9/21)
- XXV. JICH** – Drug and Alcohol Use by Students (5/28/19)
- XXVI. JICI** - Weapons on School Property (5/12/15)
- XXVII. JICJ** – Acceptable Use of Electronic Devices in School (10/23/18)
- XXVIII. JICK** - Pupil Safety and Violence Prevention – Bullying (11/10/20)
- XXIX. JLCF** - Wellness (12/8/20)
- XXX. JLCJ** - Concussions and Head Injuries (1/26/21)
- XXXI. JLDBB** – Suicide Prevention and Response (6/23/20)
- XXXII. JLDBB-R** – Suicide Prevention Procedures (9/8/20) – See Website
- XXXIII. JLF** – Reporting Child Abuse or Neglect (10/27/20)
- XXXIV. JRA** – Student Records & Access - FERPA (11/10/20)

AC – NON-DISCRIMINATION, EQUAL OPPORTUNITY EMPLOYMENT and DISTRICT ANTI-DISCRIMINATION PLAN

Category: Priority/Required by Law

Related Policies: ACE, GBAA, JBAA, JICK, KED

A. Prohibition Against Discrimination of Students in Educational Programs and Activities.

Under New Hampshire law and Mascoma Valley Regional School Board policy, no person shall be excluded from, denied the benefits of, or subjected to discrimination in the District's public schools because of their age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion or national origin. Discrimination, including harassment, against any student in the District's education programs, on the basis of any of the above classes, or a student's creed, is prohibited. Finally, there shall be no denial to any person of the benefits of educational programs or activities, on the basis of any of the above classes, or economic status.

Harassment of students other than on the basis of any of the classes or categories listed above is prohibited under Board policy JICK Pupil Safety and Violence Prevention.

B. Equal Opportunity of Employment and Prohibition Against Discrimination in Employment.

The Mascoma Valley Regional School District is an Equal Opportunity Employer. The District ensures equal employment opportunities without regard to age, color, creed, disability, gender identity, marital status, national origin, pregnancy, race, religion, sex, or sexual orientation. The District will employ individuals who meet the physical and mental requirements, and who have the education, training, and experience established as necessary for the performance of the job as specified in the pertinent job description(s).

Discrimination against and harassment of school employees because of age, sex, race, creed, religion, color, marital status, familial status, physical or mental disability, genetic information, national origin, ancestry, sexual orientation, or gender identity are prohibited. Additionally, the District will not discriminate against any employee who is a victim of domestic violence, harassment, sexual assault, or stalking.

C. Policy Application.

This Policy is applicable to all persons employed or served by the District. It applies to all sites and activities the District supervises, controls, or where it has jurisdiction under the law, including where it (a) occurs on, or is delivered to, school property or a school-sponsored activity or event on or off school property; or (b) occurs off of school property or outside of a school-sponsored activity or event, if the conduct interferes with a student's educational opportunities or substantially disrupts the

orderly operations of the school or school-sponsored activity or event, as set forth in Board policy JICK, Pupil Safety and Violence Prevention. Examples of sites and activities include all District buildings and grounds, school buses and other vehicles, field trips, and athletic competitions.

D. **District Anti-Discrimination Plan.**

No later than October 15, 2020, the Superintendent shall develop and provide to the Board for approval, a coordinated written District Anti-Discrimination Plan (the “Plan”) to include guidelines, protocols and procedures intended to prevent, assess the presence of, intervene in, and respond to incidents of discrimination.

Among other things, the Plan should include provisions, and recommendations with respect to resources, policies, complaint procedures, student education programs, Plan dissemination and training appropriate to carrying out the Plan objectives stated in the preceding paragraph.

In developing the Plan, the Superintendent is encouraged to seek input from appropriate groups of the school and local community and coordinate with the District’s Human Rights [*Non-Discrimination*] Officer and Title IX and 504 Coordinators.

No less than once every two years (off years from review of the District’s Suicide Prevention Plan per Policy JLDBB, the Superintendent shall update the District Anti-Discrimination Plan, and present the same to the Board for review. Such Plan updates should be submitted to the Board in time for appropriate budget consideration.

E. **Human Rights [or Non-Discrimination], Title IX, 504 and other Coordinators or Officers.**

The Superintendent shall assure that District and or building personnel are assigned to the positions listed below. Each year, the Superintendent shall prepare and disseminate as an Appendix AC-E to this Policy an updated list of the person or persons acting in those positions, along with their District contact information, including telephone number, email, postal and physical addresses.

Human Rights [or Non-Discrimination] Officer

Title IX Coordinator

504 Coordinator

The Appendix will also include current contact for relevant state and federal agencies including:

U.S. Department of Education, Office of Civil Rights

U.S. Department of Agriculture, Office of Civil Rights

N.H. Human Rights Commission

N.H. Department of Justice, Civil Rights Unit

N.H. Department of Education, Commissioner of Education

F. **Complaint and Reporting Procedures.**

Any person who believes that he or she has been discriminated against, harassed, or bullied in violation of this policy by any student, employee, or other person under the supervision and control of the school system, or any third person who knows or suspects conduct that may constitute discrimination, harassment, or bullying, should contact the District Human Rights Officer, or otherwise as provided in the policies referenced below under this same heading.

Any employee who has witnessed, or who has reliable information that another person may have been subjected to discrimination, harassment, or bullying in violation of this policy has a duty to report such conduct to his/her immediate supervisor, the District Human Rights Officer, or as provided in one of the policies or administrative procedures referenced below under this same heading.

Additionally, employees who observe an incident of harassment or bullying are expected to intervene to stop the conduct in situations in which they have supervisory control over the perpetrator and it is safe to do so. If an employee knows of an incident involving discrimination, harassment, or bullying and the employee fails to report the conduct or take proper action or knowingly provides false information in regard to the incident, the employee will be subject to disciplinary action up to, and including, dismissal.

Investigations and resolution of any complaints shall be according to the policies listed below and related administrative procedures or regulations. Complaints or reports regarding matters not covered in one or the other of those policies should be made to the District Human Rights Officer.

1. Reports or complaints of sexual harassment or sexual violence by employees or third party contractors should be made under Board policy GBAA;
2. Reports or complaints of sexual harassment or sexual violence by students should be made under Board policy JBAA;
3. Reports or complaints of discrimination on the basis of disability should be made under Board policy ACE, except for complaints regarding facilities accessibility by disabled non-students or employees, which should be made under Board policy KED; and
4. Reports or complaints of bullying or other harassment of pupils should be made under Board policy JICK.

G. **Alternative Complaint Procedures and Legal Remedies.**

At any time, whether or not an individual files a complaint or report under this Policy, an individual may file a complaint with the Office for Civil Rights (“OCR”), of the United States Department of Education, or with the New Hampshire Commissioner for Human Rights.

1. Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109-3921; Telephone number: (617) 289-0111; Fax number: (617) 289-0150; Email: OCR.Boston@ed.gov

Note: Complaints to OCR must be filed in writing no later than 180 days after the alleged act(s) of discrimination. OCR may waive its 180 day time limit based on OCR policies and procedures.

2. New Hampshire Commission for Human Rights, 2 Industrial Park Drive, Concord, NH 03301; Telephone number: (603) 271-2767; Email: humanrights@nh.gov

Notwithstanding any other remedy, any person may contact the police or pursue a criminal prosecution under state or federal criminal law.

H. **Retaliation Prohibited.**

No reprisals or retaliation of any kind will be taken by the Board or by any District employee against the complainant or other individual on account of his or her filing a complaint or report or participating in an investigation of a complaint or report filed and decided pursuant to this policy, unless that person knew the complaint or report was false or knowingly provided false information.

I. **Administrative Procedures and Regulations.**

The Superintendent shall develop such other procedures and regulations as are necessary and appropriate to implement this Policy.

J. **Notice of Compliance.**

The Superintendent will provide notice of compliance with federal and state civil rights laws to all applicants for employment, employees, students, parents, and other interested persons, as appropriate.

Draft to School Board: 12/16/03

First Reading: 12/16/03; Second Reading and Adoption: 1/13/04

SB Review: 11/27/18; F&F Review: 4/3/19; 1st Reading: 4/23/19; 2nd Reading: 5/14/19

Policy Review: 1/30/20; 1st Reading: 2/25/20; 2nd Reading/Adopted: 4/28/20

AC-E - ANNUAL NOTICE OF CONTACT INFORMATION FOR HUMAN RIGHTS OFFICER, TITLE IX COORDINATOR, 504 COORDINATOR AND CIVIL RIGHTS AGENCIES

Pursuant to Board Policy AC, *Non-Discrimination, Equal Opportunity Employment, and District Anti-Discrimination Plan*, the District administration is directed to update and publish a list of current personnel and contact information for various positions and outside agencies relating to the District's anti-discrimination policies.

DISTRICT PERSONNEL:

Human Rights [or Non-Discrimination]:

Name: Diane Adam

Address: 27 Royal Road, Canaan, NH 03741

Telephone: 603-632-4308

Email Address: dadam@mvrdsd.org

Title IX Coordinator:

Name: Diane Adam
Address: 27 Royal Road, Canaan, NH 03741

Telephone: 603-632-4308
Email Address: dadam@mvrds.org

504 Coordinator:

Name: Chris Beeso, Special Education Director
Address: 547 US Route 4/PO Box 789, Enfield, NH 03748

Telephone: 603-632-5563
Email Address: cbeeso@mvrds.org

OUTSIDE AGENCIES:

Office for Civil Rights, U.S. Department of Education; 5 Post Office Square, 8th Floor, Boston, MA 02109-3921; Telephone - 617-289-0111; Email - OCR.Boston@ed.gov

Office of Civil Rights, U.S. Dept of Agriculture; 1400 Independence Avenue, SW, Washington, D.C., 20250-9410; Telephone - 866-632-9992; Email – program.intake@usda.gov

N.H. Commission for Human Rights, 2 Industrial Park Drive, Concord 0330, Telephone - 603-271-2767; Email – humanrights@nh.gov

N.H. Department of Justice, Civil Rights Unit; 33 Capitol Street, Concord, NH 03301; Telephone – 603-271-1181

N.H. Department of Education, Commissioner of Education; 101 Pleasant Street, Concord, NH 03301, Telephone – 603-271-3494; Email - info@doe.nh.gov

Policy Review (New Policy): 1/30/20; 1st Reading: 2/25/20; 2nd Reading/Adopted: 4/28/20

ACAC - TITLE IX SEXUAL HARASSMENT

Category: Priority/Required by Law

Related Policies: AC, AC-E, GBEAB, JICK & JLF

The definition of “Sexual Harassment” is found in Section II.B of this Policy. Instructions for making a report or complaint of sexual harassment are found in Section II.J.1. The “Title IX Grievance Process” and the procedure for filing a formal complaint to initiate the grievance process can be found in the Title IX Sexual Harassment Grievance Procedures (ACAC-R).

I. RESTATEMENT OF POLICY PROHIBITING DISCRIMINATION ON THE BASIS OF SEX.

Per the Mascoma Valley Regional School Board Policy AC, Title IX of the Education Amendments Act of 1972 (“Title IX”), as well as RSA 193:38, among others, the Mascoma Valley Regional School District does not discriminate on the basis of sex in its educational programs and activities, including employment and admissions. All forms of sex-based discrimination, including sexual harassment are prohibited in the District.

II. TITLE IX SEXUAL HARASSMENT POLICY.

A. Application of This Policy.

While all forms of sex-based discrimination are prohibited in the district, the purpose of this policy is to address, and only to address, sexual harassment as defined in Title IX and Sec. II.B, below, that occurs within the educational programs and activities of the district, and to provide a grievance process for investigating and reaching a final determination of responsibility for a formal complaint of sexual harassment. The “Title IX Grievance Process” is set out in the Title IX Sexual Harassment Grievance Procedures (ACAC-R). While the District must respond to all “reports” it receives of sexual harassment, the Title IX Grievance Process is initiated only with the filing of a formal complaint.

The purpose of this Policy, however, is to address, and only to address, sexual harassment as defined in Title IX that occurs within the educational programs and activities of the district. For harassing conduct which does not meet the definition of sexual harassment under Title IX and this Policy, the District’s response will be governed under other applicable laws and policies per Board policy AC, and policies referenced therein.

This Policy shall apply to all students, employees, and any third party who contracts with the District to provide services to District students or employees, upon District property or during any school program or activity.

Nothing in this policy will be construed to confer on any third party a right to due process or other proceedings to which student and employee respondents are entitled under this policy unless such right exists under law. Volunteers and visitors who engage in sexual harassment will be directed to leave school property and/or be reported to law enforcement, the NH Division of Children, Youth and Families (DCYF), as appropriate. A third party under the supervision and control of the school system will be subject to termination of contracts/agreements, restricted from access to school property, and/or subject to other consequences, as appropriate.

The Superintendent shall have overall responsibility for implementing this Policy, and shall annually appoint a District Title IX Coordinator as that position is described in Section II.C, below. The name and contact information for the Title IX Coordinator is set forth in Board Policy AC-E, which policy shall be updated and disseminated annually with the Title IX Coordinator’s name as set forth in Board policy AC.

B. Definitions.

As used in this Policy and the Title IX Grievance Process, the terms below shall have the meaning ascribed.

“**Actual knowledge**” occurs when the District’s Title IX Coordinator or **ANY** employee of one of the District’s schools (other than a “respondent” or alleged harasser) receives a notice, report or information or becomes aware of sexual harassment or allegations of sexual harassment.

“**Complainant**” is an individual who is alleged to be the victim of conduct that could constitute sexual harassment, whether or not that person files a report or formal complaint.

“**Days**” shall mean calendar days, but shall exclude non-weekend days on which the SAU office is closed (e.g., holidays, office-wide vacations), or any weekday during the school year on which school is closed (e.g., snow days).

“**Decision Maker**” means persons tasked with: the responsibility of making initial determinations of responsibility (at times referred to as “initial decision maker”); or the responsibility to decide any appeal (at times “appeals decision maker”) with respect to formal complaints of sexual harassment in accordance with the Title IX Grievance Process.

“**Determination of Responsibility**” is the formal finding by the decision-maker on each allegation of Sexual Harassment contained in a Formal Complaint that the Respondent did or did not engage in conduct constituting Sexual Harassment Under Title IX.

“**Formal Complaint**” means a document filed by a complainant, the complainant’s parent/guardian, or the Title IX Coordinator, alleging sexual harassment against a respondent, and requesting that the district investigate the allegation of sexual harassment.

“**Respondent**” is an individual who is reported to be the individual accused of conduct that could constitute sexual harassment.

“**Sexual harassment**” prohibited under Title IX and by this policy *is conduct on the basis of sex* (including, without limitation, gender, sexual orientation, and/or gender identity), occurring in a school system education program or activity that satisfies one or more of the following:

1. A school district employee conditioning an aid, benefit, or service of an education program or activity on an individual’s participation or refusal to participate in sexual conduct irrespective of whether the conduct is welcomed by the student or other employee;
2. Unwelcome sex-based/related conduct determined by a reasonable person to be so severe, pervasive, **AND** objectively offensive that it effectively denies a person equal access to the education program or activity (this standard requires consideration of all the facts and circumstances, including, but not limited to, the ages and disability statuses of the harasser and victim and the number of individuals involved and their authority; **OR**
3. Sexual assault, dating violence, domestic violence, or stalking as defined in state or federal law.

Behaviors that constitute sexual harassment may include, but are not limited to:

- i. Sexually suggestive remarks or jokes;
- ii. Verbal harassment or abuse;
- iii. Displaying or distributing sexually suggestive pictures, in whatever form (e.g., drawings, photographs, videos, irrespective of format);
- iv. Sexually suggestive gesturing, including touching oneself in a sexually suggestive manner in front of others;

- v. Harassing or sexually suggestive or offensive messages that are written or electronic;
- vi. Subtle or direct propositions for sexual favors or activities;
- vii. Touching of a sexual nature or groping; and
- viii. Teasing or name-calling related to sexual characteristics or the belief or perception that an individual is not conforming to expected gender roles or conduct.

Note: incidents of the above conduct would still need to satisfy one or more of the criteria in paragraphs 1-3 of this definition.

Sexual harassment may be directed against a particular person or persons, or a group, whether of the opposite sex or the same sex.

The context of behavior can make a difference between conduct falling within the technical definition of Sexual Harassment Under Title IX, and conduct of a sexual nature that is offensive or hostile in itself, but which does not arise to the level within that definition. **District policies prohibit both, but for purposes of its Title IX obligations the District must address reports or complaints of conduct which may constitute sexual harassment as defined above, under this specific, limited scope Policy and Title IX Grievance Process.** Except as used in other laws (e.g., Title VII) or policies (e.g., Board policy JICK) pertaining to harassment, including of a sexual nature, other than Title IX sexual harassment, all references to “sexual harassment” in this policy mean sexual harassment that meets the above definition.

Conduct that satisfies this definition is not sexual harassment for purposes of this policy if the conduct occurred (1) outside the United States or (2) under circumstances in which the school system did not have substantial control over both the harasser/respondent and the context in which the harassment occurred.

***NOTE Regarding Concurrent Enrollment and Dual Enrollment, Extended Learning Opportunities, 3rd Party Distance Learning and Other Alternative Instructional Programs:** Under federal regulations, in order for the District to have jurisdiction over conduct that would otherwise meet the definition above of sexual harassment, the District must have substantial control over both the respondent and the context in which the harassment occurred. In general, this will mean that unless such learning program is occurring upon district property, conduct otherwise meeting the definition of sexual harassment within that program, may not be subject to this policy.*

“**Supportive Measures**” are free, non-disciplinary, non-punitive, individualized services and shall be offered to the complainant, and may be offered to the respondent, as appropriate. These measures may include, but are not limited to, the following:

1. Counseling;

2. Course modifications;
3. Schedule changes; and
4. Increased monitoring or supervision

Such measures shall be designed to restore or preserve equal access to the District's education programs and activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment and/or deter sexual harassment. Supportive measures shall remain confidential with exclusive exceptions stated required in Sec. II.E, below.–

C. **Title IX Coordinator.**

The Title IX Coordinator shall respond promptly to all general reports as well as formal complaints of sexual harassment. the Title IX Coordinator shall receive general and specific reports of sexual harassment, and coordinate the District's responses to both reports and formal complaints of sexual harassment so that the same are prompt and equitable. In addition to any other specific responsibilities assigned under this Policy, or as assigned by the Superintendent, the Title IX Coordinator will be responsible for:

1. meeting with a complainant, and informing the parent/guardian once the Title IX Coordinator becomes aware of allegations of conduct that could constitute sexual harassment as defined in this Policy;
2. identification and implementation of supportive measures;
3. signing or receiving formal complaints of sexual harassment;
4. engaging with the parents/guardians of parties to any formal complaint of sexual harassment;
5. coordinating with District and school-level personnel to facilitate and assure implementation of investigations, and remedies, and helping to assure that the District otherwise meets its obligations associated with reports and complaints of sexual harassment;
6. coordinating with the Superintendent with respect to assignment of persons to fulfill the District's obligations, both general and case specific, relative to this Policy (e.g., investigator, decision makers, etc.; this may involve the retention of third party personnel.);
7. coordinating with District and school-level personnel to assure appropriate training and professional development of employees and others in accordance with Sec. II.D of this Policy; and
8. helping to assure that appropriate systems are identified and maintained to centralize sexual harassment records and data.

In cases where the Title IX Coordinator is unavailable, including unavailability due to a conflict of interest or other disqualifying reason (see Sec. II.G, below), the Superintendent shall assure that another person with the appropriate training and qualifications is appointed as acting Title IX Coordinator for that case, in such instances "Title IX Coordinator" shall include the acting Title IX Coordinators.

D. **Training.**

All District employees shall receive regular training relative to mandatory reporting obligations, and any other responsibilities they may have relative to this Policy.

Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must receive training on the definition of sexual harassment, this Policy, the scope of the District's education program or activity, and how to conduct an investigation (including the requirements of the reporting and the Title IX Grievance Process, including hearings, appeals, and information resolution processes). The training must also include avoiding prejudgment of the facts, conflicts of interest and bias.

Decision-makers must also receive training on issues of relevance of questions and evidence, including when questions about the complainant's sexual predisposition or prior sexual behavior are not relevant.

Investigators must receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes, must promote impartial investigations and adjudications of formal complaints of sexual harassment, and must be made available to the public as provided in Sec. II.H of this Policy.

E. **Confidentiality.**

The District will respect the confidentiality of the complainant and the respondent as much as possible, however, some information may need to be disclosed to appropriate individuals or authorities. All disclosures shall be consistent with the District's legal obligations and the necessity to investigate allegations of harassment and take disciplinary action. Examples of required disclosure include:

1. information to either party to the extent necessary to provide the parties due process during the Title IX Grievance Process;
2. information to individuals who are responsible for handling the District's investigation and determination of responsibility to the extent necessary to complete the District's grievance process;
3. mandatory reports of child abuse or neglect to DCYF or local law enforcement (per Board policy JLF);
4. information to the complainant's and the respondent's parent/guardian as required under this Policy and or the Family Educational Rights and Privacy Act ("FERPA"); and
5. reports to the New Hampshire Department of Education as required under N.H. Code of Administrative Rules Ed 510 regarding violations of the NH Code of Conduct for Education Professionals.

Additionally, any supportive measures offered to the complainant or the respondent shall remain confidential to the extent that maintaining such confidentiality would not impair the ability of the school district to provide the supportive measures.

Except as specified above, the District shall keep confidential the identity of:

1. Any individual who has made a report or complaint of sex discrimination;
2. Any individual who has made a report or filed a formal complaint of sexual harassment;
3. Any complainant;
4. Any individual who has been reported to be the perpetrator of sex discrimination;
5. Any respondent; and
6. Any witness.

Any supportive measures provided to the complainant or respondent shall be kept confidential to the extent that maintaining such confidentiality does not impair the ability of the District to provide the supportive measures.

F. **Retaliation Prohibited.**

Retaliation against any person who makes a report or complaint, or against any person who assists, participates, or refuses to participate in any investigation of an act alleged in this Policy is prohibited. Actions taken in response to **materially** false statements made in bad faith, or to submitting **materially** false information in bad faith, as part of a report or during the Title IX Grievance Process do not constitute retaliation. A finding of responsibility alone is insufficient to conclude that a person made a materially false statement in bad faith. Complaints of retaliation with respect to reports or formal complaints of sexual harassment shall be filed under the District's general grievance process.

G. **Conflict of Interest.**

No person designated as a Title IX Coordinator, investigator, decision-maker, nor any person designated by the District to facilitate an informal resolution process, may have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

H. **Dissemination and Notice.**

The District shall include in all student and employee handbooks, and shall make publicly available on the district's website the following information:

1. The District's policy of non-discrimination on the basis of sex (included in Board policy AC);
2. the title, name, office address, email address, and telephone number of the Title IX Coordinator (to be provided pursuant to Board policy AC and its addendum, updated annually, ACE);
3. the complaint process;
4. how to file a complaint of sex discrimination or sexual harassment;

5. how the District will respond to such a complaint; and
6. a statement that Title IX inquiries may be referred to the Title IX Coordinator or to the Assistant Secretary for Civil Rights.

The same information shall be provided to all persons seeking employment with the District, or seeking to enroll or participate in the District's educational programs or activities.

Additionally, the District will make this Policy, as well as any materials used to train personnel as required under Sec. II.D publicly available on the district's website.

I. Records and Record Keeping.

1. For each report or formal complaint of sexual harassment, the District, through the Title IX Coordinator, must create, and maintain for seven (7) years, record of:
 - a. Any actions, including any supportive measures,
 - b. The basis for the District's conclusion that its response was not deliberately indifferent; and
 - c. Documentation which:
 - If supportive measures were provided to the complainant, a description of the supportive measures taken designed to restore or preserve equal access to the District's education program or activity; or
 - If no supportive measures were provided to a complainant, explains the reasons why such a response was not clearly unreasonable in light of the known circumstances.
2. In addition, the District shall maintain the following records for a minimum of seven (7) years:
 - a. Records for each formal complaint of sexual harassment, including:
 - Any determination regarding responsibility, including dismissals;
 - Any disciplinary sanctions imposed on the respondent;
 - Any remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity;
 - Any appeal and the result therefrom;
 - Any informal resolution process and the result therefrom;
 - b. All materials used to train Title IX Coordinators, investigators, and decision-makers.

J. Reports of Sexual Harassment, Formal Complaints and District Responses.

1. Report of Sexual Harassment.

NOTE: *A report does not initiate the formal Title IX Grievance Process. That process is begun only upon the filing of a formal complaint under the procedures set out in II.J.3 below and Title IX Sexual Harassment Grievance Procedures (ACAC-R).*

Any person may report sexual harassment whether relating to her/himself or another person. **However, if any District employee – other than the employee harasser, or the Title IX Coordinator – receives information of conduct which may constitute sexual harassment under this Policy, s/he shall, without delay, inform the Title IX Coordinator** of the alleged sexual harassment. Failure to report will subject the employee to discipline up to and including dismissal.

A report of sexual harassment may be made at any time, in person, by mail, by telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Additionally, while the District strongly encourages reports of sexual harassment to be made directly to the Title IX Coordinator, the report may be made to **any** District staff member, including, for instance, a counselor, teacher or principal.

If the Title IX Coordinator is the alleged respondent, the report or formal complaint may be made directly to the Superintendent, who shall thereafter fulfill the functions of the Title IX Coordinator regarding that report/complaint, or delegate the function to another person.

NOTE: For any allegation of sexual assault on a student under the age of 18, such conduct shall be reported immediately to the DCYF per Board policy JLF. If the alleged respondent (perpetrator) is a person holding a license or credential from the New Hampshire Department of Education (i.e., “credential holder”), then a report shall also be made pursuant to Board policy GBEAB.

2. District Response to Report of Sexual Harassment.

The district will promptly respond when there is actual knowledge of sexual harassment, even if a formal complaint has not been filed. The district shall treat complainants and respondents equitably by providing supportive measures to the complainant¹ and by following the Title IX Grievance Process prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

As soon as reasonably possible after receiving a report of alleged sexual harassment from another District employee or after receiving a report directly through any means, the Title IX Coordinator shall contact the complainant to:

- i. discuss the availability of and offer supportive measures;

¹ The Title IX Coordinator may offer supportive measures to a complainant, even if the information from the complainant does not/does not appear to meet the full definition of sexual harassment under this Policy. Districts should consult with counsel before it “imposes” any supportive measures against a respondent.

- ii. consider the complainant's wishes with respect to supportive measures;
 - iii. inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
 - iv. explain to the complainant the process for filing a formal complaint.
3. Formal Complaints.

Pursuant to federal regulations, and this Policy, a formal complaint that contains an allegation of sexual harassment and a request that the District investigate the allegations is required before the District may conduct a formal investigation of sexual harassment or take any action (other than supportive measures) against a person accused of sexual harassment. **Once a formal complaint of sexual harassment is received by the Title IX Coordinator, s/he shall commence the Title IX Grievance Process set out in Sec. I.A. in the Title IX Sexual Harassment Grievance Procedures (ACAC-R). The process for filing a formal complaint is set forth in Sec. I.A. in the Title IX Sexual Harassment Grievance Procedures (ACAC-R).**

4. Limitation on Disciplinary Action.

In no case shall the District impose disciplinary consequences or sanctions against a respondent who has been accused of conduct which may constitute sexual harassment, until the Title IX Grievance Process has been completed.

5. Emergency Removal and Administrative Leave.

At any point after receiving a report or formal complaint of sexual harassment, the Title IX Coordinator (or other District official charged with a specific function under this Policy or the Title IX Process: e.g., investigator, decision maker, etc.) may request the Superintendent to direct that an individualized safety and risk analysis be performed to determine whether a respondent student is an immediate threat to the physical health or safety of any person. In the event that the safety and risk analysis determines that the respondent student does present an immediate threat to the physical health and safety of any person, the District may remove that student, provided that such removal is in full compliance with the IDEA, a student's IEP and or 504 plan if applicable. Such emergency removal shall not be disciplinary. However, the District must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal, and shall continue to offer educational programming until a final determination is made pursuant to the Title IX Grievance Process.

The Title IX Coordinator shall keep the Superintendent of Schools informed of any employee respondents so that he/she can make any necessary reports to New Hampshire Department of Education in compliance with applicable administrative rules and the New Hampshire Code of Conduct for Educational Professionals. In appropriate cases, the Superintendent may place an employee respondent on non-disciplinary administrative leave pursuant to RSA 189:31.

Legal References:

Title IX of the Education Amendments of 1972, 20 U.S.C 1681, et seq 20 U.S.C. §1232g, Family Educational Rights and Privacy Act
34 CFR. Part 99, Family Educational Rights and Privacy Act Regulations
34 CFR 106.8, Designation of responsible employee and adoption of grievance procedures.
34 CFR 106.30, Definitions
34 CFR 106.44, Recipient's response to sexual harassment
34 CFR 106.4, Grievance process for formal complaints of sexual harassment
34 CFR 106.71, Retaliation
RSA 193:38, Discrimination in Public Schools
NH Dept of Ed. Rules Ed 303.01 (i), School Board Substantive Duties
Ed 303.01(j), Substantive Duties of School Boards; Sexual Harassment Policy

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.*

See Also: ACAC-R Title IX Sexual Harassment Grievance Procedures, AC, AC-E

New Policy/1st Reading/Adopted: 9/22/20

ACAC-R - TITLE IX SEXUAL HARASSMENT GRIEVANCE PROCEDURES

I. TITLE IX GRIEVANCE PROCESS.

The Title IX Grievance Process is used only upon the filing of a formal complaint of sexual harassment as described in Sec. I.A, below. The provisions of Section I of the Policy are incorporated as part of the Title IX Grievance Process. Upon receipt of a formal complaint of sexual harassment, the Title IX Coordinator will coordinate the District's efforts to comply with its responsibilities related to the Title IX Grievance Process.

A. Process for Filing a Formal Complaint of Sexual Harassment.

The Title IX Grievance Process is initiated by way of a formal complaint ("complaint" or "formal complaint") filed by the complainant, the complainant's parent/guardian, or the Title IX Coordinator. The complainant may file a complaint or choose not to file a complaint and simply receive the supportive measures. If the Complainant does not file a complaint, the Title IX Coordinator may sign a formal complaint, but only if initiating the grievance process against the respondent is not clearly unreasonable in light of the known circumstances, and in other cases where, in the exercise of good judgment and in consultation with the District's attorney as appropriate, the Title IX Coordinator determines that a grievance process is necessary to comply with the obligation not to be deliberately indifferent to known allegations of sexual harassment (e.g., reports of sexual assault, employee on student harassment, repeat reports, or the conduct in the complainant's report has not been adequately resolved through the provision of supportive measures). If the complaint is filed by the Title IX Coordinator, he/she is not a party to the action, and the District must comply with all of the provisions of the Title IX Grievance Process relative to respondents and complainants.

If no formal complaint is filed by the complainant or the Title IX Coordinator no disciplinary action may be taken against the respondent based upon conduct that would constitute sexual harassment under this policy.

Although there is no time limit per se to filing a formal complaint, for complaints initiated by the complainant or his/her parent/guardian, the complainant must be employed by the District or

participating in or attempting to participate in the education program or activities of the District at the time of filing. Additionally, although the District will initiate the Title IX Grievance Process regardless of when the formal complaint is submitted, delays in reporting may significantly impair the ability of school officials to investigate and respond to the allegations.

At a minimum, a formal complaint must:

1. contain the name and address of the complainant and the student's parent or guardian if the complainant is a minor student;
2. describe the alleged sexual harassment,
3. request an investigation of the matter, and
4. be signed by the complainant or otherwise indicate that the complainant is the person filing the complaint.

The complaint may be filed with the Title IX coordinator in person, by mail, or by email. Complaint forms may be obtained from the Title IX Coordinator or on the district website (School Board Policy ACAC-F).

B. Initial Steps and Notice of Formal Complaint.

1. The Title IX Coordinator will provide notice to the complainant and the complainant's parent/guardian (if the complainant is a non-eligible student under FERPA), and to the respondent (if known) and the respondent's parent/guardian (if the respondent is a non-eligible student under FERPA), as well as to any other known parties, of the following:
 - a. this Title IX Grievance Process, including any informal resolution process;
 - b. the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview; "sufficient details" shall include to the extent known identities of persons involved, the conduct allegedly constituting sexual harassment, and the date and location of the incident;
 - c. a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
 - d. that each party may have an advisor of their choice, who may be, but is not required to be, an attorney;
 - e. that each party is entitled to inspect and review evidence; and
 - f. a reference to any provision in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.
2. The Title IX Coordinator will contact the complainant to discuss and offer supportive measures.
3. The Title IX Coordinator may contact the respondent to discuss, and or impose, non-disciplinary supportive measures.

4. The Title IX Coordinator will examine the allegations in the formal complaint, to determine whether even if assumed true, the allegations are sufficient to sustain a finding of sexual harassment under this Policy. If the Title IX Coordinator was not involved with preparing the formal complaint, the Title IX Coordinator will contact the complainant to discuss the complaint and whether amendment is appropriate, in which case the process of Sec. I.C.4 will apply.
5. If the formal complaint fails to satisfy the definition of sexual harassment in this Policy, the complaint shall be dismissed as provided in Sec. I.G, below.
6. If the complaint is not dismissed, then Title IX Coordinator will consult with the Superintendent as to whether the Title IX Coordinator should act as the investigator or whether a different District or other employee shall act in that capacity. At the same time, the Title IX Coordinator and the Superintendent shall appoint the person who shall make the initial determination of responsibility (initial decision maker). Ordinarily the building principal shall serve as the initial decision maker. In all cases, the investigator and the initial decision maker must be properly trained and otherwise qualified (see Sec. II.D “Training”, and Section II.G “Conflict of Interest”).
7. If the report alleges sexual harassment by the Superintendent, the Title IX Coordinator will inform the School Board Chair and the Business Administrator, the latter of whom shall have authority to seek guidance from the District’s general counsel, but shall not delay the District’s response to the report as outlined in this Policy.

C. General Provisions and Additional Definitions Relative to Title IX Grievance Process.

1. Copies and Notices. Except as specifically stated elsewhere in this Policy, for any document, information or material required to be delivered to a party or to a person assigned with responsibility under the Title IX Grievance Process, the manner of transmittal may be by electronic mail, regular mail or such other manner reasonably calculated to assure prompt delivery with evidence thereof (such as a commercial carrier or other receipted delivery). Hand delivery will only be permitted if made to the District official charged with the specific function under this Policy (e.g., Title IX Coordinator, Superintendent, investigator, decision maker(s), etc.). Any document required to be delivered to a minor or other non-eligible student, must also be delivered to the minor’s parent/guardian. Copies should also be sent to a party’s advisor if the information for the advisor has been previously communicated to the sending party. (Under federal regulations, copies of the investigative evidence, as well as the investigative report, must be forwarded to a party’s advisor. See Sections I.E.3, and I.E.4).
2. Risk Analysis and Emergency Removal. At any point during the Title IX Grievance Process, the Title IX Coordinator may arrange for an individualized safety and risk analysis as described in Sec. II.J.5, following which a student may be removed.
3. Administrative Leave. At any point during the Title IX Grievance Process, the Superintendent, and at his/her own discretion, and with or without consulting the Title IX Coordinator, may place an employee on administrative leave pursuant to RSA 189:31.
4. Additional Allegations. If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that were not included in the previous notice, the District shall simultaneously provide notice of the additional allegations to the parties whose identities are known.

5. No Interference with Legal Privileges. At no point in process will the Title IX Coordinator, the investigator, any decision maker, or any other person participating on behalf of the District, require, allow, rely upon, or otherwise use questions or evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege (e.g., doctor/patient, attorney/client, clergy, etc.), unless the person holding such privilege (parent/guardian for minor student) has waived the privilege in writing to use the information with respect to the Title IX Grievance Process.
6. Consolidation of Complaints. The District may consolidate formal complaints of allegations of sexual harassment where the allegations of sexual harassment arise out of the same facts or circumstances and the formal complaints are against more than one respondent; or by more than one complainant against one or more respondents; or by one party against the other party. When the District has consolidated formal complaints so that the grievance process involves more than one complainant or more than one respondent, references to the singular “party”, “complainant”, or “respondent” include the plural, as applicable.
7. Remedies: Range of Disciplinary Sanctions and Remedial Actions Upon Final Determination of Responsibility.
 - a. “Disciplinary sanctions” are consequences imposed on a respondent when s/he is found responsible for sexual harassment under this Policy. Remedial actions are actions intended to restore or preserve a complainant’s equal access to the educational programs and activities of the District.
 - b. “Disciplinary sanctions” against an employee respondent may include any available sanction available for the discipline of employees, up to and including dismissal or non-renewal for any other violation of Board policy, NH Code of Conduct for Educational Professionals, applicable individual or collective bargaining contract, or state or federal laws or regulations.
 - c. “Disciplinary sanctions” against a student may include any available discipline or sanction, up to and including expulsion, under the policies, rules and procedures that establish the district’s comprehensive student code of conduct.
 - d. “Remedial actions” as to a respondent after a final finding of responsibility, whether employee or student, may include the imposition upon a responsible respondent of any additional non-disciplinary measures appropriate to effecting a remedy for sexual harassment, and may include such measures as no-contact requirements, scheduling adjustments, removal or exclusion from extracurricular activities, class reassignments, limits on future class registrations, restrictions on access to various spaces in the school buildings, reassignment of attendance, and similar measures fine-tuned to respond appropriately to the circumstances surrounding a successful complainant’s right to access the district’s program and activity.

Additional remedial actions may include recommendations that a school-wide or system-wide response is needed in order to respond to the sexual harassment in a way that is not clearly unreasonable under the circumstances. In such cases, the Superintendent shall provide additional staff training, harassment prevention programs, or such other measures

as determined appropriate to protect the safety of the educational environment and/or to deter sexual harassment.

D. Timeframe of Grievance Process.

The District shall make a good faith effort to conduct a fair, impartial grievance process in a timely manner designed to provide all parties with a prompt and equitable resolution. It is expected that in most cases, the grievance process will be concluded through at least the determination of responsibility decision within 80 days after filing the formal complaint. In more complex cases, the time necessary to complete a fair and thorough investigation or other circumstances mean that a determination of responsibility cannot reasonably be made within that timeframe.

1. Summary of Grievance Process Timeline.

- a. Investigation 20 +/- days as the complexity of the case demands (Sec. I.E.1) below
- b. 10 days for reviewing information prior to conclusion of investigation
- c. 10 days after receiving report to respond to report
- d. 10 days for decision maker to allow initial questions
- e. 10 days for responses to questions
- f. 10 days for questions and responses to follow-up questions.
- g. 10 days for determination of responsibility decision
- h. 10 days for appeal (6 additional days for administrative steps)
- i. 10 days for argument/statement challenging or supporting determination
- j. 10 days for decision on appeal

2. Delays and Extensions of Time. At any stage of the grievance process, the District (through the Superintendent, or if the Superintendent is the respondent, the Title IX Coordinator or designee) may for good cause allow for temporary delays or extensions of time upon request of either party, or on his/her own initiative. Examples of good cause may include such things as availability of parties or witnesses, school or school administrative office holidays or vacations, referral back to an earlier stage of the grievance process, concurrent law enforcement or other agency activity, or need to obtain interpreters or accommodation of disabilities. For any such delay or extension of time, the Superintendent or the Title IX Coordinator will provide written notice to the parties of the delay/extension and the reason(s).

E. Investigation.

The Title IX Coordinator will coordinate the investigation. The investigator shall be as appointed pursuant to Sec. I.B.5, above.

1. The Title IX Coordinator may conduct the investigation, or, in consultation with the Superintendent, designate another qualified person to investigate. The investigation and investigator must:
 - a. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence. (Evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such evidence about the complainant's prior sexual behavior is offered to

prove that someone other than the respondent committed the conduct alleged by the complainant, or if the evidence concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and is offered to prove consent.)

- b. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not on either of the parties;
 - c. Provide an equal opportunity for the parties to present witnesses, and other inculpatory and exculpatory evidence;
 - d. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
 - e. Provide the parties with the same opportunities to have others present during any interview or other part of the investigation, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The investigator may restrict any others from participating, as long as the restrictions apply equally to both parties;
 - f. Provide, to a party (e.g., respondent or complainant – and parent/guardian as appropriate) whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate within the timeframes established in Sec. I.D, above.
 - g. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint;
2. Prior to completion of the investigative report, the District, through the Title IX Coordinator, must send to each party and party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report;
 3. The investigator must prepare a written investigative report that fairly summarizes relevant evidence, including, without limitation, witness credibility, discrepancies, inculpatory and exculpatory information, and relevant District policies, rules and regulations, and the manner in which the same were made known to the pertinent school populations or specific parties. The investigative report shall include a description of the procedural steps taken, starting with the receipt of the formal complaint, and continuing through the preparation of the investigative report, including any notifications to the parties, interview with parties and witnesses, site visit, and methods used to gather evidence.
 4. The investigator shall provide the investigative report in hard copy or electronic format to the Title IX Coordinator, to each party and each party's advisor, if any. Each party will have 10 days from receipt to provide the Title IX Coordinator a written response to the investigative report.
 5. It serves all parties when investigations proceed diligently and conclude within a reasonable time, which may vary case by case. In most cases, it is expected that the investigator will conclude the initial investigation, and provide the parties the evidence and other information required under Sec. I.E.2, above. Not more frequently than every other week, any party may request the Title IX Coordinator to obtain and provide the parties with a basic status report on the investigator's

progress toward completion. In most cases, the investigator should conclude the investigation within 10-20 days after receiving a Formal Complaint.

F. Determination of Responsibility and Initial Decision Maker.

The determination of responsibility of the respondent shall be made by the initial decision maker as appointed pursuant to Section III.B.5.

1. Prior to making a determination of responsibility, the initial decision maker will afford each party 10 days to submit written, relevant questions to the initial decision maker that the party wants asked of any party or witness.
2. The initial decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the question and evidence concern specific incidents of the complainants prior sexual behavior with respect to the respondent and are offered to prove consent.
3. The initial decision maker will provide the questions to the party/witness, with copies to each party, and provide no less than 10 days for written responses, likewise to be provided to each party.
4. The initial decision maker will provide 5 days each for supplementary, limited follow-up questions and 5 days for answers, and may provide for additional rounds of follow-up questions, as long as the provision is extended to both parties equally.
5. The initial decision maker may not make any credibility determinations based on the person's status as a complainant, respondent or witness.
6. The respondent must be deemed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
7. The initial decision maker may impose disciplinary sanctions and remedies as described in Section I.C7, above.
8. The standard to be used for formal complaints in determining whether a violation has occurred and/or that the respondent is responsible is the preponderance of the evidence standard, which is only met when the party with the burden convinces the fact finder (the initial decision maker) that there is a greater than 50% chance that the claim is true (i.e., more likely than not).
9. The initial decision-maker must issue a written determination/decision within 10 days after the close of the period for responses to the last round of follow-up questions. The written "Initial Determination of Responsibility" must include:
 - a. Identification of the allegations potentially constituting sexual harassment;
 - b. A description of the procedural steps taken from the receipt of the formal complaint through the Initial Determination of Responsibility, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;

- c. Findings of fact supporting the determination;
- d. Conclusions regarding the application of the District’s applicable codes of conduct, policies, administrative regulations or rules to the facts;
- e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility (i.e., whether or not the respondent is responsible for sexual harassment), and any disciplinary sanctions or remedies; and
- f. The District’s procedures and permissible bases for the complainant and respondent to appeal (as set forth in Section I.H, below).

10. The decision maker shall provide the Initial Determination of Responsibility to the Title IX Coordinator, the Superintendent and the parties simultaneously.

G. Dismissal of a Formal Complaint.

1. The District must dismiss a formal complaint with regard to Title IX sexual harassment if the alleged conduct:
 - a. Would not constitute sexual harassment, even if proved;
 - b. Did not occur in the District’s education program or activity; or
 - c. Did not occur against a person in the United States.
2. The District may dismiss a formal complaint with regard to Title IX sexual harassment if at any time during the investigation or determination of responsibility stage(s):
 - a. A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
 - b. The respondent is no longer enrolled or employed by the District; or
 - c. Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
3. Prior to dismissal of a complaint, the person responsible at that stage shall consult with the Superintendent.
4. Upon dismissal of a formal complaint, the District must promptly send written notice of the dismissal and the reason(s) therefor simultaneously to the parties.

The dismissal of a formal complaint under Title IX does not preclude the District from continuing any investigation or taking action under other District policies, code of conduct or administrative rules/regulations. In some cases, the District may have an obligation to continue an investigation and proceed under a different policy or mandated process.

H. Appeals Process.

1. Either party may appeal the Initial Determination of Responsibility or the dismissal of a formal complaint or any allegation in a formal complaint by notifying the Superintendent in writing (“written appeal”), with a copy to the Title IX Coordinator. If there are multiple determinations of responsibility, the written appeal shall specify which ones are included in the appeal. The written

appeal must be received by the Superintendent within 10 days of the Initial Determination of Responsibility or written notice of dismissal being communicated to the parties.

2. An appeal under this Policy may only be based upon one or more of the following bases, which must be stated specifically in the party's written appeal:
 - i. Procedural irregularity that affected the outcome of the matter;
 - ii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
 - iii. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Appeals for any other reason or upon any determination of responsibility not included in the written appeal will not be heard.

Appeals pertain only to the determination of responsibility and non-disciplinary remedies. Once a determination of responsibility is final per Sec. I.I, below, appeals of disciplinary sanctions may be made pursuant to the District's ordinary review process for discipline, or, to the extent applicable, any statutory or other processes provided under collective bargaining agreements or individual contracts.

3. Within 3 days of receipt of the written appeal, the Superintendent shall appoint a decision maker for appeal ("appeals decision maker"),² who must have adequate training as provided in Section II.D, be free from conflict of interest as provided in Section II.G, and may not be the same person as the initial decision maker, the person who ordered dismissal, the investigator(s), or the Title IX Coordinator. Upon the appointment of the appeals decision maker, the Superintendent shall provide a Notice of Appeal to each party and to the Title IX Coordinator, with a copy of the written appeal. The Notice of Appeal must include information about all deadlines and timeframes in the appeal stage.
4. Each party shall have 10 days from the date the Notice of Appeal is delivered to the parties to submit to the appeals decision maker a written statement, with copies to the Superintendent, Title IX Coordinator, and other party a statement ("appeal statement") in support of, or challenging, the determination of responsibility or dismissal.
5. Each party shall provide copies of the appeal statement to the other party, the Superintendent, and the Title IX Coordinator at the same time the appeal statement is given to the appeals decision maker. If the basis of the appeal is newly available evidence affecting the outcome, the party shall submit such evidence or a summary of such evidence along with the party's appeal statement.
6. The appeals decision maker may refer an appealed issue back to a prior point in the grievance process, with written notice to the parties, the Superintendent and the Title IX Coordinator.
7. The appeals decision maker shall provide a written appeals decision after considering the record and the parties' appeal statements. The appeals decision maker will only overturn the Initial Determination of Responsibility upon a conclusion that it was clearly erroneous (i.e., either made

² Although the school board is not precluded from serving as a decision maker with respect to appeals, before it may do so, each member of the board must meet both the training and conflict of interest requirements described in Sections II.D and II.G. Such training may be provided on an as-needed basis, but because of necessary timelines, the framework will need to be in place long before a case is appealed.

on unreasonable grounds, or without any proper consideration of the circumstances). If the basis or one of the bases for the appeal was new evidence, the appeals decision maker may either make a determination of responsibility regarding that evidence, or refer it back to the appropriate stage of the Title IX Grievance Process. The written appeals decision will describe the result(s) of the appeal and the rationale, with copies provided to the parties, Superintendent and Title IX Coordinator, no more than 10 days after receiving the last of the parties' written statements per Section I.H.5, above.

- I. **Finality of Determination of Responsibility.** The determination regarding responsibility becomes final either on the date that the recipient, through the Superintendent, provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal of the Initial Determination of Responsibility would no longer be considered timely. The final determination shall be identified as the Title IX Decision.

Once the Title IX Decision is final, the District may implement remedies and disciplinary sanctions. The Title IX Coordinator is responsible for effective implementation of any non-disciplinary remedies, with the assistance of building and District administrative personnel, while disciplinary sanctions will be imposed by persons charged with such responsibilities under other Board policies, regulations or administrative procedures. The District may also proceed against the respondent or complainant pursuant to the District's applicable code of conduct or other Board policies, collective bargaining agreement, individual contract or administrative rules/regulations/procedures. The issue of responsibility for the conduct at issue shall not be subject to further review or appeal within the District.

J. **Informal Resolution.**

At any time prior to reaching a determination regarding responsibility (but only after the filing of a formal complaint), the District may offer an optional informal resolution process (e.g., mediation, arbitration), provided that the District:

1. Provides written notice to the parties disclosing:
 - a. The allegations of the formal complaint;
 - b. The requirements of the information resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to an informal final resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
 - c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary written consent to the informal resolution process; and

In no event may the District offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

See Also: ACAC – Title IX Sexual Harassment Policy

ADC/GBED/JICG - PROHIBITIONS REGARDING USE AND POSSESSION OF TOBACCO PRODUCTS, E-CIGARETTES AND E-LIQUIDS IN AND ON SCHOOL FACILITIES AND GROUNDS

Category: Priority/Required by Law

Identical Policy: GBED & JICG

Related Policy: IHAMA

State law prohibits the use of any tobacco product, E-cigarette, or liquid nicotine in any facility or upon any grounds maintained by the Mascoma Valley Regional School District. Students and minors are further prohibited from possessing such items in or upon any facility, school vehicle, or grounds owned or maintained by the District.

A. **Definitions.** *These definitions shall also include any amendments to the referenced statutes as the same may be amended or replaced from time to time.*

"Tobacco product(s)" means any product containing tobacco including, but not limited to, cigarettes, smoking tobacco, cigars, chewing tobacco, snuff, pipe tobacco, smokeless tobacco, and smokeless cigarettes, as well as any other product or item included in RSA 126-K:2, XI.

"Device" means any product composed of a mouthpiece, a heating element, a battery, and electronic circuits designed or used to deliver any aerosolized or vaporized substance including, but not limited to, nicotine or cannabis. Device may include, but is not limited to, hookah, e-cigarette, e-cigar, e-pipe, vape pen, e-hookah, as well as any other object or item defined in RSA 126-K:2, II-a.

"E-cigarette" means any electronic smoking device composed of a mouthpiece, a heating element, a battery, and electronic circuits that *may or may not contain* nicotine *or e-liquid*. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, or e-pipes, or under any other product name as well as any other product or item included in RSA 126-K:2, II-b.

"E-liquid" means any liquid, oil, or wax product containing, but not limited to, nicotine or cannabis intended for use in devices used for inhalation as well as any other substance included or defined in RSA 126-K:2, II-c.

"Liquid nicotine" means any liquid product composed either in whole or in part of pure nicotine and propylene glycol and manufactured for use with e-cigarettes, as well as any other product or item included in RSA 126-K:2, III-a.

"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 the District. 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.

B. Students

No student shall purchase, attempt to purchase, possess or use any tobacco product, *device*, E-cigarette, *E-liquid*, or liquid nicotine in any facility, in any school vehicle or anywhere on school grounds maintained by the District.

Enforcement of the prohibition against students shall initially rest with building principals, or their designees, who may also report any violation to law enforcement, for possible juvenile, criminal or other proceedings as provided under state law. Additional consequences may be administered pursuant to printed student conduct rules.

C. Employees

No employee shall use any tobacco product, *device*, E-cigarette, *E-liquid*, or liquid nicotine, in any facility, in any school vehicle or anywhere on school grounds maintained by the District.

Initial responsibility for enforcement of this prohibition shall rest with building principals, or their designees. Any employee(s) who violate(s) this policy is subject to disciplinary action which may include warning, suspension or dismissal. Violations may also be referred to appropriate law enforcement and/or other appropriate agencies for criminal or other proceedings as provided under state law.

D. All other persons

No visitor, contractor, vendor or other member of the public, shall use any tobacco product, *device*, E-cigarette, *E-liquid*, or liquid nicotine in any facility, in any school vehicle, or anywhere on school grounds maintained by the District.

The building principal(s), and where appropriate, other site supervisor (athletic director, vehicle driver, etc.), or their designee(s), shall have the initial responsibility to enforce this section, by requesting that any person who is violating this policy to immediately cease the use of tobacco products, E-cigarette or liquid nicotine. After this request is made, if any person refuses to refrain from using such products in violation of this policy, the principal, site supervisor, or designee may call/contact the appropriate law enforcement agency(ies) for possible criminal or other proceedings as provided under state law.

E. Implementation and Notice - Administrative Rules and Procedures.

The Superintendent shall establish administrative rules and procedures to implement this policy, which rules and procedures may be building level and/or district-wide. Rules and procedures relating to student violations and resulting disciplinary consequences should be developed in consultation with building principal(s).

The Superintendent, working with the building principal(s), shall provide annual notice to employees, students and parents of the pertinent provisions of this policy (e.g., student or staff handbook) along with applicable administrative regulations and procedures, which may include prescribed consequences for violations of this policy. Such notice should include information that violation of this Policy could lead to criminal or other such proceedings.

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

Legal References:

- RSA 155:64 – 77, Indoor Smoking Act*
- RSA 126-K:2, Definitions*
- RSA 126-K:6, Possession and Use of Tobacco Products by Minors*
- RSA 126-K:7, Use of Tobacco Products on Public Educational Grounds Prohibited*

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

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ECAF - AUDIO AND VIDEO SURVEILLANCE ON SCHOOL BUSES

Category: Recommended

See also EEA, JICK, JRA

General Authorization

Video cameras may be used on Mascoma Valley Regional School District school buses to monitor student behavior. Audio recordings in conjunction with video recordings may also be captured on school buses, in accordance with the provisions of RSA 570-A:2.

NOTE CONCERNING AUDIO RECORDINGS: Recordings that include audio must also comply with the limitations of RSA 570-A:2, II (k)(2), which provides in pertinent part: "In no event, however, shall the recording be retained for longer than 10 school days unless the school district determines that the recording is relevant to a disciplinary proceeding, or a court orders that it be retained for a longer period of time. An audio recording shall only be reviewed if there has been a report of an incident or a complaint relative to conduct on the school bus, and only that portion of the audio recording which is relevant to the incident or complaint shall be reviewed."

Notification

This policy constitutes notification that audio and video recordings may be made on school buses used in the district. See also Board policy JICK - Pupil Safety and Violence Prevention.

The Superintendent or his/her designee shall ensure that there is a sign prominently displayed on the school buses informing the occupants of the school buses that such video and audio recordings are occurring. Notification of such video and audio recordings on the bus will also be included in the Student-Parent Handbook as well as the District and school websites.

Procedures Concerning Usage and Retention of Audio Recordings

The Superintendent is charged with establishing additional administrative procedures consistent with this policy to address the length of time which any audio recording is retained, ownership of the recording, limitations on who may view and listen to the recording, and provisions for erasing or destroying the recordings. Video recordings without audio may be used, retained or destroyed as provided in Board policy EEAA.

Recordings may be viewed/heard only by the following persons and only after expressly authorized by the Superintendent:

- Superintendent or designee
- Transportation Coordinator
- Investigators or attorneys retained by district
- Business Administrator
- Building Administrator
- Law Enforcement Officers
- Parent/guardian of any student involved in disciplinary proceedings and present on the recording.

The Superintendent is authorized to consult with the District's attorney relative to the use and retention of an audio and video recording either generally or in reference to a particular occurrence.

Student Records

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.

Legal References:

RSA 570-A:2, Capture of Audio Recordings on School Buses Allowed
34 C.F.R. Part 99, Family Educational Rights and Privacy Act Regulations

Draft recommended to the Board on: 5/9/94; Adopted by the Board on: 7/18/94 Revision approved, as amended, first reading: 10/12/99 2 nd Reading and Adoption by the Board: 11/09/99 Revision approved and first reading: 12/16/14 Second Reading and Approval: 1/14/15 Reviewed/First Reading: 10/27/20; 2nd Reading/Adopted: 11/10/20 Review/1st Reading: 2/8/22; 2nd Reading/Adopted: 2/22/22

EF - FOOD SERVICE MANAGEMENT

Category: Recommended

See also JLCF

In the Mascoma Valley Regional School District, all food service personnel will be directly responsible to the Food Service Director. The Food Service Director is responsible to the Superintendent or Business Administrator.

The Food Service Director is responsible for the planning and preparation of food served in the food service program, ensuring full compliance with the State of New Hampshire's education rules and regulations. All food will comply with the nutrition standards as set forth by the school wellness program.

The Food Service Director will order supplies, keep accurate records of financial transactions connected with the food service program, and prepare all records and reports as required.

The Food Service Director will be certified by a NH Department of Education approved program. They must hold a certificate of completion for an approved sanitation course upon employment.

All food service employees shall, within their first year of employment, obtain a certificate of completion for an approved sanitation course.

The Food Service Director will make recommendations to the building principal, the Superintendent, and/or Business Administrator concerning personnel and operational matters related to the food service program.

The District will seek to ensure that all students have access to school-provided meals. The Superintendent and/or the Business Administrator will develop meal-payment procedures for school-provided meals. No student will be subject to different treatment from the standard school lunch meal or school cafeteria procedures, regardless of ability to pay for such meal.

Reviewed: 12/01/16; First Reading 12/13/16; Second Reading 1/10/17
F&F: 11/1/18; School Board: 11/13/18; F&F: 1/2/19;
1st Reading: 1/8/19; 2nd Reading & Adopted: 1/22/19

EFA - AVAILABILITY AND DISTRIBUTION OF HEALTHY FOODS

Category: Priority/Required by Law

The Mascoma Valley Regional School District will support the availability and distribution of healthy foods and beverages in all school buildings during the school day.

The Superintendent of Schools or his/her designee is responsible for ensuring that all foods and beverages distributed within the district meet nutritional standards established by state and federal law relative to: (1) nutrient density; (2) portion size; and (3) nutrition targets, as defined in pertinent law.

The Superintendent of Schools or his/her designee is responsible for implementing developmentally appropriate opportunities to learn food preparation skills that support nationally recognized research-based nutrition standards. The Superintendent of Schools or his/her designee is responsible for providing annual communication information about the policy and procedure and related curricula to the school community.

First Reading to Board: 5/26/15
Second Reading and Approval: 6/9/15
Reviewed by F&F: 11/1/18 – No Changes Recommended

EFAA - MEAL CHARGING

The Mascoma Valley Regional School District encourages all parents and guardians (hereinafter "parents") to provide a healthy breakfast and lunch for their student(s). Parents are welcome to send students to school with a "brown bag/lunch box" meal. The District provides the opportunity to purchase breakfast and lunch from the school cafeteria. Each meal meets or exceeds the federal nutrition standards. Payment is expected no later than when the meal is served. Payment may be in cash, check or as a debit against funds deposited into an established student lunch account.

All students will be allowed a school lunch regardless of their account balance.

The school lunch program is required by federal law to operate as a non-profit which must end each fiscal year without a negative balance. Uncollected debt must be paid to the school lunch program from other funds. Therefore, parents of students required to pay the full or reduced price for meals must ensure that the school lunch program is paid for their student's meals. The District's policy is to quickly escalate efforts to bring student meal accounts into positive balance, to avoid circumstances where these accounts build significant debt.

Student Meal Accounts

The District uses a point-of-sale computerized meal payment system which has an account for all students. Parents of students who will be purchasing meals using this system are required to establish and maintain a positive balance in the student's meal account.

Funds may be deposited into a student lunch account by cash, check, or on-line payment. Cash or checks made out to: Café Services should be presented to the cashier at the cafeteria. A check may also be mailed to: Café Services, 27 Royal Road, Canaan, NH 03741. The District utilizes the services of www.MealTime.com. The use of checks or on-line payments is encouraged, as each provides a record. Parents are responsible for any fees charged by the on-line service. In accordance with United States Department of Agriculture ("USDA") guidance SP 02-2015, there will be no processing fee for deposits to a student meal account made by cash or check.

Bank fees incurred on any check returned for insufficient funds will be charged to the parent. In accordance with RSA 358-C:5, notice of the fee charged for a check that is returned for insufficient funds shall be included in any letter sent to a Parent seeking payment because the student meal account has a negative balance.

Each notice to parents will include information on how to verify a student meal account balance, to resolve concerns regarding the accuracy of the account balance, or to obtain information on the school meal program, including the name, title, hours when available, phone number, and e-mail address of an appropriate member of the District staff.

Parental Restrictions on Use of Student Meal Account

Parents who establish a meal account for their student are responsible for establishing with their student any restrictions the parent chooses to place on use of the account. Unless restricted by the parent, a student may purchase a la carte items in addition to the regular meal choices. Some students purchase

more than one meal at one sitting. Setting and ensuring compliance with limitations on the use of the student's meal account afford families an opportunity to develop their student's understanding of the responsible use of credit and debit accounts, which will benefit the student throughout life. Parents must monitor the student's use of the meal account to ensure that a sufficient balance is available at all times for their student to charge meals. The District's on-line payment system allows a parent to check their students balance at any time.

The District's policy is to ensure that students have access to healthy meals and that no student will be subject to different treatment from the standard school meal or school cafeteria procedures. Therefore, the District will allow students to purchase a meal, even if the student's meal account has insufficient funds. This policy applies to all meal offerings generally available at the cafeteria, including breakfast and lunch. This does not apply to a la carte items.

Balance Statements

The District will work proactively with parents to maintain a positive balance in their student's meal account. The Superintendent shall establish a procedure at each school requiring that a low balance statement be sent to parents whenever the balance in a student's meal account falls to or below a set amount that approximates the amount typically necessary to pay for one week of meals.

The notices will be sent by e-mail when practical, otherwise by a note, sealed in an envelope, and sent home with the student. Only those District staff who have received training on the confidentiality requirements of federal and state law, including the United States Department of Agriculture's ("USDA") guidance for school meal programs, and who have a need to access a child's account balance and eligibility information may communicate with parents regarding unpaid meal charges. Volunteers, including parent volunteers will not be used to communicate with parents regarding unpaid meal charges. 42 U.S.C. 1758(b)(6).

Notice prior to the account reaching zero is intended to reinforce the requirement that a positive balance be maintained in the student meal account. If a student meal account falls into debt, the initial focus will be on resuming payments for meals being consumed to stop the growth of the debt. The secondary focus will be on restoring the account to routinely having a positive balance.

The District recognizes that unexpected financial hardships occur and will work with parents in this circumstance to limit the amount of accumulated debt. To do so, it is essential that parents respond to notices and cooperate with district staff efforts. Fairness and equal treatment requires that those able to pay, but who fall behind, must promptly bring their students meal account into a positive balance. The District's proactive approach is intended to help ensure students have healthy meals and that parents do not accumulate significant debt to the school meal program.

Free or Reduced Price Meals

The District participates in the federally supported program to provide free or reduced price meals to students from families whose economic circumstances make paying for meals difficult. Income guidelines for eligibility are based on family size and are updated each year by the USDA. The District

will ensure parents are informed of the eligibility requirements and application procedures for free or reduced cost meals as well as the requirements of this policy.

Parents shall be provided with a copy of this policy and an application for free or reduced cost meals annually at the start of the school year through a mailing or in the parents' handbook, upon enrollment of a transfer student during the school year, and as a component of all notices sent to parents seeking payment to correct a negative balance in the student meal account. The communication explaining the availability of the free or reduced price meals shall include all the elements required by federal regulation, 7 C.F.R. 245.5. Each notice shall also identify a member of the District staff, with contact information, who is available to answer questions or assist the parents with applying for free or reduced price meals.

As required by the Civil Rights Act of 1964 and USDA guidance, parents with Limited English Proficiency ("LEP") will be provided with information on this policy and the free and reduced price meal program in a language the parents can understand. The District will utilize USDA and community resources to fulfill this requirement. This policy and links to application materials for the free or reduced price meal program will be posted on the school web site and made available to parents at each school.

The District will proactively enroll students found to be categorically eligible into the free or reduced price meal program. The District will seek to enroll eligible students in the free or reduced price meal program upon learning from any source of the student's potential eligibility. When eligibility is established, the District will apply the earliest effective date permitted by federal and state law.

The District will provide a copy of this policy and application materials for free or reduced price meals to town welfare offices/human services offices and other local social service agencies who may have contact with parents who are confronting layoffs or other financial hardship.

(This section applies for districts that choose to allow a student with a zero balance to charge meals. A District may have a policy that charging meals is not permitted. A policy prohibiting meal charges may be more appropriate if applied only to older students.)

Students Without Cash in Hand or A Positive Account Balance

Regardless of whether a student has money to pay for a meal or has a negative balance in the student meal account, a student requesting a meal shall be provided with a meal from among the choices available to all students. The only exception will be where the student's parents have provided the District with specific written direction that the student not be provided with a school lunch program meal, the student has a meal sent from home, or otherwise has access to an appropriate meal. Under no circumstances will a student's selected meal be thrown away because of the status of the student's meal account.

It is the parents' responsibility to provide their student with a meal from home or to pay for school prepared meals. Therefore, the District's policy is to direct communications to parents about student meal debt. When parents choose to provide meals sent from home, it is the parents' responsibility to explain to their student the necessity of the student not using the school meal program.

Initial efforts to contact parents will be by e-mail or phone, however if those efforts are unsuccessful, letters to parents may be sent home in sealed envelopes with the student. Where the District has not

received a response from the parents or the parents do not cooperate in resolving negative student meal account balances and the student continues to use the school meal program, for students in grade seven or higher, the principal or designee may communicate directly with the student in a manner that is private and which does not publicly identify or stigmatize the student. Resolution of the problem should seek to ensure the student has ongoing access to an appropriate meal.

Should the student's meal account balance fall below zero, a balance statement requesting immediate payment shall be sent to parents no less than once each week.

If the student's meal account balance debt grows to \$15.00 or more a letter demanding immediate payment shall be sent by US Mail to the parent or the parent shall be contacted by the Principal or designee by phone or in person. Where warranted, the Principal may arrange a payment schedule to address current meal consumption and arrearages while the school continues to provide the student with meals.

If the student's meal account debt grows to \$30.00 or more the parents will be requested to meet with the principal. When appropriate, the Principal should explore with the parents whether an application for free or reduced cost meals is warranted. Where extenuating circumstances of financial hardship exist and the family is not eligible for free or reduced cost meals, the District will work with the parents to identify and engage governmental and private charitable resources which are available to assist the family.

If a student with a negative balance in his or her meal account seeks to purchase a meal with cash or check, the student will be allowed to do so. There is no requirement that the funds be applied first to the debt.

Unresolved Debt

If the Principal determines that the best available information is that the parents are able to pay the expenses of the student's meals and the parents decline to cooperate with resolving the debt in a timely manner, the Principal shall send a letter to the parents directing them to have their student bring meals from home and cease utilizing the school meal program. The student may resume using the school meal program when a positive account balance is restored in the student's meal account.

If the student continues to use the school meal program, a second letter shall be sent to the parents using certified mail, return receipt requested.

If parents continue to fail to provide the student with a meal sent from home, continue to fail to provide funds for their student to use the school lunch program, continue to refuse to cooperate with reasonable requests by District staff to address the overdue debt, and the parent is believed to have the ability to pay, the Superintendent may pursue payment through civil legal action, including filing a claim in small claims court pursuant to RSA Chapter 503. The Superintendent is delegated authority to assess the likelihood that civil action will lead to payment, the resources required to pursue collection, and to pursue such action only when doing so is in the best interest of the District.

The Superintendent shall try to identify non-profit charities that are willing to contribute funds to the district to assist in keeping a positive balance in the meal account of students whose parents do not qualify for free meals and who due to financial hardship are unable to consistently keep the student meal account

in a positive balance. If at the end of the fiscal year uncollected debt in student meal accounts must, as a last resort to fulfill federal requirements, be paid to the school meal program from other District funds, the parents' debt for unpaid meal charges shall be owed to the District.

Applying the policy set forth above, the Superintendent shall determine if further collection efforts are in the best interest of the District. Any payments collected on debt that has been offset with District funds, shall be credited to the District. All debt collection efforts shall comply with RSA Chapter 358-C, New Hampshire's Unfair, Deceptive or Unreasonable Collection Practices Act.

Staff Enforcement of Policy/Training

A copy of this policy and refresher training shall be provided annually to all food service and school staff responsible for serving student meals or enforcing this policy. New staff with these responsibilities shall be provided with a written copy of the policy and training on the policy during their initial training or orientation. In accordance with federal requirements, a record shall be maintained documenting that new staff receive the policy and training. The record must also document that all applicable staff receive a copy of the policy and refresher training annually.

Student with Special Dietary Needs

Nothing in this policy prohibits providing an appropriate meal to a student with special dietary needs such as, but not limited to, diabetes, provided these needs have been documented in a health plan, Sec 504, or IEP. If the meal is medically required, and the student has a negative student meal account balance, or does not have cash to purchase the meal, the necessary dietary needs will be met.

To request meal accommodations for students whose dietary needs qualify them for accommodation under law or to file a school meal program complaint with the District, contact the Food Service Director at phone number 632-4308.

To file a program complaint of discrimination with the USDA, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

This District is an equal opportunity provider.

Nondiscrimination

It is the District's policy that in the operation of child feeding programs, no child will be discriminated against because of race, sex, color, national origin, age, or disability. 7 C.F.R. 245.5(a)(1)(viii). Students will not be denied meals due to the existence of other unpaid charges at the school or for disciplinary reasons.

Assessment for Neglect Reporting

If a student who has been determined to be ineligible for free or reduced cost meals or whose parents have refused to cooperate with filing an application for free or reduced cost meals is consistently not provided with meals, either through a meal sent from home or the payment for a meal through the school meal program, the Principal will assess whether a report of child neglect is warranted to the New Hampshire Department of Health and Human Services, Division for Children, Youth, & Families, as required by RSA 169-C:29-31.

School Board: 10/23/18; F&F: 11/1/18, 1.2.19

1st Reading: 1/8/19; 2nd Reading & Adopted: 1/22/19

F&F Review: 8/7/19; 1st Reading: 8/13/19; 2nd Reading & Adopted: 8/27/19

GBEBB – EMPLOYEE-STUDENT RELATIONS

Category: Recommended

See also: GBEBD

The Mascoma Valley Regional School Board expects all staff members to maintain the highest professional, moral and ethical standards in their conduct with students.

Staff members are expected to maintain an atmosphere conducive to learning, through consistently and fairly applied discipline and established professional boundaries. For the purpose of this policy staff means employees, contract service providers, school volunteers, coaches and student teacher/interns.

Unless necessary to serve an educational or health-related purpose:

1. Staff members shall not make derogatory comments to students regarding the school and/or its staff.
2. The exchange of purchased gifts between staff members and students are discouraged.
3. Staff members shall not fraternize, written or verbally, with students except on matters that pertain to school-related issues.
4. Staff members shall not associate with students in any situation or activity which could be considered sexually suggestive or involve the presence or use of tobacco, alcohol or drugs.
5. Dating between staff members and students is prohibited.
6. Staff members shall not use insults or sarcasm against students as a method of forcing compliance with requirements or expectations.
7. Staff members shall maintain a reasonable standard of care for the supervision, control and protection of students commensurate with their assigned duties and responsibilities.
8. Staff members shall not send students on personal errands.
9. Staff members shall, pursuant to law and Board policy, immediately report any suspected signs

of child abuse or neglect.

10. Staff members shall not attempt to counsel, assess, diagnose or treat a student's personal problem relating to sexual behavior, substance abuse, mental or physical health and/or family relationships but, instead, should refer the student to the appropriate individual or agency for assistance.

11. Staff members shall not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but is not limited to, information concerning assessments, ability scores, grades, behavior, mental or physical health and/or family background.

12. Staff members shall not be alone in a room with a door closed, a locked door, or with the lights off.

13. Staff members are strongly discouraged from socializing with students outside of school on social networking websites, consistent with the provisions of Policy GBEBD.

Staff members who violate this policy may face disciplinary measures, up to and including termination, consistent with state law and applicable provisions of a collective bargaining agreement.

Any employee who witnesses or learns of any of the above behaviors shall report it to the building principal or Superintendent immediately.

Adopted: 6/8/10

Revised: 12/28/10

Reviewed: 11/20/19; 1st Reading: 1/28/20; 2nd Reading/Adopted: 2/11/20

GBEC - DRUG-FREE WORKPLACE & DRUG-FREE SCHOOLS

Category: Priority-Required by Law

Identical Policy: ADB

Related Policy: JICH

Drug and alcohol abuse in the workplace or at school or in connection with school-sponsored activities on or off school grounds threatens the health and safety of our students and our employees and adversely affects the educational mission of the Mascoma Valley Regional School District. Accordingly, the District is committed to providing a drug and alcohol free learning environment and workplace.

A. Drug-Free Workplace

1. All District workplaces are drug- and alcohol-free. All employees and contracted personnel are prohibited from:

a. Unlawfully manufacturing, dispensing, distributing, possessing, using, or being under the influence of any controlled substance or drug while on or in the workplace, including employees possessing a "medical marijuana" card.

- b. Distributing, consuming, using, possessing, or being under the influence of alcohol while on or in the workplace.
- 2. 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.
- 3. 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.
- 4. As a condition of employment, each employee and all contracted personnel will:
 - a. Abide by the terms of this policy respecting a drug- and alcohol-free workplace, including any administrative rules, regulations or procedures implementing this policy; and
 - b. Notify his or her supervisor of his or her conviction under any criminal drug statute, for a violation occurring on District premises or while performing work for the District, no later than five (5) days after such conviction.
- 5. In order to make employees aware of dangers of drug and alcohol abuse, the District will endeavor to:
 - a. Provide each employee with a copy of the District drug- and alcohol-free workplace policy;
 - b. Post notice of the District 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 workplace, 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.

B. District Action Upon Violation of Policy

An employee who violates this policy may be subject to disciplinary action; up to and including termination of employment. 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 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 receives 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.

C. 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.

D. Implementation and Review

- a. The Superintendent is directed to promulgate administrative procedures and rules necessary and appropriate to implement the provisions of this policy.
- b. In order to maintain a drug-free workplace, the Superintendent will perform a biennial review of the implementation of this policy. The review shall be designed to (i) determine and assure compliance with the notification requirements of section A.5.a, b and d; (ii) determine the effectiveness of programs established under paragraph A.5.c above; (iii) ensure that disciplinary sanctions are consistently and fairly enforced; and (iv) and identify any changes required, if any.

Legal References:

- 41 U.S.C. §101, et. Seq. - Drug-free workplace requirements for Federal contractors, and Federal grant recipients
- RSA Chapter 193-B Drug Free School Zones
- N.H. Admin. Code, Ed. Part 316

***Note: RSA's are subject to change. See the NH Government website for the most current RSA information.*

Adopted: 8/26/08

SB Review: 12/4/18; EIC: 1/17/19; 1st Reading: 2/12/19; 2nd Reading & Adopted: 2/26/19

IGDJ - INTERSCHOLASTIC AND INTRAMURAL SPORTS

The School Board believes individual students will benefit from a variety of opportunities to grow physically and intellectually. Accordingly, the Board supports an interscholastic and intramural sport program, allowing students to participate on the basis of personal interest, academic and conduct standards, and physical health. Program offerings should primarily consider student interest as well as the resources available for program support.

The Board believes that interscholastic and intramural athletic activities should be an outgrowth of the school's physical education and health curriculum, with skills and demands appropriate for the grade level of students involved. The Board supports an emphasis on participation in lifelong athletic activities, proper physical conditioning, good sportsmanship, and personal health.

It is recognized that a well planned and well conducted athletic program contributes to a positive school culture and the morale of the student body as well as an important element in school-community relations. The athletic program is an integral part of a comprehensive education as sports teach self-discipline, contribution to a team, healthy living, and development of self-esteem. Participation in interscholastic and intramural athletic programs is a privilege. For this reason, standards for academics and conduct/citizenship will determine eligibility. Students participating in district programs should be aware that during participation they represent their school and district and thus are subject to the policies and regulations of the Mascoma Valley Regional School District and state, local, and federal laws. A high standard of behavior is expected of team members.

New interscholastic athletic program offerings are subject to the approval of the Board, as are new memberships in any league, association, or conference, and eligibility guidelines for student participation.

The Mascoma Valley Regional High School is a member of the New Hampshire Interscholastic Athletic Association (NHIAA) and in all athletic matters will at least meet and comply with the rules, regulations, and philosophy of that body. The Board reserves the right to adopt a higher standard than that of the NHIAA.

Reviewed by the MVRSD Policy Committee: August 6, 1998
Approved by School Board 8/6/98; Reviewed EIC: 02/16/17

IKE - PROMOTION AND RETENTION OF STUDENTS

Category: Priority/Required by Law

The Mascoma Valley Regional School District Superintendent and the building principals shall develop rules for the promotion and retention of students. The rules will be approved by the Board. These rules shall be published in the Parent-Student Handbook.

Criteria to be considered regarding the promotion of students should include, but is not limited to, a student's mastery of course level competencies, grades, teacher recommendations, and the student's social growth and readiness.

Legal References:

Ed 306.14(b)(3), Promoting Students (until July 1, 2015)
Ed 306.141(a)(3), Promoting Students (after July 1, 2015)

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.*

1st Reading: 3/25/03; 2nd Reading: 4/8/03; Adopted: 4/22/03

Reviewed/1st Reading: 1/26/21; 2nd Reading/Adopted: 2/9/21

JH - ATTENDANCE, ABSENTEEISM AND TRUANCY

Category: Priority/Required by Law

Absences

The Mascoma Valley Regional School Board requires that school-aged children enrolled in the District attend school in accordance with all applicable state laws and Board policies. The educational program offered by the District is predicated upon the presence of the student and requires continuity of instruction and classroom participation in order for students to achieve academic standards and consistent educational progress.

Attendance shall be required of all students enrolled in the District during the days and hours that school is in session, except that the Principal may excuse a student for temporary absences when receiving satisfactory evidence of conditions or reasons that may reasonably cause the student's absence.

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. 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, parents must call the school and inform the Mascoma Valley Regional School District of the student's illness and absence. For other absences, parents must provide written notice or a written excuse that states one of these 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 nonattendance. If parents wish for their child to be absent for a reason not listed above, the parent must provide a written explanation of the reason for such absence, including why the student will be absent and for how long the student will be absent. The Principal will make a determination as to whether the stated reason for the student's absence constitutes good cause and will notify the parents via telephone and writing of his/her decision. If the Principal determines that good cause does not exist, the parents may request a conference with the Principal to again explain the reasons for non-attendance. The Principal may then reconsider his/her initial determination. However, at this juncture, the Principal's decision shall be final.

Family Vacations/Educational Opportunities

Generally, absences other than for illness during the school year are discouraged. The school principal or his/her designee may, however, grant special approval of absence for family vacations, provided written approval is given in advance. Parents are asked to write a note to their child's teacher at least two weeks before the trip. This advance planning will allow the teacher enough time to work with parents and the student regarding homework completion.

Truancy

Truancy is defined as any unexcused absence from class or school. Any absence that has not been excused for any of the reasons listed above will be considered an unexcused absence.

Ten half-days of unexcused absence during a school year constitutes 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 of more than three and one-half hours of instructional time shall be considered a full-day absence.

The Principal or Truant Officer is hereby designated as the Mascoma Valley Regional School District employee responsible for overseeing truancy issues.

Intervention Process to Address Truancy

The Principal shall ensure that the administrative guidelines on attendance properly address the matter of truancy by including a process that identifies students who are habitually truant, as defined above.

When the Principal identifies a student who is habitually truant or who is in danger of becoming habitually truant, he/she shall commence an intervention with the student, the student's parents, and other staff members as may be deemed necessary. The intervention shall include processes including, but not limited to:

- 1. Investigation of the cause(s) of the student's truant behavior;*
- 2. Consideration of the modification of the student's educational program to meet needs that may be causing the truancy;*
- 3. Involvement of the family or guardian(s) in the development of a plan to reduce or eliminate the truancy;*
- 4. Determination as to whether MVRSD's record keeping and parental notification procedures in accordance with policy JH have had a positive effect on the student's attendance; and*
- 5. Consideration of the alteration of/or elimination of disciplinary measures for truancy.*

Parental Involvement in Truancy Intervention

When a student reaches habitual truancy status or is in danger of reaching habitual truancy status, the Principal will send the student's parent a letter which includes:

- 1. A statement that the student has become or is in danger of becoming habitually truant;*
- 2. A statement of the parent's responsibility to ensure that the student attends school; and*
- 3. A request for a meeting between the parents and the Principal to discuss the student's truancy*

and

to develop a plan for reducing the student's truancy.

Developing and Coordinating Strategies for Truancy Reduction

The Mascoma Valley Regional School Board encourages the administration to seek truancy-prevention and truancy-reduction strategies along the recommendations listed below. However, these guidelines shall be advisory only. The Superintendent is authorized to develop and utilize other means, guidelines and programs aimed at preventing and reducing truancy.

- 1. Coordination of truancy prevention strategies for all school sites. Strategies will be based on early interventions, such as prompt notifications to families or guardians when attendance issues appear.*
- 2. Provision of assistance (strategies, resources, referral procedures, etc.) to school staff as they design site-based attendance plans.*
- 3. Adoption of district wide or site-based attendance incentive programs.*

Parental Notification of Truancy Policy

Prior to adopting this policy, the Mascoma Valley Regional School Board will place the item on the agenda of a public school board meeting and will allow two weeks for public input as to the policy's provisions. Any public input shall be advisory only and final adoption as to the policy's provisions will remain solely with the Mascoma Valley Regional School Board. Additionally, the Superintendent shall also ensure that this policy is included in or referenced in the student handbook and is mailed to parents annually at the beginning of each school year.

Legal References:

RSA 189:34, Appointment

RSA 189:35-a, Truancy Defined

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

RSA 193:7 Penalty

RSA 193:8, Notice Requirements

RSA 193:16 Bylaws as to Nonattendance

NH Code of Administrative Rules, Section Ed 306.04 (a)(1), Attendance and Absenteeism

NH Code of Administrative Rules, Section Ed 306.04 (c), Policy Relative to Attendance and Absenteeism

***Note: RSA's are subject to change. See the NH Government website for the most current RSA information.*

Board Adopted: 10/12/10

Reviewed EIC: 10/18/18; First Reading: 11/13/18; Second Reading/Adopted: 12/4/18

ATTENDANCE CONTRACT

Date: _____

Student: _____

Parent/Guardian: _____

* * * * *

THE STUDENT SHALL

- Attend school and all assigned classes on time each day that school is in session except for major illness, injury, etc., excused by the parent **AND** school principal or designee.
- Obey all school rules/directions given by the school staff, to the best of his/her ability.
- Complete and turn in on time all assignments/homework, to the best of his/her ability.
- _____
- _____

THE PARENT/GUARDIAN SHALL

- Assist the child in getting to school and to the first class of the day on time each day that school is in session except for major illness, injury, etc., excused by the parent **AND** school principal or designee.
- When the child is to be absent:
 - Contact the school the same day of the absence to explain the absence. You may also choose to bring the child to the School Nurse to have the Nurse verify that the child is unable to attend.
 - When the child returns to school, send a note with the child stating the reason for the absence. Have the child take the note to the main office.
 - When taking the child to see a doctor, get a written note from the doctor stating the child was seen and the number of days to be excused from school. Have the child take the note to the main office.
- _____
- _____

THE SCHOOL SHALL

- _____
- _____
- _____

As child/parent/guardian, we understand and agree to the terms and conditions of the Attendance Contract and as parent/guardian I agree to support my/our child in this plan. I/we further understand that failure to comply with the Attendance Contract may result in a Truancy Filing in Family Court. In the event this should occur, both child and parent/guardian may be held responsible by the court for failure to comply with the Attendance Contract.

Student Signature

Parent/Guardian Signature

School Official

Parent/Guardian Signature

Board Adopted: 10/12/10; Reviewed by EIC: 11/15/18

JI - STUDENT RIGHTS AND RESPONSIBILITIES

Category: Recommended

Related Policies: JIC & JICD

Mascoma Valley Regional School District student rights and responsibilities shall be published annually in the applicable student handbook, and will be made available in another language or presented orally upon request. Student disciplinary procedures will be implemented pursuant to Board Policies JIC and JICD.

Legal References:

RSA 189:15, Regulations

NH Code of Administrative Rules, Section Ed 306.04(a)(3), Student Discipline

NH Code of Administrative Rules, Section Ed 306.04(f), Student Discipline

NH Code of Administrative Rules, Section Ed 317.04(b), Disciplinary Procedures

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.*

First Reading: 7/28/15

Second Reading and Approval: 8/11/15

Reviewed/1st Reading: 4/6/21; 2nd Reading/Adopted: 4/27/21

JIC - STUDENT CONDUCT

Category: Priority/Required by Law

Related Policies: JICD, JICDD, JICI, JICK

See also Appendix: JICD-R

A. General Policy.

The Mascoma Valley Regional School Board 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. With this objective, the Board endorses adoption of a Multi-Tiered System of Support for Behavioral Health and Wellness (“MTSS-B”) as the framework for the Code of Conduct. 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 School Board 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, and reflects the three-tiered support prevention of framework of MTSS-B: school-wide approaches; targeted supports for at-risk students; and individualized services for highest-needs students.

The Code of Conduct for each school shall be submitted to the School Board for review each year, either separately or with the applicable 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 shall include:

1. A graduated and age-appropriate system of supports and intervention strategies, such as:

- parent conferences,
- counseling,
- peer mediation,
- instruction in conflict resolution and anger management,
- parent counseling and training,
- community service, and
- rearranging class schedules.

2. Graduated and age-appropriate disciplinary consequences such as:

- restriction from extra-curricular activities,
- temporary (same day) removal from class or activity,
- detention,
- temporary reassignment/in-school suspension,
- out-of-school suspension, and
- expulsion.

3. Provisions describing how and when short term suspensions of up to 5 days, short term suspensions up to 10 days, long term suspensions up to 20 days, and/or expulsion should be imposed. These standards shall make reference to and reflect:

- the nature and degree of disruption caused to the school environment;
- the threat to the health and safety of pupils and school personnel, volunteers or visitors;
- whether the conduct or behavior is isolated or repeated.

All temporary (same day) removal from classrooms or activities, restriction from activities, detentions, suspensions and expulsions shall comport with applicable laws, regulations and Board policy JICD.

4. Information regarding RSA 193:13, 193-D, this policy, Board policy JICD, and other Board policies or District/school rules regulating student conduct on and off-campus. Except where the complete text of a statute, regulation or policy is required, the Code of Conduct should include age appropriate language. E.g., summaries for elementary grade levels.

C. **Implementation and Notice.**

The Superintendent shall assure that the Code of Conduct, complete with the information set out in section B.4, above, shall be printed in full in each student handbook, made available to parents at the beginning of the school year, publicly available on the school, District and/or SAU district website [or in some other manner to assure parental notification if neither the school district nor SAU maintain a website].

Additionally, building Principal(s) shall assure student awareness of the Code of Conduct and other District policies and building rules through print, postings and periodic announcements.

The Superintendent should also designate personnel to explore the availability of and pursue any State or Federal grants, technical assistance and professional development opportunities available to facilitate implementation of MTSS-B per RSA 135-F:5, I(c) and (d).

D. Parental Notification of Simple Assaults.

Pursuant to RSA 193-D:4, I (b), the Superintendent is directed to adopt and implement procedures requiring parents/guardians of each student involved in a simple assault (victim and perpetrator) occurring during the school day, when such assault causes: any form of bodily injury, including bruising or discoloration, or would otherwise constitute a disciplinable offense under the Code of Conduct. For purposes of this policy, "simple assault" shall have the same meaning as that provided in RSA 631:2-a (a simple assault occurs when one purposefully or knowingly causes bodily injury or unprivileged physical contact to another; or recklessly causes bodily injury to another or negligently causes bodily injury to another by means of a deadly weapon).

E. Disciplinary Removal of Students with Disabilities.

If a student is disabled under the Individuals with Disabilities Act (IDEA), the New Hampshire RSA 186-C, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, or any other law providing special rights to disabled students, those laws shall govern and shall supersede these local policies to the extent these local policies are inconsistent with those laws. Accordingly, any class or activity removal, suspension or expulsion of a child with a disability as defined in Ed 1102.01(t) shall be in accordance with Ed 1124.01.

Legal References:

RSA 135-F:5, System of Care for Children/Duties of Commissioner of Dept. of Education
RSA 193:13, Suspension and Expulsion of Pupils
RSA 193-D:4, Written Report Required
RSA 631:2-a, Simple Assault
NH Code of Administrative Rules, Section Ed. 306.04(f)(4), Student Discipline
NH Code of Administrative Rules, Section Ed. 306.04(g), Suspension & Expulsion
NH Code of Administrative Rules, Section Ed. 306.06, Culture and Climate
NH Code of Administrative Rules, Section Ed. 317.04(b), Disciplinary Procedures

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.*

First Reading: 8/11/15; Second Reading: 8/25/15

Reviewed by EIC: 1/17/19; 1st Reading: 2/12/19; 2nd Reading & Adopted: 2/26/19

JICA - STUDENT DRESS CODE

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

The following apparel is not to be worn at school: transparent tops, clothing with offensive, vulgar, sexual, or racist language or pictures. All tops will completely cover the mid-section and undergarments are to remain covered. Clothing that glorifies or promotes use of alcohol, drugs or tobacco is not permitted. Hats or caps are not to be worn in classrooms.

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

Reviewed by EIC: 4/19/18; 1st Reading: 5/8/18; 2nd Reading: 5/22/18; Adopted 5/22/18

Reviewed by EIC: 9/20/18; 1st Reading: 10/9/18; Second Reading 10/23/18; Adopted: 10/23/18

JICC STUDENT CONDUCT ON SCHOOL BUSES

Category: Recommended

Related Policies: EEA, JIC & JICD

Related Administrative Procedures: JICC-R

Students using school buses and other Mascoma Valley Regional School District transportation are under the jurisdiction of the School from the time they board the bus until they exit the bus. Additionally, Board Policy JICDD applies to “out-of-school” student conduct, including, but not limited to, conduct at or near school bus stops.

The Superintendent or his/her designee will develop rules and regulations for conduct on buses. See District administrative School Bus Conduct Rules JICC-R and these shall be printed in the ParentStudent Handbook, made available on the District and/or school website, and provided in other languages as needed.

Failure to abide by the School Bus Conduct Rules Continued, disorderly conduct or persistent refusal to submit to the authority of the driver may result in a student to be denied or suspended from the privilege of transportation in accordance with the RSA 189:9-a, and applicable District rules and procedures. See JICC-R. Additionally, conduct on District transportation is subject to additional interventions, supports or consequences as provided in the Student Code of Conduct.

If a student is to lose the privilege of riding the bus (“transportation suspension”), advance warning will be given, except for misconduct that threatens or the health, safety or welfare of other students, staff or

any other person. Parents/guardians of students who have had bus privileges suspended have a right to appeal the suspension within 10 calendar days to the person who issued the original suspension. Transportation suspensions exceeding 20 days must be approved by the Board. Transportation suspensions shall not begin until the next school day following the day written notification of suspension is sent to the pupil's parent/guardian. The Superintendent shall include such appeal and review procedures in the School Bus Conduct Rules referenced in the preceding paragraph. Transportation suspensions may extend to all District transportation according to the Student Bus Conduct Rules.

Students transported in a school bus shall be under the authority of the District and under control of the bus driver. The driver of the bus, along with the bus monitor, if applicable, is responsible for the orderly conduct of the students transported. Each driver and monitor has the support of the Board in maintaining good conduct on the bus.

Legal References:

- RSA 189:6-a, School Bus Safety
- RSA 189:9-a, Pupils Prohibited for Disciplinary Reasons
- NH Code of Administrative Rules, Section Ed. 306.04(d)(1), School Safety
- NH Code of Administrative Rules, Section Ed. 306.04(f)(4), Student Discipline

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

Review/1st Reading: 2/8/22; 2nd Reading/Adopted: 2/22/22

JICC-R SCHOOL BUS CONDUCT RULES

Category: Recommended

Related Policies: EEA & JICC

In order to ensure the safety of all students riding Mascoma Valley Regional School District provided school buses, appropriate behavior is required for all students. Transportation to and from school is an extension of the classroom and should be considered part of the school day. The issue of safety requires students to be on their best behavior while on school buses or vehicles. The Student Code of Conduct applies to students at all times when being transported on school buses or other District provided transportation to and from school or school activities. Thus, while students may lose the privilege to ride the bus or other District transportation due to students' failure to maintain the behavioral expectations, students may also be subject to interventions and/or disciplinary consequences for the same behaviors according to the Student Code of Conduct.

A. Behavioral Expectations & Rules for School Buses and Other District Provided Transportation

1. Students should arrive at the bus stop at least five (5) minutes before the bus is scheduled to arrive. The bus cannot wait for those who are not on time. If a student misses the bus, it is the parent/guardian's responsibility to transport the student to school.
2. Students shall wait in a safe place, clear of traffic until the bus stops, door is open, red flashing lights are on, and the driver has directed students to get on the bus.
3. Students shall wait in an orderly line.

4. Students may cross the road or street only in front of the bus only after the bus has come to a complete stop and upon direction of the driver (10-foot minimum crossing distance).
5. Students shall go directly to an available or assigned seat when entering the bus and move in toward the window.
6. Students shall remain seated until they have reached their designated stop and the bus has come to a complete stop. Aisles and exits must be kept clear at all times and emergency door will be used for emergencies only.
7. Students shall observe normal classroom conduct and obey the driver promptly and respectfully. The driver is in complete charge of the bus and his/her decisions and requests must be followed.
8. Students shall not engage in verbal abuse and/or use abusive language to others.
9. Students may carry only objects that can be held safely on his/her own lap. Musical instruments, athletic equipment bags and the like must be placed in the area designated by the driver.
10. Students shall refrain from throwing or passing objects on, from or into buses.
11. Students shall refrain from eating and drinking on the bus.
12. Students shall respect the rights and safety of others.
13. Students may ride only the bus that they have been assigned, and students may only board or exit at their assigned stops. (Exceptions will only be made with a note from a Principal or Principal's designee.)
14. Students are prohibited from extending head, arms or objects out of the bus windows, and are not allowed to open windows without permission of the driver.
15. Only authorized riders are permitted on the bus.
16. When necessary, students will be expected to sit three passengers to a seat.
17. Students are strictly prohibited from possessing or using tobacco, alcohol, drugs, or any controlled substance. In addition to any interventions or consequences pursuant to these rules or the Student Code of Conduct. The police will be notified whenever a student is involved with the possession and/or use of alcohol, drugs, or any illegal substances.
18. Students shall not use profane language or obscene gestures, and shall make any excessive noises while on the bus.
19. Fighting, wrestling or acts of physical aggression are strictly prohibited.
20. Students shall not deface or otherwise damage the bus, the driver's or any other students belongings while on the bus. Students/Parents will be held responsible for any and all damages to the bus caused by the student by way of vandalism or other intentional or reckless conduct.
21. Students shall not carry hazardous material, nuisance items or animals onto the bus.
22. Students are prohibited from hitching rides via bumper or other parts of the bus.

B. Response and Consequences for Misconduct on School Buses

Students not adhering to the above expectations may receive consequences as described below. **However, when a student engages in any conduct that threatens or impacts the health or safety of students, staff or others, the Principal or Superintendent may impose more significant and immediate consequences including lengthier transportation suspensions.**

The following will generally apply to violations of expectations 2 through 16:

First Referral: will result in a letter of warning with a copy sent to the student's parents/guardians, and a copy kept on file in the School Administrator's Office and the Business Administrator.

Second Referral: will result in one (1) hour after school detention. Parents/guardians must be notified prior to the implementation of the detention. It becomes the parents/guardians' responsibility to transport or arrange other transportation for their children home after a detention.

Third Referral: will result in an immediate five (5) day suspension from District transportation to and from school.

The following will generally apply to violations of expectations 17 through 22:

First Referral: will be an immediate five (5) day from all District transportation.

Second Referral: will be an immediate ten (10) day from all District transportation.

Third Referral: will result in the immediate suspension from all District transportation. "RSA 189:9 – Pupils prohibited for Disciplinary Reasons.

C. General Provisions Relating to Transportation/Bus Suspensions

All transportation suspensions are measured by school days, not calendar days. Repeat transportation suspensions or suspensions over five (5) days will apply to all District transportation, including to and from school, as well as any school sponsored activity or program (e.g., field trips, athletic competitions, etc.).

Transportation suspensions shall not begin until the next school day following the day written notification of suspension is sent to the pupil's parent/guardian.

Any suspension to beyond twenty (20) school days must be approved by the school board.

If a pupil's transportation privileges have been suspended for violations of the behavior rules or other disciplinary reasons, the parent or guardian of that pupil has the right of appeal within ten (10) days of suspension to the authority who issued the suspension.

The Board should consult with counsel regarding the procedures to apply at any Board review or appeal regarding suspension of an individual's transportation privileges.

Until any appeal is heard, or if the suspension of pupil's privileges to ride the school bus is upheld, it shall be the parents' or guardians' responsibility to provide transportation to and from school for that pupil for the period of the suspension.

D. Audio and Video Surveillance on School Buses

Video cameras may be used on school buses to monitor student behavior. Audio recordings in conjunction with video recordings may also be captured on school buses, in accordance with the provisions of RSA 570-A:2. See Board Policy ECAF – Audio & Video Surveillance on School Buses.

E. Students with Disabilities:

Students with disabilities will be disciplined in accordance with federal state law including the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act, as set forth in the procedures developed by the administration.

Legal References:

RSA 189:6-a, School Bus Safety
RSA 189:9-a, Pupils Prohibited for Disciplinary Reasons
RSA 193:13, Suspension and Expulsion of Students 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.

Review/1st Reading: 2/8/22; 2nd Reading/Adopted: 2/22/22

JICD - STUDENT DISCIPLINE AND DUE PROCESS

Category: Priority/Required by Law
See also Appendix JICD-R

Related Policies: JI, JIC, JICI & JICK

A. Policy Statement.

This Mascoma Valley Regional School District policy establishes the substantive parameters, procedures and due process that shall apply before a student may be subject to temporary (same day) removal from classrooms or activities, restriction from activities, detentions, suspensions and/or expulsion. Pursuant to Board policy JIC, response to misconduct, including disciplinary measures and consequences 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. Administration of any of the consequences described in this policy shall be consistent with the system of supports and graduated sanctions established pursuant to Policy JIC and the applicable Code of Conduct.

B. Standards and Procedures Relative to Disciplinary Consequences.

1. "Removal from the classroom" means a student is sent to the building Principal's office or other designated area during the same school day. It is within the discretion of the person in charge of the classroom or activity to remove the student.

Students may be removed from the classroom at the classroom teacher's discretion if the student refuses to obey the teacher's directives, becomes disruptive, fails to abide by school or District rules, or the Code of Conduct, or otherwise impedes the educational purpose of the class. Before ordering the removal, the staff member ordering the removal shall warn the student of the infraction and allow the student to respond. Detentions are not appealable.

2. "Restriction from school activities" means a student will attend school, classes, but will not participate in other school extra-curricular activities, including such things as competitions, field trips, and performances. A student who has been restricted from school activities may participate in practices at the discretion of the person imposing the restriction.

Before ordering the restriction, the supervising employee (e.g., teacher, coach, director, Principal, etc.) ordering the restriction shall warn the student of the infraction and allow the student to respond. If the restriction is immediate and outside of school hours, provision must be made to assure the student is not left unsupervised. The terms of the restriction shall be communicated to the Principal and the student's parent/guardian.

Restrictions under this policy are not appealable.

3. "Detention" means the student's presence is required for disciplinary purposes before or after the hours when the student is assigned to be in class, and may occur on one or more Saturdays.

Students may be assigned classroom detention at the classroom teacher's discretion, and building detention at the Principal's discretion, if the student refuses to obey the teacher/employee's directives, becomes disruptive, fails to abide by printed classroom, school or District rules, or the Code of Conduct, or otherwise impedes the educational purpose of the class. Before ordering the detention, the staff member ordering the detention shall warn the student of the infraction and allow the student to respond. Parents/guardians shall be notified at least 24 hours prior to a student serving detention.

Detentions before or after school shall not exceed one hour, and Saturday detentions shall not exceed three hours. The building Principal is authorized to establish, announce and post additional guidelines and rules regarding detention, supervision, building access, etc.. The length and timing of the detention, is within the discretion of the licensed employee disciplining the student or the building Principal, pursuant to the posted rules of the school.

Detentions are not appealable.

4. "Temporary Reassignment" or "in-school suspension" means the student will attend school but will be temporarily isolated from one or more classes while under supervision. A temporary reassignment should not exceed five consecutive school days. Parents/guardians shall be notified at least 24 hours prior to the administration of a temporary reassignment.

The building Principal is authorized to issue reassignment, restrictions from activities, or place a student on probation for repeated failure to conform to the Code of Conduct, classroom rules, or for any conduct that causes material or substantial disruption to the school/class environment, interferes with the rights of others, presents a threat to the health and safety of students, employees, and visitors, is otherwise inappropriate, or is prohibited by law.

5. “Probation” means a student is given a conditional suspension of a penalty for a definite period of time in addition to being reprimanded. The conditional suspension will mean the student must meet the conditions and terms for the suspension of the penalty. Failure of the student to meet these conditions and terms will result in reinstatement of the penalty. Notwithstanding the assignment of probation, no imposition of the suspended consequence may be administered unless and until all of the provisions of this policy applicable to the suspended consequence (i.e., long-term suspension, expulsion, etc.) are satisfied.

6. “Out-of-school suspension” means the temporary denial of a student's attendance at school for a specific period of time. It includes short-term and long-term out of school suspensions.

a. Short-term suspension. A “short-term suspension” means an out-of-school suspension of ten (10) consecutive school days or less. RSA 193:13, I (a).

The Superintendent or his/her written designee is authorized to suspend a student for ten (10) school days or less.

A short term suspension may be imposed only for:

- i. Behavior that is detrimental to the health, safety, or welfare of pupils or school personnel (including, but not limited to, and act of theft, destruction or violence, as defined in RSA 193-D:1); or
- ii. Repeated and willful disregard of the reasonable rules of the school that is not remediated through imposition of the district's graduated sanctions described in JIC and the Code of Conduct.

Pursuant to RSA 193:13, XI(b) and Board policy JIC, a short-suspension over 5 days must conform to the standards included in the Code of Conduct.

Before any short-term suspension may be imposed, a student is entitled to the minimum due process (notice before meeting of the charge and explanation of evidence, notice of the possibility of suspension, opportunity for the student to respond, and a written decision explaining the disciplinary taken). See New Hampshire Department of Education Rule Ed 317.04(f)(1).

b. Long-term suspension. A “long-term suspension” is the extension or continuation of a short-term suspension for a period not to exceed an additional 10 days beyond the duration of the short-term suspension.

The Superintendent is authorized to continue the suspension and issue a long-term suspension of a pupil for a period in excess of ten (10) school days, provided only that if the Superintendent issued the original short-term suspension, then the School Board may designate another person to continue the short-term suspension and issue the long-term suspension.

A long-term suspension may only be imposed for:

- i. an act that constitutes an act of theft, destruction or violence, as defined in RSA 193-D;

- ii. bullying pursuant to Board policy JICK when the pupil has not responded to targeted interventions and poses an ongoing threat to the safety or welfare of another student; or
- iii. possession of a firearm, BB gun, or paintball gun.

Prior to a long-term suspension, the student will be afforded a hearing on the matter. The informal hearing need not rise to the level and protocol of a formal hearing, but **the process must comply with the requirements of Ed 317.04 (f)(2), and (f)(3)(g)**, including, without limitation, the requirements for advance notice and a written decision.

c. Appeal of long-term suspension. Any long-term suspension issued other than by the School Board under this policy, is appealable to the School Board, provided the Superintendent or School Board chair receives the appeal in writing within ten (10) days after the issuance of the Superintendent's hearing and written decision required under N.H. Dept. of Education Rule Ed. 317.04 (f)(2)c, and sub-paragraph B.6.b, above. The Board shall hold a hearing on the appeal, but will rely upon the record of the decision being appealed from.

Any suspension in excess of ten (10) school days shall remain in effect while this appeal is pending unless the School Board stays the suspension while the appeal is pending. Any request to stay a long-term suspension should be included in the original appeal.

d. Educational Assignments. As required by RSA 193:13, V, educational assignments shall be made available to students during both short and long term suspensions.

e. Alternative Educational Services. The school shall provide alternative educational services to a suspended pupil whenever the pupil is suspended **in excess of 20 cumulative days** within any school year. The alternative educational services shall be designed to enable the pupil to advance from grade to grade.

f. Re-entry Meetings and Intervention Plans. Prior to returning to regular classes, a suspended student, and parent/guardian (when available) shall meet with the building Principal or his/her designee to assist the student in smoothly returning to the school setting.

Any time a pupil is suspended **more than 10 school days in any school year**, upon the pupil's return to school the school district shall develop an intervention plan designed to proactively address the pupil's problematic behaviors by reviewing the problem behavior, re-teaching expectations, and identifying any necessary supports.

g. Attendance Safe Harbor. A student may not be penalized academically solely by virtue of missing class due to a suspension.

“Expulsion” means the complete denial of a pupil's attendance at school for any of the reasons listed in RSA 193:13, II and IV.

a. Grounds for Expulsion. An expulsion may only be imposed for an act that poses an ongoing threat to the safety of students or school personnel AND that constitutes:

- i. A repetition of an act that warranted long term suspension under section B.6.b, above;
- ii. Any act of physical or sexual assault that would be a felony if committed by an adult;
- iii. Any act of violence pursuant to RSA 651:5, XIII;
- iv. Criminal threatening pursuant to RSA 631:4, II(a); OR
- v. For bringing or possessing a firearm as defined in Section 921 U.S.C. Title 18 within a safe school zone as prohibited under RSA 193-D:1, or under the Gun Free School Zones Act, unless such pupil has written authorization from the Superintendent.

Before expelling a pupil, the Board shall consider each of the following factors:

- (1) The pupil's age.
- (2) The pupil's disciplinary history.
- (3) Whether the pupil is a student with a disability.
- (4) The seriousness of the violation or behavior committed by the pupil.
- (5) Whether the school district or chartered public school has implemented positive behavioral interventions under paragraph V.
- (6) Whether a lesser intervention would properly address the violation or behavior committed by the pupil.

b. Due Process to Be Afforded Prior to Expulsion. Prior to any expulsion, the District will ensure that the due process standards set forth in Ed 317.04(f)(3) through 317.04 (m) are followed.

c. Duration of Expulsion. An expulsion will run for the duration stated in the written decision or until the School Board or Superintendent restores the student's permission to attend school as provided in this policy. An expulsion relating to a firearm in a safe school zone per B.7.a.v, shall be for a period of not less than 12 months.

d. Educational Services. The Superintendent is authorized, but not required, to arrange for educational services to be provided to any student residing in the District who has been expelled by the District or by any other school.

C. Modification or Reinstatement After Suspension or Expulsion.

Expelled or suspended students may request a modification of, or reinstatement from, an expulsion or suspension as provided below. Except for students establishing residency from out-of-state, requests for modification or reinstatement from expulsion/suspension shall be submitted in writing to the Superintendent no later than August 15. The request should set forth the reasons for the request, and include additional information to establish that it is in the best interest of the student and school community to reinstate the student. Such additional information may include such things as work history, letters of reference, medical information, etc. All reinstatements shall include an Intervention Plan as

described in paragraph B.6.f, above, including such conditions as the reinstating authority (Superintendent or Board) deem appropriate.

1. Modification by Superintendent. Subject to all other applicable laws, regulations and Board policies, and paragraph C.3, below (relating to firearms), the Superintendent is authorized to reinstate any student who has been suspended or expelled from a school in this District, and or enroll a student suspended or expelled from another school or district, on a case-by-case basis.

2. Review and reinstatement by Board. A student may request the School Board (of the district of attendance) to review an expulsion decision prior to the start of each school year by filing a written request with the Superintendent detailing the basis of the request. The Board will determine whether and in what manner it will consider any such request after consultation with the Superintendent.

3. Modification of Expulsion for Firearms. A student who has been expelled from this District or any other public or private school for bringing or possessing a firearm in a safe school zone as prohibited under RSA 193-D1, or under the Gun Free Schools Act, may only be reinstated or enrolled if the Superintendent first determines: possession of the firearm was inadvertent and unknowing; the firearm was for sporting purposes and the student did not intend to display the firearm to any other person while within the safe schools zone; the student is/was in the fifth or lower grade when the incident occurred; or the Superintendent determines that the firearm was not loaded; and that no ammunition was reasonably available; and that the pupil had no intention to display the firearm to other students.

Additionally, the School Board may enroll a student expelled from a school outside of New Hampshire for a violation of the Gun Free Schools Act upon the student establishing residency.

D. Appeals to State Board of Education. Any decision by the Board (i) to expel a student, (ii) not to reinstate a student upon request, or (iii) enroll a student from another state who had been expelled for a violation of the Gun Free Schools Act, may be appealed to the State Board of Education at any time that the expulsion remains in effect, subject to the rules of the State Board of Education.

E. Sub-committee of Board. For purposes of sections B.6 and B.7 of this policy, "Board" or "School Board" may either be a quorum of the full Board, or a subcommittee of the Board duly authorized by the School Board.

F. 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.

G. Disciplinary Removal of Students with Disabilities. If a student is disabled under the Individuals with Disabilities Act (IDEA), the New Hampshire RSA 186-C, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, or any other law providing special rights to disabled students,

those laws shall govern and shall supersede these local policies to the extent these local policies are inconsistent with those laws. Accordingly, any suspension or expulsion of a child with a disability as defined in Ed 1102.01(t) shall be in accordance with Ed 1124.01.

H. Notice and Dissemination. This policy shall be made available to families, students and staff as provided in Board policy JIC.

I. Conflict in Law or State Regulation. If any provision of this policy shall conflict with State or Federal law, or regulation of the New Hampshire Department of Education, then such law or regulation shall apply, and the remainder of the policy shall be read and interpreted to be consistent with the law or regulation. School administrators and families are strongly encouraged to review the links for pertinent statutes and laws as referenced in this policy.

Legal References:

18 U.S.C. § 921, Et seq., Firearms

20 U.S.C. § 7151, Gun-Free Schools Act

RSA 189:15, Regulations

RSA 193:13, Suspension & Expulsion of Pupils

RSA Chapter 193-D, Safe Schools Zones

RSA 631:4, Criminal Threatening

RSA 651:5, XIII “Act of Violence”

NH Code of Administrative Rules, Section Ed 306.04(a)(3), Discipline

NH Code of Administrative Rules, Section Ed 306.04(f), Student Discipline Policy

NH Code of Administrative Rules, Section Ed. 306.04(g), Suspension & Expulsion

NH Code of Administrative Rules, Section Ed 317.04, Suspension and Expulsion of Pupils Assuring Due Process Disciplinary Procedures

In re Keelin B., 162 N.H. 38, 27 A.3d 689 (2011)

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.

Approved: September 24, 2013 Reviewed by EIC: 1/17/19; 1st Reading: 2/12/19; 2nd Reading & Adopted: 2/26/19 1 st Reading: 10/13/20; 2nd Reading/Adopted: 10/27/20 Reviewed/1st Reading: 4/6/21; 2nd Reading/Adopted: 4/27/21 Reviewed/ 1st Reading: 10/12/21; 2nd Reading/Adopted: 10/26/21

JICD-R - MEMORANDUM OF UNDERSTANDING
for administering the Provisions of RSA 193-D
Safe School Zones

1. General Principles

The Mascoma Valley Regional School Board and the Canaan, Enfield, Grafton and NH State Police Departments agree to work in a cooperative effort to provide a safe and healthy school environment for students, staff 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 Board 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 Board 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 Board 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 perforating continuing contract services for any public or private school, school districts school department or school administrative unit.

"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 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 shall 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 the 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;
 - 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 eighth 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 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.
 - 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.

C. The written report required above shall be waived when there is a law enforcement response at the time of the incident which results in 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.

For the Canaan Elementary School: _____ Date: _____

Principal

For the Enfield Elementary School: _____ Date: _____

Principal

For the Indian River School: _____ Date: _____

Principal

For the Mascoma Valley Regional High School: _____ Date: _____

Principal

For the Mascoma Valley Regional School District: _____ Date: _____

Superintendent

For the Mascoma Valley Regional School Board: _____ Date: _____

MVRSB Chairperson

For the Enfield Police Department: _____ Date: _____

Chief of Police

For the Canaan Police Department: _____ Date: _____

Chief of Police

For the Grafton Police Department: _____ Date: _____

Chief of Police

For the New Hampshire State Police Department: _____ Date: _____

NH State Police PD

Presented to the Board on: 10/22/97

Adopted by the Board on: 1/7/97

Reviewed/1st Reading: 4/6/21; 2nd Reading/Adopted: 4/27/21

JICDD - STUDENT DISCIPLINE/OUT-OF-SCHOOL ACTIONS

Category: Recommended

See Also JIA, JIC, JICK

The Mascoma Valley Regional School Board recognizes that out-of-school and off-campus student conduct is not normally the concern of the Board. However, the Board also recognizes that some out-of-school and off-campus conduct may have an adverse effect upon the school, school property, or school staff.

Therefore, it shall be the policy of this Board that the Board or school administrators may impose disciplinary measures against students for some out-of-school or off-campus conduct.

Discipline may be imposed if such out-of-school conduct causes a significant disruption or substantial interference with the school's educational mission, purpose, or objectives. Additionally, any off-campus or out-of-school behavior that has a strong potential to disrupt normal school operations may also be met with appropriate disciplinary actions.

Out-of-school and off-campus student conduct that may subject a student to discipline includes, but is not limited to:

1. Damaging school property;
2. Violence at or near the school's bus stop, either before or after the school day;
3. Drinking alcohol, using tobacco products, or using illegal drugs at or near the school bus stop, either before or after the school day;
4. Damaging the private property of school staff or employees; or
5. Any other activity the Board or administration determines impedes the general welfare of scholastic activities.

Cyber-Bullying and Internet Threats

Reports and/or allegations of cyberbullying will be addressed in accordance with the provisions of Board policy JICK.

Consistent with applicable law, the Mascoma Valley Regional School District will not require or request that a student disclose or provide to the District the student's user name, password or other authenticating information to a student's personal social media account.

However, the District may request to a student or a student's parent/guardian that the student voluntarily share printed copies of specific information from a student's personal social media account if such information is relevant to an ongoing District investigation.

Legal References:

RSA 189:70, Educational Institution Policies on Social Media
Revised: September 2015
Revised: May 2006, August 2007, August 2008, September 2010

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.*

First Reading: 8/11/15; 2nd Reading: 8/25/15
Review/First Reading: 10/27/20; 2nd Reading/Adopted: 11/10/20

JICFA - HAZING

Category: Priority/Required by Law

It is the policy of the Mascoma Valley Regional School District that no student or employee of the District shall participate in or be a member of any secret fraternity or secret organization that is in any degree related to the school or to a school activity. No student organization or any person associated with any organization sanctioned by the Board of Education shall engage or participate in hazing. This District does not permit or condone student hazing.

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 the 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, forced prolonged exclusion from social contact which could result in extreme embarrassment, or any other forced activity which could adversely affect the 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 School District 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.

The Superintendent shall take reasonable measures within the scope of the District's authority to prevent student hazing. All hazing reported to the District or which any District staff member has knowledge of shall be promptly reported to law enforcement, as required by RSA 631:7, Student Hazing.

A copy of this policy will be furnished to each student and teacher in the School District, including being printed in the student handbook.

Legal Reference:

RSA 631:7, Student Hazing

New Hampshire Code of Administrative Rules, Section Ed 306.04(a)(7), Student Hazing

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.*

Revised: July 1998, November 1999

Reviewed: October 2004

Revised: November 2007

Adopted: 10/14/08

Reviewed/1st Reading: 1/26/21; 2nd Reading/ Adopted: 2/9/21

JICH - DRUG AND ALCOHOL USE BY STUDENTS

The Mascoma Valley Regional School Board is concerned with the health, welfare and safety of its students. Therefore, the use, sale, transfer, distribution, possession or being under the influence of

unauthorized prescription drugs, alcohol, narcotics, unauthorized inhalants, controlled substances, illegal drugs is prohibited on any school district property, in any district-owned vehicle, or in any other district-approved vehicle used to transport students to and from school or district activities. This prohibition also applies to any district-sponsored or district-approved activity, event or function. The use, sale, transfer or possession of drug-related paraphernalia is also prohibited.

For the purposes of this policy, a controlled substance shall include any controlled substance as defined in the Controlled Substances Act, 21 U.S.C. § 812(c), or RSA 318-B, Controlled Drug Act.

Students may only be in possession of medication as detailed in Mascoma Valley Regional School Board Policy JLCD. Searches of persons reasonably suspected to be in violation of this policy will be conducted in accordance with Mascoma Valley Regional School Board Policy JIH.

Any student who is found by the administration to be in violation of this policy shall be referred for prosecution and subject to disciplinary action up to and including suspension, expulsion or other discipline in accordance with the district's disciplinary policy. Strict compliance is mandatory. The school principal shall immediately report all incidents involving a controlled substance to the appropriate local law enforcement agency and the superintendent. All controlled substances shall be turned over to local law enforcement.

Students with disabilities who violate this policy will be disciplined in accordance with the student's Individual Education Program (IEP).

Reviewed by EIC: 04/25/19; 1st Reading: 5/14/19; 2nd Reading & Adopted: 5/28/19

JICI - WEAPONS ON SCHOOL PROPERTY

Weapons are not permitted on Mascoma Valley Regional School District property, in school vehicles or at school-sponsored activities. This policy applies to students and members of the public alike. Student violations of this policy will result in the weapon being confiscated, law enforcement authorities will be notified and appropriate disciplinary action will be taken by the administration. Members of the public who violate this policy will be asked to immediately leave and remove the weapon from school property. Violations will be reported to local law enforcement authorities.

The term “weapons” includes, but is not limited to, firearms (rifles, pistols, revolvers, pellet guns, BB guns, etc.) knives, slingshots, metallic knuckles, firecrackers, billy-clubs, stilettos, switchblade knives, swords, canes, pistol canes, black jacks, daggers, dirk knives, explosives, incendiaries, martial arts weapons or self-defense weapons (as defined by RSA 159:24 and RSA 159:20 respectively), or any other object or substance which, in the manner it is used or threatened to be used, is known to be capable of producing death or bodily injury.

In addition, any student who is determined to have brought a firearm (as defined by 18 U.S.C. §921) to school will be expelled for not less than one year (365 days). This expulsion may be modified by the Superintendent upon review of the specific case in accordance with other applicable law.

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

Weapons under control of law enforcement personnel are permitted.

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

Adopted by the Board on: 1/11/93
Revision adopted by the Board on: 11/22/94
Revision recommended and adopted on: 3/7/00
Revised to comply with 1995 statutory revision: 3/7/00
Revision sent to the Board on: 3/24/15
Sent back to EIC on: 4/16/15
Revision sent to Board on: 4/28/15
Second Reading and Approval: 5/12/15

JICJ - ACCEPTABLE USE OF ELECTRONIC DEVICES IN SCHOOL

The Mascoma Valley Regional School Board's first priority is to create a rigorous and engaging learning environment for all students, teachers and staff. The use of technology can enhance the curriculum and engage student learning. While the Mascoma Valley Regional School District recognizes the benefits of using electronic devices in the educational environment, we also understand that these devices can be a distraction from our learning focus. Therefore, the Mascoma Valley Regional School District community emphasizes "electronic etiquette and safety" regarding their use in school. The following guidelines focus on allowing students the opportunity to use these technologies as educational tools to enhance the teaching and learning experiences, while being respectful to the learning environment. The possession and use of electronic devices at school is a privilege and a responsibility, not a right.

The classroom environment is designed to maximize teachers and student interaction and as such, we expect that every student and teacher will exercise good judgment in their use of electronic devices. This includes walking into the classroom prepared to learn. Maintaining the focus on lesson content and outcomes while sustaining respectful interactions with others is our priority. Any inappropriate use will result in the loss of privileges in the classroom, and may result in discipline or the District may contact local law enforcement.

Students shall only use approved electronic devices within the academic setting for educational purposes and only after obtaining consent from their teacher.

Students may use approved electronic devices during classroom time after obtaining consent from their teacher. Use of electronic devices should never be a cause to be tardy to class nor should it cause a disruption to the learning environment. Students may use their electronic devices so long as the device is used with discretion, does not disturb the establishment of a safe and orderly school setting, and follows the Administrative Guidelines for the Use of Technology and all other applicable school policies. Students should charge all electronic devices before bringing them to school. To prevent disruption, the

volume on all electronic devices should be turned off. Students must turn over their electronic devices when asked to by a teacher or administrator.

Students shall not make any recordings or take any photographs during the school day or at school events (still, video, or audio) without the explicit permission of the teacher, administrator or students to be recorded, and in certain circumstances parental consent. Video recording and pictures are allowed at public events and performances such as: awards assemblies, athletic contests and graduation ceremonies.

School District administration and staff have the right to limit or prevent the use of electronic devices if a student's use causes a distraction or violates this policy.

For safety reasons and to maintain a sense of community, students are **NOT** allowed to wear earbuds or headphones during passing or in the hallway. At the teacher's discretion and during classroom activities, students may use earbuds for educational purposes.

Limited Use of Electronic Devices in Certain School Areas Outside of the Classroom

Students are permitted limited use of electronic devices during non-classroom time while in the cafeteria and library. Students may not use video recording or take pictures in these or any other locations within the school unless they have obtained prior written approval from a teacher or school building principal. Students may use their electronic devices so long as the device is used with discretion, does not disturb the establishment of a safe and orderly school setting, and follows this policy, the Administrative Guidelines for the Use of Technology, and any other applicable District policy.

Examples of Inappropriate Uses

The following is a non-exhaustive list of inappropriate uses of electronic devices:

- Harassment, threats, intimidation, electronic forgery, cyber bullying/cyber threats, invasion of personal rights, cheating on tests/exams, or other forms of illegal behavior during the instructional and non-instructional day.
- In areas of the school in which there can be a reasonable expectation of privacy, such as restrooms and locker rooms, the use of all electronic devices, cameras, or recording devices is prohibited at all times.
- Beepers and two-way radios are prohibited in school at any time.
- Forbidden and inappropriate use of cell phone cameras, digital cameras and other recording devices that may be in violation of the criminal code and subject to school and police consequences.
- Take, disseminate, transfer, view, or share obscene, pornographic, lewd, or otherwise illegal images, photographs, electronic messages, or video recordings whether by electronic data transfer or other means, including but not limited to texting and e-mailing. Any student found or believed to have engaged in such conduct, or any conduct that the school administrator believes may be illegal, may be reported to local law enforcement authorities and may face criminal penalties in accordance with any applicable law, in addition to school discipline outlined below.
- An electronic device in use without express approval of a teacher.

- Use of an electronic device during any test or quiz will be considered an act of academic dishonesty and is subject to academic and disciplinary consequences under this and any other applicable policy.
- Any violation of the School District’s Acceptable Use Policy, or any other policy.

The above referenced prohibited uses are merely examples of prohibited conduct and the School District reserves the right to add additional prohibited uses at any time. Students violating this policy, or any other related policy will be subject to discipline.

Responding to Violations of the Electronic Device Policy:

A School District employee may confiscate an electronic device when the employee has reasonable grounds to believe that the student has violated this policy, or has engaged in conduct that may violate any other school policy, rule, or state or federal laws. Any confiscated electronic device will be immediately given to the building administrator and the employee may not search the electronic device. Any refusal on the part of a student to comply with a request to surrender the electronic device may result in disciplinary action outlined below.

Any search of the electronic device by a School District administrator will be in accordance with state and federal laws, and only after consultation with the Superintendent. Upon reasonable grounds that a law has been violated through the use of such a device, the device will be turned over to the appropriate law enforcement authorities.

Students who bring personal electronic devices do so at their own risk. The District will not be responsible for physical damage, loss or theft of the personally-owned device. The Mascoma School District may be unable to utilize administrative time to investigate reported cases of lost, stolen or damaged electronic devices.

The Superintendent may grant an exception to this policy for emergency reasons.

The School District may, in its discretion, implement one or more of the following consequences for a student’s violation of this policy:

- Warning
- Confiscation of device and release to student or parent
 - Withdrawal of authorization to use device during school day for a specified time period
- Parent meeting with school administration or Superintendent
- In-school suspension
- Out-of-school suspension
- Expulsion

Revised: 1/28/14; 1st Reading: 2/11/14; Adopted: 3/4/14

Revised: 9/20/18; 1st Reading: 10/9/18; 2nd Reading 10/23/18; Adopted: 10/23/18

JICK - PUPIL SAFETY AND VIOLENCE PREVENTION - BULLYING

It is the policy of the Mascoma Valley Regional School District that its students have an educational setting that is safe, secure, peaceful and free from student harassment. The Mascoma Valley Regional School District will not tolerate unlawful harassment of any type and conduct that constitutes bullying, as defined herein is prohibited. Bullying in schools has historically included actions shown to be motivated by a pupil's actual or perceived race, color, religion, national origin, ancestry or ethnicity, sexual orientation, socioeconomic status, age, physical, mental, emotional, or learning disability, gender, gender identity and expression, obesity, or other distinguishing personal characteristics, or based on association with any person identified in any of the above categories.

I. Definitions (RSA 193-F:3)

1. Bullying. Bullying is hereby defined as 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 pupil which:

- (1) Physically harms a pupil or damages the pupil's property;
- (2) Causes emotional distress to a pupil;
- (3) Interferes with a pupil's educational opportunities;
- (4) Creates a hostile educational 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 pupil's actual or perceived personal characteristics, behaviors, or beliefs, or motivated by the pupil's association with another person and based on the other person's characteristics, behaviors, or beliefs.

2. Cyberbullying. Cyberbullying is defined as any conduct defined as "bullying" in this policy that is undertaken through the use of electronic devices. For purposes of this policy, any references to the term bullying shall include cyberbullying.

3. Electronic devices. Electronic devices include, but are not limited to, telephones, cellular phones, computers, pagers, electronic mail, instant messaging, text messaging, and websites.

4. School property. School property means all real property and all physical plant and equipment used for school purposes, including public or private school buses or vans.

Any reference in this policy to "parent" shall include parents or legal guardians.

II. Statement Prohibiting Bullying or Cyberbullying of a Pupil (RSA 193-F:4, II(a))

The Mascoma Valley Regional School Board is committed to providing all pupils a safe and secure school environment. This policy is intended to comply with RSA 193-F. Conduct constituting bullying and/or cyberbullying will not be tolerated and is hereby prohibited.

Further, in accordance with RSA 193-F:4, the District reserves the right to address bullying and, if necessary, impose discipline for bullying that:

- (1) Occurs on, or is delivered to, school property or a school-sponsored activity or event on or off school property; or
- (2) Occurs off of school property or outside of a school-sponsored activity or event, if the conduct interferes with a pupil's educational opportunities or substantially disrupts the orderly operations of the school or school-sponsored activity or event.

The Superintendent of Schools is responsible for ensuring that this policy is implemented.

III. Statement prohibiting retaliation or false accusations (RSA 193-F:4, II(b))

False Reporting

A student found to have wrongfully and intentionally accused another of bullying may face discipline or other consequences, ranging from positive behavioral interventions up to and including suspension or expulsion.

A school employee found to have wrongfully and intentionally accused a student of bullying shall face discipline or other consequences be determined in accordance with applicable law, District policies, procedures and collective bargaining agreements.

Reprisal or Retaliation

The District will discipline and take appropriate action against any student, teacher, administrator, volunteer, or other employee who retaliates against any person who makes a good faith report of alleged bullying or against any person who testifies, assists, or participates in a proceeding or hearing relating to such bullying.

1. The consequences and appropriate remedial action for a student, teacher, school administrator or school volunteer who engages in reprisal or retaliation shall be determined by the Principal after consideration of the nature, severity and circumstances of the act, in accordance with law, Board policies and any applicable collective bargaining agreements.
2. Any student found to have engaged in reprisal or retaliation in violation of this policy shall be subject to measures up to, and including, suspension and expulsion.
3. Any teacher or school administrator found to have engaged in reprisal or retaliation in violation of this policy shall be subject to discipline up to, and including, termination of employment.
4. Any school volunteer found to have engaged in reprisal or retaliation in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds.

Process To Protect Pupils From Retaliation

If the alleged victim or any witness expresses to the Principal or other staff member that he/she believes he/she may be retaliated against, the Principal shall develop a process or plan to protect that student from possible retaliation.

Each process or plan may be developed on a case-by-case basis. Suggestions include, but are not limited to, re-arranging student class schedules to minimize their contact, stern warnings to alleged perpetrators, temporary removal of privileges, or other means necessary to protect against possible retaliation.

IV. Protection of all Pupils (RSA 193-F:4, II(c))

This policy shall apply to all pupils and school-aged persons on school district grounds and participating in school district functions, regardless of whether or not such pupil or school-aged person is a student within the District.

V. Disciplinary Consequences For Violations of This Policy (RSA 193-F:4, II(d))

The District reserves the right to impose disciplinary measures against any student who commits an act of bullying, falsely accuses another student of bullying, or who retaliates against any student or witness who provides information about an act of bullying.

In addition to imposing discipline under such circumstances, the Board encourages the administration and school district staff to seek alternatives to traditional discipline, including but not limited to early intervention measures, alternative dispute resolution, conflict resolution and other similar measures.

VI. Distribution and Notice of This Policy (RSA 193-F:4, II(e))

Staff and Volunteers

All staff will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (employee handbook, hard copy, etc.)

The Superintendent will ensure that all school employees and volunteers receive annual training on bullying and related district's policies.

Students

All students will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (student handbook, mailing, hard copy, etc.)

Students will participate in an annual education program which sets out expectations for student behavior and emphasizes an understanding of harassment, intimidation, and bullying of students, the District's prohibition of such conduct and the reasons why the conduct is destructive, unacceptable, and will lead to discipline. Students shall also be informed of the consequences of bullying conduct toward their peers.

The Superintendent, in consultation with staff, may incorporate student anti-bullying training and education into the district's curriculum, but shall not be required to do so.

Parents

All parents will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (parent handbook, mailing, etc.). Parents will be informed of the program and the means for students to report bullying acts toward them or other students. They will also be told that to help prevent bullying at school they should encourage their children to:

1. Report bullying when it occurs;
2. Take advantage of opportunities to talk to their children about bullying;
3. Inform the school immediately if they think their child is being bullied or is bullying other students;
4. Cooperate fully with school personnel in identifying and resolving incidents.

Additional Notice and School District Programs

The Board may, from time to time, host or schedule public forums in which it will address the anti-bullying policy, discuss bullying in the schools, and consult with a variety of individuals including teachers, administrators, guidance counselors, school psychologists and other interested persons.

VII. Procedure for Reporting Bullying (RSA 193-F:4, II(f))

At each school, the Principal shall be responsible for receiving complaints of alleged violations of this policy.

Student Reporting

1. Any student who believes he or she has been the victim of bullying should report the alleged acts immediately to the Principal. If the student is more comfortable reporting the alleged act to a person other than the Principal, the student may tell any school district employee or volunteer about the alleged bullying, who shall then be responsible for reporting to the building principal.
2. Any school employee or volunteers who witnesses, receives a report of, or has knowledge or belief that bullying may have occurred shall inform the Principal as soon as possible, but no later than the end of the that school day.
3. The Principal may develop a system or method for receiving anonymous reports of bullying. Although students, parents, volunteers and visitors may report anonymously, formal disciplinary action may not be based solely on an anonymous report. Independent verification of the anonymous report shall be necessary in order for any disciplinary action to be applied.
4. The administration may develop student reporting forms to assist students and staff in filing such reports. An investigation shall still proceed even if a student is reluctant to fill out the designated form and chooses not to do so.
5. Upon receipt of a report of bullying, the Principal shall commence an investigation consistent with the provisions of Section XI of this policy.

Staff Reporting

1. An important duty of the staff is to report acts or behavior that they witness that appears to constitute bullying.
2. All district employees and volunteers shall encourage students to tell them about acts that may constitute bullying. For young students, staff members may provide direct assistance to the student.
3. Any school employee or volunteers who witnesses, receives a report of, or has knowledge or belief that bullying may have occurred shall inform the Principal as soon as possible, but no later than the end of the that school day.
4. Upon receipt of a report of bullying, the Principal shall commence an investigation consistent with the provisions of Section XI of this policy.

VIII. Procedure for Internal Reporting Requirements (RSA 193-F:4, II(g))

In order to satisfy the reporting requirements of RSA 193-F:6, the Principal or designee shall be responsible for completing all New Hampshire Department of Education forms and reporting documents

of substantiated incidents of bullying. Said forms shall be completed within 10 school days of any substantiated incident. Upon completion of such forms, the Principal or designee shall retain a copy and shall forward one copy to the Superintendent. The Superintendent shall maintain said forms in a safe and secure location.

IX. Notifying Parents of Alleged Bullying (RSA 193-F:4, II(h))

The Principal shall report to the parents of a student who has been reported as a victim of bullying and to the parents of a student who has been reported as a perpetrator of bullying within 48 hours of receiving the report. Such notification may be made by telephone, writing or personal conference. The date, time, method, and location (if applicable) of such notification and communication shall be noted in the report. All notifications shall be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

X. Waiver of Notification Requirement (RSA 193-F:4, II(i))

The Superintendent may, within a 48 hour time period, grant the Principal a waiver from the requirement that the parents of the alleged victim and the alleged perpetrator be notified of the filing of a report. A waiver may only be granted if the Superintendent deems such a waiver to be in the best interest of the victim or perpetrator. Any waiver granted shall be in writing.

XI. Investigative Procedures (RSA 193-F:4, II(j))

1. Upon receipt of a report of bullying, the Principal shall, within 5 school days, initiate an investigation into the alleged act. If the Principal is directly and personally involved with a complaint or is closely related to a party to the complaint, then the Superintendent shall direct another district employee to conduct the investigation.
2. The investigation may include documented interviews with the alleged victim, alleged perpetrator and any witnesses. All interviews shall be conducted privately, separately and shall be confidential. Each individual will be interviewed separately and at no time will the alleged victim and perpetrator be interviewed together during the investigation.
3. If the alleged bullying was in whole or in part cyberbullying, the Principal may ask students and/or parents to provide the District with printed copies of e-mails, text messages, website pages, or other similar electronic communications.
4. A maximum of 10 school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.
5. Factors the Principal or other investigator may consider during the course of the investigation, including but not limited to:
 - Description of incident, including the nature of the behavior;
 - How often the conduct occurred;
 - Whether there were past incidents or past continuing patterns of behavior;
 - The characteristics of parties involved, (name, grade, age, etc.);
 - The identity and number of individuals who participated in bullying behavior;

Where the alleged incident(s) occurred;

Whether the conduct adversely affected the student's education or educational environment;

Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident; and

The date, time and method in which parents or legal guardians of all parties involved were contacted.

6. The Principal shall complete the investigation within 10 school days of receiving the initial report. If the Principal needs more than 10 school days to complete the investigation, the Superintendent may grant an extension of up to 7 school days. In the event such extension is granted, the Principal shall notify in writing all parties involved of the granting of the extension.

7. Whether a particular action or incident constitutes a violation of this policy shall require a determination based on all facts and surrounding circumstances and shall include recommended remedial steps necessary to stop the bullying and a written final report to the Principal.

8. Students who are found to have violated this policy may face discipline in accordance with other applicable board policies, up to and including suspension. Students facing discipline will be afforded all due process required by law.

9. Consistent with applicable law, the District will not require or request that a student disclose or provide to the District the student's user name, password or other authenticating information to a student's personal social media account. However, the District may request to a student or a student's parent/guardian that the student voluntarily share printed copies of specific information from a student's personal social media account if such information is relevant to an ongoing District investigation.

XII. Response to Remediate Substantiated Instances of Bullying (RSA 193-F:4, II(k))

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of bullying or retaliation may range from positive behavioral interventions up to and including suspension or expulsion of students and dismissal from employment for staff members.

Consequences for a student who commits an act of bullying or retaliation shall be varied and graded according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. Remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim, and take corrective action for documented systematic problems related to bullying.

Examples of consequences may include, but are not limited to:

Admonishment

Temporary removal from classroom

Deprivation of privileges

Classroom or administrative detention

Referral to disciplinarian

In-school suspension
Out-of-school suspension
Expulsion

Examples of remedial measures may include, but are not limited to:

Restitution
Mediation
Peer support group
Corrective instruction or other relevant learning experience
Behavior assessment
Student counseling
Parent conferences

In support of this policy, the Board promotes preventative educational measures to create greater awareness of aggressive behavior, including bullying. The Board encourages the Superintendent to work collaboratively with all staff members to develop responses other than traditional discipline as a way to remediate substantiated instances of bullying.

XIII. Reporting of Substantiated Incidents to the Superintendent (RSA 193-F:4, II(l))

The Principal shall forward all substantiated reports of bullying to the Superintendent upon completion of the Principal's investigation.

XIV. Communication With Parents Upon Completion of Investigation (RSA 193-F:4, II(m))

1. Within two school days of completing an investigation, the Principal will notify the students involved in person of his/her findings and the result of the investigation.
2. The Principal will notify via telephone the parents of the alleged victim and alleged perpetrator of the results of the investigation. The Principal will also send a letter to the parents within 24 hours again notifying them of the results of the investigation.
3. If the parents request, the Principal shall schedule a meeting with them to further explain his/her findings and reasons for his/her actions.
4. In accordance with the Family Educational Rights and Privacy Act and other law concerning student privacy, the District will not disclose educational records of students including the discipline and remedial action assigned to those students and the parents of other students involved in a bullying incident.

XV. Appeals

A parent or guardian who is aggrieved by the investigative determination letter of the principal or his/her designee may appeal the determination to the Superintendent for review. The appeal shall be in writing addressed to the Superintendent, shall state the reason(s) why the appealing party is aggrieved, and the

nature of the relief they seek. The Superintendent shall not be required to re-investigate the matter and shall conduct such review as he/she deems appropriate under the circumstances.

It is in the best interests of students, families and the District that these matters be promptly resolved. Therefore, any such appeal to the Superintendent shall be made within ten (10) calendar days of the parent/guardian's receipt of the investigative determination letter of the principal or his/her designee. The Superintendent shall issue his/her decision in writing.

If the parent or guardian is aggrieved by the decision of the Superintendent, they may appeal the decision to the School Board within ten (10) calendar days of the date of the parent/guardian's receipt of the Superintendent's decision. An appeal to the Superintendent shall be a prerequisite to any appeal to the School Board. The appeal to the School Board shall be in writing, addressed to School Board Chair in care of the Superintendent, shall state the reason(s) why the appealing party is aggrieved, and the nature of the relief they seek.

An aggrieved parent/guardian has the right to appeal the final decision of the local School Board to the State Board within thirty (30) calendar days of receipt of the written decision of the local School Board in accordance with RSA 541-A and State of New Hampshire Department of Education Regulations set forth in ED 200. The State Board may waive the thirty-day requirement for good cause shown, including, but not limited to, illness, accident, or death of a family member.

XVI. School Officials (RSA 193-F:4, II(n))

The Superintendent of schools is responsible for ensuring that this policy is implemented.

XVII. Capture of Audio Recordings on School Buses

Pursuant to RSA 570-A:2, notice is hereby given that the Board authorizes audio recordings to be made in conjunction with video recordings of the interior of school buses while students are being transported to and from school or school activities. The Superintendent shall ensure that there is a sign informing the occupants of school buses that such recordings are occurring.

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

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

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.

Legal References:

RSA 189:70, Educational Institution Policies on Social Media
RSA 193-F:3, Pupil Safety and Violence Prevention 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.*

Adopted: 12/28/10

Reviewed/First Reading: 10/27/20; 2nd Reading/Adopted: 11/10/20

JLCF - WELLNESS

Category: Priority/Required by Law

Related Policies: EF, IMAH, JLC & JLCI

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

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

I. DISTRICT WELLNESS COMMITTEE.

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

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

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

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

The District Wellness Committee should represent each school and the diversity of the community, and to the extent feasible include the Superintendent or her/his designee, Business Administrator each Building Wellness Coordinator, parents, students, physical education teachers, health education teachers, school counselors, school administrators, a school board member, outside health professionals, individual school building representatives, and members of the public.

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

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

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

A. Implementation Plan.

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

B. Annual Notification of Policy.

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

C. Triennial Progress Assessments.

Every three years, the Business Administrator will assess:

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

The Wellness Committee will make recommendations to update the District Wellness Policy based on the results of the annual School Health Index and triennial assessments and/or as District priorities

change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. The Board will review and act upon such assessments as required or as the Board deems appropriate.

D. Recordkeeping.

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

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

E. Community Involvement, Outreach and Communications.

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

III. NUTRITION.

A. School Meals.

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

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

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

B. Staff Qualifications and Professional Development.

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

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

C. Water.

To promote hydration, free, safe, unflavored drinking water will be available to all students at every school throughout the school day, including mealtimes.

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

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

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

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

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

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

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

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

E. **Celebrations and Rewards.**

All foods offered during the school day on the school campus will meet or exceed the USDA Smart Snacks in School nutrition standards. Foods and beverages will not be used as a reward or withheld as punishment for any reason. The District's School Nutrition Services will make available a list of healthy party ideas to parents and teachers, including non-food celebration ideas, and a list of foods and beverages which meet Smart Snack nutrition standards.

F. **Food Sale Fundraising.**

Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus during the school day. Fundraising groups are encouraged to choose non-food fundraisers, and to consider healthy fundraising ideas.

Notwithstanding this provision, each school may allow up to nine bake sales or other fundraising food sales of non-compliant foods (i.e., that do not meet Smart Snack standards), which are no more than one day in duration each.

G. **Nutrition Promotion.**

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

- Implementation of at least ____ or more evidence-based healthy food promotion techniques in the school meal programs using methods included in the Smarter Lunchroom Movement, which may be found at:

<https://www.smarterlunchrooms.org/scorecard-tools/smarter-lunchrooms-strategies>

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

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

H. **Nutrition Education.**

The District will teach, model, encourage and support healthy eating by all students.

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

Schools should provide additional nutrition education that:

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

IV. PHYSICAL ACTIVITY.

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

A. Classroom Physical Activity Breaks.

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

B. Before and After School Activities.

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

C. Walking and Biking to School.

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

V. OTHER ACTIVITIES TO PROMOTE STUDENT WELLNESS.

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

VI. PROFESSIONAL LEARNING.

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

Legal References:

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

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

Adopted: 8/11/09
Revised: 5/16/14
Board Approved: 11/25/14
Revised: 5/2/17; 1st Reading 5/9/17; 2nd Reading/Adopted 5/23/17
Reviewed/Revised Wellness: 3/3/20; 1st Reading: 4/28/20; 2nd Reading: 5/12/20
Reviewed/1st Reading: 11/24/20; 2nd Reading/Adopted: 12/8/20

JLCJ - CONCUSSIONS AND HEAD INJURIES

Category: Priority/Required by Law

Related Policies: EBBB

The Mascoma Valley Regional School District is committed to ensuring the safety of students while at school and when participating in any school-sponsored events. The Board is aware that head injuries, including concussions, can happen to any student, not just an athlete, and that the risk of catastrophic injuries or death is significant when a concussion or other head injury is not properly evaluated and managed.

Section A of this policy applies to all students of the District who experience or are suspected to have experienced a concussion or other traumatic brain injury, whether in school or out, while Section B pertains to student-athletes, and other students participating in school sports or other district athletic activities.

A. Provisions relating to all Students Who have Experienced a Concussion or Traumatic Brain Injury.

1. Definitions: For purposes of this policy, the terms below will have the ascribed meanings.

"Head injury" means injuries to the scalp, skull, or brain caused by trauma, and shall include a concussion which is the most common type of sports-related brain injury.

"Health care provider" means a person who is licensed, certified, or otherwise statutorily authorized by the state to provide medical treatment (physician, advanced registered nurse practitioner, licensed physician's assistant, or dentist).

"Student-athlete" means a student involved in any intramural sports program conducted outside the regular teaching day or competitive student sports program between schools in grades 4 through 12.

"Sports" means intramural sports programs conducted outside the regular teaching day for students in grades 4 through 12 or competitive athletic programs between schools for students in grades 4 through 12, including, without limitation, all NHIAA sanctioned activities, including cheer/dance squads, or any other district-sponsored sports or activities as determined by the board or administration.

2. Duty to Report. All District employees shall report any accident or incident which involves a student head injury. The report should be filed in the same manner provided under Board Policy EBBB as for that of any accident requiring first aid. Additionally, Teachers should report to the school nurse (or administrator in charge if the nurse is unavailable) if the student appears to have any difficulty with academic tasks that the teacher believes may be related to concussion. The school nurse will notify the student's parents of guardians and treating health care provider.
3. Return to Learning Protocols. After a student has suffered a concussion, whether in school or not, before full resumption of academic work, the building principal or his/her designee will work with the school nurse, a student's parent/guardian, medical provider, teacher(s) and other appropriate district staff, to establish a graduated learning reentry plan. The plan will support the student's full return to academic activities, and ease the stress of making up past work while engaged in present work. The plan must include:
 - Step-by-step instructions and details for students, parents/guardians and school personnel;
 - Time frames for physical and cognitive rest within first few days post-injury and throughout the recovery as needed;

- Guidance on graduated return to extracurricular athletic activities and classroom studies, including classroom accommodations or modifications;
- Frequency of assessments by the school nurse, school physician if applicable, neuropsychologist or athletic trainer until full return to the classroom and extracurricular athletic activities are authorized;
- Any provisions relative to “return-to-play” for student-athletes;
- A plan for communication and coordination among school personnel and with the parents/caregivers and the student’s medical provider.

Section 504 or other such accommodations or modifications when appropriate will be developed in accordance with applicable law and Board policies.

4. Concussion Awareness and Education. To the extent possible, the District will implement concussion awareness and education into physical education and/or health education curriculum.

B. Provisions relating to Students Participating in Sports and Athletic Programs.

Consistent with the National Federation of High School (NFHS) and the New Hampshire Interscholastic Athletic Association (NHIAA), the District will utilize recommended guidelines, procedures and other pertinent information to inform and educate coaches, youth athletes, and parents/guardians of the nature and risk of concussions or head injuries, including the dangers associated with continuing to play after a concussion or head injury.

1. Compliance with NHIAA Procedures and Protocols. All coaches, officials or licensed athletic trainers will comply with NHIAA recommended procedures for the management of head injuries and concussions.
2. Immediate Removal from Play and other NHIAA Protocols. Any coach, official, licensed athletic trainer, or health care provider who suspects that a student-athlete has sustained a concussion or head injury in a practice (including tryouts or trainings) or during a competition shall immediately remove the student-athlete from all physical activity.
3. “Return to Play”. A student-athlete who has been removed from play shall not return to play on the same day, nor until (a) a Return to Learning Plan has been established consistent with paragraph A.3 of this policy, (b) he/she is evaluated by a health care provider and receives medical clearance and written authorization from that health care provider stating the student-athlete is symptom free and may return to play, and (c) the student-athlete’s parent/guardian provides written permission for the student-athlete to return to play.

The District shall limit a student-athlete's participation as determined by the student's treating health care provider, unless, based upon the judgement of the coach or licensed athletic trainer greater limitations are appropriate.

If symptoms of a concussion recur, or if concussion signs and/or behaviors are observed at any time during the return-to-activity program, the coach must immediately remove the student-athlete

from play. Depending on previous instructions, the athlete may need to be re-evaluated by the health-care provider, or may have to return to the previous step of the return-to-activity program.

4. Parent Information Sheet. On a yearly basis, the Athletic Director shall assure that a concussion and head injury information sheet is distributed to each student-athlete and the athlete's parent/guardian prior to the student-athlete's initial practice (including try-out) or competition. This information sheet shall be incorporated into the parent permission sheet that allows students to participate in extracurricular athletics.
5. Coach Training. All coaches, including volunteer coaches, will complete training in head injury and concussion management as recommended and/or provided by NHIAA, New Hampshire Department of Education and/or other pertinent organizations. The Athletic Directors shall be responsible for making sure this training occurs.
6. Annual Review of NHIAA Concussion Protocols by Athletic Director. No less than annually, the Athletic Director or his/her 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 NHIAA [and the District's on-call physician]. The Athletic Director shall take steps to implement the then current procedures and protocols as soon as possible.

Legal References:

RSA 200:49, Head Injury Policies for Student Sports
RSA 200:50, Removal of Student-Athlete
RSA 205:51, School Districts; Limitation of Liability
RSA 200:52, Definitions
RSA 200:63, Head Injuries; Return to Learning and Plan

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.*

Adopted: May 28, 2013

Reviewed/First Reading: 1/12/21; 2nd Reading/Adopted: 1/26/21

JLDBB - SUICIDE PREVENTION AND RESPONSE

Category: Priority/Required by Law

The Mascoma Valley Regional 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. No later than May 31, 2020, 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 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, crisis intervention, and other related information;
 - h) Dissemination of the Plan or information about the Plan to students, parents, faculty, staff, and school volunteers;
 - i) Promotion of cooperative efforts between the District and its schools and community suicide prevention program personnel;
 - j) Such include such other provisions deemed appropriate to meet the objectives of this Policy (e.g., student handbook language, reporting processes, “postvention” strategies, memorial parameters, etc.).
2. Biennial Review: No less than once every two years, the Superintendent, in consultation with the District Suicide Prevention Coordinator and Building Suicide Prevention Liaisons and with input and evidence from community health or suicide prevention organizations, and District health and guidance personnel, shall update the District Suicide Prevention Plan, and present the same to the Board for review. Such Plan updates shall be submitted to the Board in time for appropriate budget consideration.

B. Suicide Prevention Coordinator and Liaisons.

1. District Suicide Prevention Coordinator. The Superintendent shall appoint a District Suicide Prevention Coordinator, who, under the direction of the Superintendent shall be responsible for:
 - a) developing and maintaining cooperative relationships with and coordination efforts between the District and community suicide prevention programs and personnel;

- b) annual updating of (i) State and community crisis or intervention referral intervention information, and (ii) names and contact information of Building Suicide Prevention Liaisons, for inclusion in student handbooks and on the District’s website;
- c) developing - or assisting individual teachers with the development – of age appropriate student educational programing, such that all students receive information in the importance of safe and healthy choices and coping strategies, recognizing risk factors and warning signs of mental disorders and suicide in oneself and others, and providing help-seeking strategies for oneself or others, including how to engage school 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 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 Liaisons, 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.

New Policy/Reviewed: 1/30/20; 1st Reading: 6/9/20; 2nd Reading/Adopted: 6/23/20

JLDBB-R – SUICIDE PREVENTION PROCEDURES (9/8/20) – See Website

JLF - REPORTING CHILD ABUSE OR NEGLECT

Category: Priority/Required by Law

Related Policies: GBEAB, IJOC & JICK

A. Statutorily Mandated Reporting – All Persons.

Under New Hampshire law (RSA 169-C:29), every person who has “reason to suspect” that a child has been abused or neglected is required to report that suspicion to DCYF (Division of Children, Youth and Families of the New Hampshire Department of Health and Human Services) or directly to the police. Under RSA 169-C:30, the initial report “shall be made immediately via telephone or otherwise.”

The requirement to report is not dependent on whether there is proof of the abuse or neglect, nor is it dependent upon whether the information suggests the abuse or neglect is continuing or happened in the past. Any doubt regarding whether to report should be resolved in favor of reporting. Failure to report may be subject to criminal prosecution, while a report made in good faith is entitled to both civil and criminal immunity. Additionally, a “credential holder”, as defined in New Hampshire Department of Education Rule 501.02(h), who fails to report suspected abuse or neglect risk having action taken by the New Hampshire Department of Education against his/her credential. See N.H. Code of Conduct for Educators, Ed. 510.05 (e).

The report should contain:

- a. the name and address of the child suspected of being abused or neglected,
- b. the person responsible for the child's welfare,
- c. the specific information indicating neglect/abuse or the nature and extent of the child's injuries (including any evidence of previous injuries),
- d. the identity of the person or persons suspected of being responsible for such neglect or abuse; and
- e. any other information that might be helpful in establishing neglect or abuse.

To report child abuse or neglect to **DCYF**, call **24/7 (800) 894-5533** (in-state) or (603) 271-6562. **In cases of current emergency or imminent danger, call 911.**

B. Additional provisions relating to school employees, volunteers and contracted service providers.

Each Mascoma Valley Regional School District employee, designated volunteer or contracted service provider having reason to suspect that a child is being or has been abused or neglected must also immediately report his/her suspicions to the building Principal or other building supervisor. This initial report may be made orally, but must be supplemented with a written report as soon as practicable after the initial report, but in no event longer than one calendar day.

1. Request for Assistance in Making Initial Report.

The initial report to the Principal/building supervisor may be made prior to the report to DCYF/law enforcement, but only if:

- (a) the initial report is made for the purpose of seeking assistance in making the mandated report to DCYF/law enforcement, **and**
- (b) reporting to the Principal, etc. will not cause any undue delay (measured in minutes) of the required report to DCYF/law enforcement.

When receiving a request for assistance in making a report, the Principal or other person receiving the request is without authority to assess whether the report should be made, nor shall he/she attempt in any

way to dissuade the person from making the legally mandated report. Once the Principal/building supervisor receives the information, the law would impose a reporting requirement upon both the original reporter and the Principal.

2. Principal's Action upon Receiving Report.

Upon receiving the report/request from the employee, volunteer or any other person, the Principal/building supervisor shall immediately assure that DCYF/law enforcement is or has been notified, and then notify the Superintendent that such a report to DCYF has been made.

A written report shall be made by the Principal to the Superintendent within twenty-four (24) hours, with a copy provided to DCYF if requested. The report shall include all of the information included in the initial oral report, as well as any other information requested by the Superintendent, law enforcement or DCYF.

3. Requirements for Reporting of Other Acts.

Employees/contract providers are also reminded of the requirements to report any act of “theft, destruction, or violence” as defined under RSA 193-D:4, I (a), incidents of “bullying” per Board Policy JICK, and hazing under RSA 671:7. See also Mascoma Valley Regional School Board Policy GBEAB. A single act may simultaneously constitute abuse, bullying, hazing, and/or an act of theft, destruction or violence.

C. Signage and Notification.

The Superintendent is directed to assure that the Principal or administrator of each school shall post a sign within the school that is readily visible to students, in the form provided by the, Division for Children, Youth, and Families, that contains instructions on how to report child abuse or neglect, including the phone number for filing reports and information on accessing the Division's website. Additionally, information pertaining to the requirements of section A of this policy shall be included in each student handbook or placed on the District's website.

D. Training Required.

The Superintendent shall assure that all District employees, designated volunteers and contracted service providers receive training (in-person or online) upon beginning service with the District, with annual refreshers thereafter, on the mandatory reporting requirements, including how to identify suspected child abuse or neglect.

Legal References:

NH Code of Administrative Rules, Ed 306.04(a)(10), Reporting of Suspected Abuse or Neglect
NH Code of Administrative Rules, Code of Conduct for NH Educators, Ed 510.05(e), Duty to Report
RSA 169-C, Child Protection Act
RSA 169-C:29-39, Reporting Law
RSA 189:72, Child Abuse or Neglect Information
RSA 193-D:4, Safe School Zones, Written Report Required

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.*

Adopted: 10/14/08
Reviewed: 11/20/19; 1st Reading: 1/28/20; 2nd Reading: 2/11/20
1st Reading: 10/13/20; 2nd Reading/Adopted: 10/27/20

JRA - STUDENT RECORDS AND ACCESS - FERPA

Category: Recommended

See also EHB

A. General Statement. It is the policy of the Mascoma Valley Regional School Board that all school district personnel will follow the procedures outlined herein as they pertain to the maintenance of student records. Furthermore, it is the policy of the School Board that all school district personnel will follow the provisions of the Family Educational Rights Privacy Act (FERPA) and its corresponding regulations.

B. "Education Record". For the purposes of this policy and in accordance with FERPA, the term "educational record" is defined as all records, files, documents and other material containing information directly related to a student; and maintained by the school district; or by such other agents as may be acting for the school district. Such records include, but are not limited to, completed forms, printed documents, handwriting, videotape, audiotape, electronic or computer files, film, print, microfilm and/or microfiche. Educational records do not include records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute.

C. "Directory Information". For the purposes of this policy, and in accordance with the provisions of FERPA and New Hampshire RSA 189:1-e, the term "directory information" means:

1. Students' name(s), address(es), telephone number(s), and date(s) of enrollment;
2. Parents'/guardians' name(s) and address(es);
3. Students grade levels, enrollment status and dates of attendance;
4. Student photographs;
5. Students participation in recognized school activities and sports;
6. Weight and height of members of athletic teams;
7. Post-high school plans; and
8. Students' diplomas, certificates, awards and honors received.

Except for elements of a student's directory information which the student's parents or an eligible student has notified the District not to disclose, the District may release or disclose student directory information without prior consent of the student's parents/eligible students. Within the first three weeks of each school year, the District will provide notice to parents/eligible students of their rights under FERPA and that the District may publish directory information without their prior consent. Parents/eligible students will be given until the third week of school to notify the District in writing of any or all directory information items that they refuse to permit the District to release or disclose. Notice from a parent/eligible student that any or all directory information shall not be released will only be valid for that school year and must be re-issued each school year.

D. "Personally Identifiable Information". "Personally identifiable information" is defined as data or information which makes the individual who is the subject of a record known, including a student's name; the student's or student's family's address; the name of the student's parent or other family members; a personal identifier such as a student's Social Security number; the student's date of birth, place of birth, or mother's maiden name. "Personally identifiable information" also includes other information that, alone or in combination, is linked or linkable to a specific student, that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with a reasonable certainty or other information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

E. Annual Notification/Rights of Parents and Eligible Students. Within the first four weeks of each school year, the District will publish notice to parents and eligible students of their rights under State law, Federal law, and this policy. The District will send a notice listing these rights home with each student. The notice will include:

1. The rights of parents or eligible students to inspect and review the student's education records;
2. The intent of the District to limit the disclosure of information in a student's record, except: (a) by the prior written consent of the parent or eligible student; (b) as directory information; or (c) under certain, limited circumstance, as permitted by law;
3. The right of a student's parents or an eligible student to seek to correct parts of the student's educational records which he/she believes to be inaccurate, misleading, or in violation of student rights; this includes a hearing to present evidence that the records should be changed if the District decides not to alter them according to the parent's or eligible student's request;
4. The right of any person to file a complaint with the United States Department of Education if the District violates FERPA; and
5. The procedure that a student's parents or an eligible student should follow to obtain copies of this policy.

F. Procedure To Inspect Education Records. Parents or eligible students may inspect and review that student's education records. In some circumstances, it may be more convenient for the record custodian to provide copies of records.

Since a student's records may be maintained in several locations, the school Principal may offer to collect copies of records or the records themselves from locations other than a student's school, so that they may be inspected at one site. If parents and eligible students wish to inspect records where they are maintained, school Principals will determine if a review at that site is reasonable.

Although not specifically required, in order that a request is handled in a timely manner, parents/eligible students should consider submitting their request in writing to the school Principal, identifying as precisely as possible the record or records that he/she wishes to inspect. The Principal will contact the parents or the eligible student to discuss how access is best arranged for their inspection or review of the records (copies, records brought to a single site, etc.).

The Principal will make the needed arrangements as soon as possible and notify the parent or eligible student of the time and place where the records may be inspected. This procedure must be completed within fourteen (14) days that the request for access is first made. Note: the fourteen (14) day limit is required under New Hampshire RSA 189:66, IV, in contrast to the forty-five (45) day period otherwise allowed under FERPA.

If for any valid reason such as the parent's working hours, distance between record location sites or the parent or student's health, a parent or eligible student cannot personally inspect and review a student's education records, the Principal may arrange for the parent or eligible student to obtain copies of the records.

When records contain information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the records of the other students. If such records do contain the names of other students, the Principal will seek consultation with the Superintendent and/or the District's attorney to determine how best to proceed. Where practicable, it may be necessary to prepare a copy of the record which has all personally identifiable information on other students redacted, with the parent or eligible student being allowed to review or receive only a copy of the redacted record. Both the original and redacted copy should be retained by the District.

G. Procedures To Seek To Correction of Education Records. Parents of students or eligible students have a right to seek to change any part of the student's records which they believe is inaccurate, misleading or in violation of student rights. FERPA and its regulations use both "correct/ion" and "amend". For the purposes of this policy, the two words (in all of their respective forms) shall mean the same thing unless the context suggests otherwise. To establish an orderly process to review and correct (amend) the education records for a requester, following processes are established.

1. First-level decision. When a parent or eligible student finds an item in the student's education records that he/she believes is inaccurate, misleading or in violation of student rights, he/she should submit a written request asking the building Principal to correct it. If the records are incorrect because of clear error and it is a simple matter to make the change, the Principal should make the correction. If the records are changed to the parent's/eligible student's satisfaction, both parties shall sign a document/form stating the date the records were changed and that the parent/eligible student is satisfied with the correction.

If the Principal believes that the record should not be changed, he/she shall:

- a. Provide the requester a copy of the questioned records at no cost;
- b. Ask the parent/eligible student to initiate a written appeal of the denial of the request for the change, which will be forwarded to the Superintendent;
- c. Forward the written appeal to the Superintendent; and
- d. Inform the parents/eligible student that the appeal has been forwarded to the Superintendent for a decision.

2. Second-level decision. If the parent/eligible student wishes to challenge the Principal's decision to not change the student record, he/she may appeal the matter to the Superintendent. The parent/eligible student shall submit a written request to the Principal asking that the matter be

appealed to the Superintendent. The Principal will forward the appeal to the Superintendent.

The Superintendent shall, within ten (10) business days after receiving the appeal:

- a. Review the request;
- b. Discuss the request with other school officials;
- c. Make a decision whether or not to make the requested correction to the educational record;
- d. Schedule a meeting with the parents/eligible student if the Superintendent believes such a meeting would be necessary; and
- e. Notify the parents/eligible student of the Superintendent's decision on their request to correct the student's educational record.

If the Superintendent determines the records should be corrected, he/she will make the change and notify the parents/eligible student in writing that the change has been made. The letter stating the change has been made will include an invitation for the parent/eligible student to inspect and review the records to verify that the records have been corrected and the correction is satisfactory. If the records are changed to the parent's/eligible student's satisfaction, both parties shall sign a document/form stating the date the records were changed and that the parent/eligible student is satisfied with the correction.

If the Superintendent determines the records are will not be corrected, he/she will notify the parents/eligible student in writing of his/her decision. Such letter will also notify the parents/eligible student of their right to an appeal hearing before the School Board.

3. Third-level decision. If the parents or eligible student are not satisfied with the Superintendent's decision, they may submit a written request for a hearing before the School Board. The parents/eligible student shall submit the request for a hearing with the Superintendent within ten (10) business days of the date of the Superintendent's written decision in level-two. The Superintendent will inform the School Board of the request for a hearing and will work with the School Board to schedule a hearing within forty five (45) days of receipt of the request. Once the meeting is scheduled, the Superintendent will inform the parents/eligible student in writing of the date, time and place of the hearing.

The hearing will be held in non-public session consistent with the provisions of RSA 91-A:3, unless the parent/eligible student requests that the hearing be held in public session. The School Board will give the parent/eligible student a full and fair opportunity to present evidence relevant to the issues raised under their request. The parents/eligible students may be assisted or represented by one or more individuals of their own choice, including an attorney.

The School Board will issue its final decision in writing within thirty (30) days of the hearing, and will notify the parents/eligible student thereof via certified mail, return receipt requested. The School Board will base its decision solely on the evidence presented at the hearing. The School Board's written decision will include a summary of the evidence and the reasons for its decision.

If the School Board determines that the student record should be corrected, it will direct the Superintendent to do so as soon as possible. The Superintendent will then contact the parents/eligible student for a meeting so they can review and inspect the records to verify that they have been corrected. At this meeting, both parties shall sign a document/form stating the date the records were corrected and that the parent/eligible student is satisfied with the correction.

The School Board's decision will be final.

4. Parent/Eligible Student Explanation to be Included in Record. Notwithstanding the resolution of any request to correct a student's record(s), in accordance with section (a)(2) of FERPA, a parent or eligible student may insert into that student's educational record a written explanation respecting the content of the record.

H. Disclosure of Student Records and Student Information. In addition to directory information, the District may disclose student records and student information without consent to the following parties on the condition that the recipient agrees not to permit any other party to have access to the released information without the written consent of the parents of the student, and under the conditions specified.

1. School officials with a legitimate educational interest. School officials with a legitimate educational interest may access student records. "Legitimate education interest" refers to school officials or employees who need to know information in a student's education record in order to perform the employee's employment responsibilities and duties.
2. Other schools into which a student is transferring or enrolling, upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record. This exception continues after the date that a student has transferred
3. Officials for audit or evaluation purposes.
4. Appropriate parties in connection with financial aid.
5. Organizations conducting certain studies for, or on behalf of the School District. Student records or student information will only be provided pursuant to this paragraph if the study is for the purpose of: developing, validating or administering predictive tests; administering student aid programs; or improving instruction. The recipient organization must agree to limit access to the information and to destroy the information when no longer needed for the purpose for which it is released.
6. Accrediting organizations.
7. Judicial orders or lawfully issued subpoenas, upon condition that parents and the student are notified of all such orders or subpoenas in advance of compliance therewith by the District, except when a parent is a party to a court proceeding involving child abuse or neglect or dependency. The Principal shall consult with the Superintendent and legal counsel as needed to ensure compliance with the judicial order and applicable law.
8. Health and safety emergencies.

I. Maintenance of Student Records and Data. The Principal of each building is responsible for record maintenance, access and destruction of all student records. All school district personnel having access to records shall place great emphasis upon privacy rights of students and parents.

All entries into student records must be dated and signed by the person access such records.

The principal will ensure that all records are maintained in accordance with applicable retention schedules as may be established by law.

J. Disclosures Made From Education Records. The District will maintain an accurate record of all requests for it to disclose information from, or to permit access to, a student's education records and of the information it discloses and persons to whom it permits access, with some exceptions listed below. This record is kept with, but is not a part of, each student's cumulative school records. It is available only to the record custodian, the eligible student, the parent(s) of the student or to federal, state or local officials for the purpose of auditing or enforcing federally supported educational programs.

The record includes:

1. The name of the person who or agency which made the request;
2. The interest which the person or agency has in the information;
3. The date on which the person or agency made the request;
4. Whether the request was granted and, if it was, the date access was permitted or the disclosure was made; and
5. In the event of a health and safety emergency, the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and the parties to whom the agency or institution disclosed the information.

The District will maintain this record as long as it maintains the student's education record. The records do not include requests for access or information relative to access which has been granted to parent(s) of the student or to an eligible student; requests for access or access granted to officials of the District who have a legitimate educational interest in the student; requests for, or disclosures of, information contained in the student's education records if the request is accompanied by the prior written consent of a parent/eligible student or if the disclosure is authorized by such prior consent or for requests for, or disclosures of, directory information designated for that student.

The records of a request for the correction of an educational record, including any appeal of a denial of that request, if the educational record is ultimately corrected shall not be treated as part of the educational record of the student and shall be preserved separately.

Legal References:

RSA 91-A:5,III, Exemptions, Pupil Records
RSA 189:1-e, Directory Information
RSA 189:66, IV, Data Inventory and Policies Publication
20 U.S.C. §1232g, Family Educational Rights and Privacy Act
34 C.F.R. Part 99, Family Educational Rights and Privacy Act Regulations

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

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