

# MASCOMA VALLEY REGIONAL SCHOOL DISTRICT

## PERSONNEL POLICIES AND PROCEDURES MANUAL



**Mascoma Inspires!**  
**Build the path you want to take.**

**2023-2024**

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This document supersedes all personnel policies previously established or approved by the Mascoma Valley Regional School District

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## **WELCOME TO THE MASCOMA VALLEY REGIONAL SCHOOL DISTRICT**

We are pleased you are joining our team. We understand that this can be both exciting and overwhelming. This Personnel Policies and Procedures Manual has been developed to help you get acquainted and answer many of your initial questions about the Mascoma Valley Regional School District (“MVRSD” or the “District”).

The Mascoma Valley Regional School Board 2023-2024 Goals for personnel are:

1. Recruit and retain high quality staff for all positions.
2. Expand and monitor high quality professional development for all staff.

As an employee of the Mascoma Valley Regional School District, the importance of your contribution to the students we serve, cannot be overstated. We strive to provide the students of Canaan, Dorchester, Enfield, Grafton, and Orange with the finest and most comprehensive education possible. Your help toward achieving our goal is invaluable.

The MVRSD Mission Statement:

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

This manual is provided to acquaint you with the general policies, procedures, benefits, rules of conduct and other matters directly affecting your employment with MVRSD. The information presented in this handbook may be subject to specific exceptions, laws, ordinances or circumstances that will alter the application of the policies, benefits and rules outlined herein. For example, you may be a member of a union that has a collective bargaining agreement with the District. That agreement may alter the applications of this manual to you and/or your bargaining unit. In addition to this handbook, MVRSD may use other methods to keep employees informed of policies and procedures, such as the District website, bulletin boards, memos, emails and staff meetings.

# Receipt and Acknowledgement of Personnel Policies and Procedures Manual

This Personnel Policies and Procedures Manual is an important document intended to help you become acquainted with the Mascoma Valley Regional School District. This Manual will serve as a guide; it is not the final word in all cases. Individual circumstances may call for individual attention.

Please read the following statements and sign below to indicate your receipt and acknowledgement of the Manual.

- I have received a copy of the Personnel Policies and Procedures Manual and understand that it is my obligation to read it thoroughly. I understand that the policies described in the Manual are subject to change at the Mascoma Valley Regional School Board's sole discretion at any time.
- I understand that unless otherwise provided in a written contract or unless set forth by state or federal statute, all employees in the State of New Hampshire are considered to be employees-at-will. Employment-at-will status allows Mascoma Valley Regional School District or the employee to terminate the employment relationship with or without cause or notice, at any time, for no reason or for any reason unless otherwise prohibited by law or unless prohibited by a union Collective Bargaining Agreement ("CBA"). Neither the policies, nor any other written or verbal communication by a supervisor or official, are intended to change the at-will relationship or create a contract of employment.
- I am aware that during the course of my employment, confidential information may be made available to me. I understand that this confidential information must not be given out or used outside of Mascoma Valley Regional School District premises or with non-District employees, except as required or allowed by law.
- I acknowledge that it is my responsibility to return any and all Mascoma Valley Regional School District equipment in the same condition as received immediately upon the termination of my employment.
- I understand that my signature below indicates that I have read and understand the above statements and have received and reviewed a copy of the Personnel Policies and Procedures Manual and all corresponding personnel policies.

\_\_\_\_\_  
Employee Name (Please Print)

Date: \_\_\_\_\_

\_\_\_\_\_  
Employee Signature

## **I. General Provisions**

### **APPLICABILITY**

With the exception of certain benefit policies, all policies described in this Manual apply to all employees, unless otherwise stated or unless there is a conflict with an applicable CBA. To the extent there is a conflict with an applicable CBA, the CBA will control unless otherwise required by law. If you have questions about the applicability of any policy herein, please contact your supervisor or Human Resources.

This Manual is not, and should not be construed as an express or implied contract and does not modify any existing at-will status of any Mascoma Valley Regional School District employee. It is not intended to create any due process protections or requirements in excess of federal or state constitutional or statutory requirements, nor does it guarantee any fixed terms and conditions of employment and/or benefits.

### **EQUAL EMPLOYMENT OPPORTUNITY**

The Mascoma Valley Regional School District will recruit and consider candidates without regard to age, race, color, religion, country of origin, marital status, disability, and sex.

The school district will employ individuals who meet the physical and mental requirements, and who have the education, training, and experience established and necessary for the performance of the job without regard to age, race, religion, country of origin, sex (except where sex is a bonafide occupational requirement) and disability, except for reasons related to ability to perform the requirements of the job.

As required by Title IX of the 1972 Education Amendments, it is school district policy not to discriminate on the basis of sex in its education programs or activities policies. Inquiries regarding compliance with Title IX may be directed to the Office of the Superintendent of Schools and/or the school district's Title IX Officer.

*See also MVRSD Policy AC*

## **SEXUAL HARASSMENT - EMPLOYEES/STAFF**

The purpose of this policy is to maintain a learning environment that is free from sexual harassment or other improper and inappropriate behavior that may constitute harassment as defined below.

Sexual harassment is against the law and is against Mascoma Valley Regional School Board policy. Any form of sexual harassment is strictly prohibited. It is a violation of this policy for any employee or third party to harass any person through conduct or communication of a sexual nature as defined by this policy.

"Employee" shall include, but not be limited to all Mascoma Valley Regional School District staff, teachers, non-certified personnel, administrators, volunteers, coaches and/or other such personnel whose employment or position is directed by the school district.

"Third parties" include, but are not limited to parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control.

The Mascoma Valley Regional School District will investigate all complaints, formal or informal, verbal or written, of sexual harassment and will discipline any employee who sexually harasses or is sexually violent toward another person.

### **SEXUAL HARASSMENT DEFINED**

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, sexual physical conduct, and /or conduct of a sexual nature when:

1. Submitting to the unwelcome conduct is made a term or condition of an individual's employment, either explicitly or implicitly.
2. Submitting to or rejecting the unwelcome conduct is used as the basis for decisions affecting a person's employment; or
3. The unwelcome conduct has the purpose or effect of unreasonably interfering with a person's work performance or creating an intimidating, hostile, or offensive working environment
4. Sexual violence.

Sexual harassment may include, but is not limited to:

1. Verbal harassment and/or abuse of a sexual nature;
2. Subtle pressure for sexual activity;
3. Inappropriate patting, pinching or other touching;
4. Intentional brushing against an employee's body;
5. Demanding sexual favors accompanied by implied or overt threats;
6. Demanding sexual favors accompanied by implied or overt promises of preferential treatment;
7. Any sexually motivated unwelcome touching; or

8. Sexual violence that is a physical act of aggression that includes a sexual act or sexual purpose.

## **REPORTING PROCEDURES**

Any employee who believes he or she has been the victim of sexual harassment should report the alleged act(s) to the building Principal. If the alleged perpetrator is the School Principal, the alleged victim may report the allegation to any other Mascoma Valley Regional School District employee. That employee shall then report the allegation to the Superintendent of Schools. The Mascoma Valley Regional School Board encourages the reporting employee to use the report form available from the School Principal or Superintendent of Schools.

## **REPRISAL**

The Mascoma Valley Regional School District will discipline any employee who retaliates against any other employee who reports alleged sexual harassment or who retaliates against any person who testifies, assists or participates in an investigation, proceeding or hearing relating to a sexual harassment complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

*See also MVRSD Policy ACAC/ACAC-R*

## **II. EMPLOYEE CLASSIFICATIONS**

### **EMPLOYMENT AT-WILL**

**Unless otherwise provided in a written contract or unless set forth by statute, all employees in the State of New Hampshire are considered to be employees at-will. Employment at-will means that employees are free to resign from their employment at any time, with or without cause or notice, and the Mascoma Valley Regional School District has similar rights and can terminate the employment relationship at any time, with or without cause or notice, except as provided by law or negotiated agreement. Neither the policies contained in this Manual, nor any other written or verbal communication by a supervisor or official, are intended to change the at-will relationship or create a contract of employment.**

### **EMPLOYMENT CLASSIFICATIONS**

At the time that you are hired, you are classified as full-time, part-time, or temporary employee and are informed as to whether your position is exempt or non-exempt in regards to overtime pay and whether or your position is covered by a union. If you are unsure of which job classification into which your position fits, or if you have questions about the applicability of any policy, please contact Human Resources.



FULL-TIME EMPLOYEES: Individuals who are contracted to work thirty hours or more per week.

PART-TIME EMPLOYEES: Individuals who are contracted to work less than thirty hours per Week.

TEMPORARY EMPLOYEES: Individuals who are hired for specific periods of time or for the completion of a specific project. Temporary employees are not eligible for benefits described in this Manual except to the extent required by state or federal law.

NON-EXEMPT AND EXEMPT STATUS: All employees will be classified as either “exempt” or “non-exempt.” Exempt employees are paid on a salary basis and their duties and responsibilities allow them to be considered exempt from the overtime requirements of the Fair Labor Standards Act (“FLSA”). Therefore, these employees are not eligible to receive overtime pay. Non-exempt employees do not meet the requirements necessary to be considered exempt from the overtime provisions of the FLSA. Therefore, these employees are eligible for overtime pay in accordance with the FLSA and Mascoma Valley Regional School District policy. Non-exempt employees are typically paid on an hourly basis.

UNION AND NON-UNION STATUS: All positions in the District are classified either union or non-union. If a union position, that position and the employee in that position, regardless of employee union membership, is subject to the provisions of the applicable collective bargaining agreement that covers the position.

### **III. COMPENSATION AND HOURS OF WORK**

#### **REPORTING OF TIME WORKED**

It is important that your time be accurately reported so you are compensated for the hours you work. All hourly/non-exempt employees are required to utilize TimeClock Plus (TCP) through a computer or the physical time clock to clock in and out. Should it be necessary for you to work additional hours beyond the scope of your employment contract, you will be required to include this additional time in TimeClock Plus for payment. In addition, employees compensated through federal grant funds are required to submit Time and Effort Reporting for all time worked regardless of the exempt or non-exempt status of their employment. **Employees who repeatedly miss punching in and/or out and employees who falsify time records in any manner, including but not limited to entering time for another employee, are unacceptable and will result in discipline, up to and including immediate termination.**

#### **PAY/PAY PERIODS**

The District pays all employees on a bi-weekly basis. Pay dates are every other Friday. If a payday falls on a holiday, paychecks will be issued on the previous business day.

Wages will be paid to employees in equal installments. Full year non-union employees will be paid over 26 payrolls. School year non-union employees will be paid over the school year in 22 payments. Union employees shall refer to their Collective Bargaining Agreement (CBA) for payment options.

Coaches shall be paid at the end of their sport. School year extracurricular and academic duty positions shall be paid quarterly over the school year.

Non-exempt/hourly employees working hours over their contracts, will receive pay if time (or extra time) is worked. Non-exempt/hourly employees working under their contracted hours, without the use of leave time to cover the hours missing, will have pay deducted if their contracted hours are not satisfied. The additional pay or deduction of pay will occur in conjunction with the appropriate payroll period in which additional time was worked or lost as reported by the employee on a time sheet.

Please review your paystub for errors. If you find a mistake, report it to the Payroll Bookkeeper immediately. If you have authorized an electronic direct deposit, paystubs will be distributed to you in your iVisions account unless otherwise requested. If a valid email address is not on file, or if you have not authorized direct deposit, your paycheck or paystub will be mailed to you or inter-office mailed to you at your primary work location. Paychecks will be distributed only to you.

## **PAYROLL DEDUCTIONS**

### **A. Payroll Deductions for All Employees**

There are two categories of payroll deductions, those required by state or federal law and those authorized by the employee. Payroll deductions required by state and federal law include federal and/or state income tax, social security tax, and wage garnishments as required by law (i.e. child support payments, court-ordered payments, IRS garnishments). Depending on hours of contract, contribution toward the New Hampshire Retirement System may also be required. See Retirement section later in this handbook or NHRS.org for further details on participation requirements.

If authorized by an eligible employee, the Mascoma Valley Regional School District will also make payroll deductions for health insurance, savings plans, and voluntary contributions to a retirement plan or as otherwise authorized by the employee in writing and agreed to by MVRSD. These deductions will be itemized on your check stub.

The New Hampshire Department of Labor permits these payroll deductions, and requires that we provide you with notice of other circumstances in which payroll deductions are permitted by law.

Payroll deductions are also permitted by law for: installment payments of legitimate loans made by the employer to the employee; repayment of accidental overpayments made to the employee; voluntary contributions into cafeteria plans or flexible benefit plans, or both, as authorized by section 125 of the Internal Revenue Code; medical, surgical, hospital, and other group insurance benefits having no financial advantage for the employer; voluntary contributions for union dues; or for any purpose on which the employer and employee mutually agree and that does not grant financial advantage to the employer if

agreement is in writing and withholding is not used to offset payments intended for purchasing items required in the performance of the employee's job in the ordinary course of the operation of the business.

B. Payroll Deductions for Salaried Exempt Employees

The Mascoma Valley Regional School District complies with all federal and state laws with regard to deductions from paychecks, including deductions from the salaries of exempt employees. In accordance with the laws, salaried exempt employees receive a predetermined salary which is not subject to reduction because of variations in the quality or quantity of work performed and is not subject to reduction for absences requested by the Mascoma Valley Regional School District or due to the operating requirements of the District. The Mascoma Valley Regional School District recognizes that under federal and state law there are only limited times when a salaried employee's salary can be subject to deductions. The Mascoma Valley Regional School District prohibits deductions from salaries that are inconsistent with the status of an exempt employee. Exempt employees should note that salaries are subject to modification from time to time, such as at evaluation time, when an employee's position or responsibilities change, and at other appropriate times. Exempt employees should also note that it is permissible for an employer to apply vacation, sick, personal and other forms of paid time off to partial or full-day absences for personal reasons, sickness, or disability, and that applying paid time is not considered a deduction from salary.

C. Questions Regarding Paychecks and Deductions

If you have any questions or concerns about your paycheck or any deductions from your pay, or believe an error was made with respect to your paycheck, please contact the Payroll Bookkeeper as soon as possible. Questions and concerns regarding pay and deductions will be investigated and addressed promptly. The Mascoma Valley Regional School District will not tolerate retaliation against employees who have expressed concerns using this procedure.

## **REIMBURSABLE EXPENSES**

With prior supervisory approval, including a signed purchase order, legitimate work-related expenses will be reimbursed by the Mascoma Valley Regional School District to the employee after submission of appropriate documentation. The employee must submit receipts in order to be reimbursed. Reimbursement may be in the form of an ACH payment or a separate check. See your immediate supervisor with any questions as to whether and what expenses may be reimbursed.

## **OVERTIME**

From time to time, it may be necessary for you to perform overtime work. All overtime must be approved in advance by your supervisor. No employee is authorized to work overtime without prior approval of their direct supervisor. Working extra hours without approval of your supervisor may be subject to disciplinary action.

Except in the event of an emergency, the Mascoma Valley Regional School District will attempt to provide you with advance notice of the necessity for overtime work.

Non-exempt employees are entitled to be paid one and one-half (1-1/2) times their regular rate of pay for all time worked in excess of forty hours in a week, in compliance with the Fair Labor Standards Act (FLSA) and New Hampshire RSA 279:21, VIII. The District measures a week from Sunday through Saturday. Sick days, holidays, vacation time, leaves of absences, and other time off benefits are not counted as "time worked" for purposes of overtime. You will be advised when you are hired if your position is non-exempt under the FLSA and therefore entitled to overtime pay. If your position is subject to a CBA, please also see provisions for overtime within the applicable CBA.

## **BREAKS AND MEAL PERIODS**

The Federal Labor Standards Act (FSLA) and State law requires an employer grant (and the employee take) an unpaid duty-free one half-hour lunch period to an employee after five consecutive hours of working. Twelve (12) month employees will have this half-hour paid.

## **TIME AWAY FROM WORK AND OTHER LEAVE BENEFITS**

**NOTE: The policies outlined below generally describe policies for employees not subject to a CBA. If an employee is covered by a CBA, s/he should review the applicable CBA to determine if the policy is different.**

## HOLIDAYS

Full-time contracted year-round employees are entitled to the twelve (12) paid holidays listed below. Full time contracted school year (180 day) are entitled to the eight (8) marked with an asterisk (\*). Part-time contracted school year or full year employees who are regularly scheduled for 20 hours a week or more are entitled to either eight (8) or twelve (12) pro-rated paid holidays in accordance with their work calendar, as described above, and their percentage of full time equivalency. Temporary employees are not entitled to paid holidays.

Some employees may be required to work on holidays. Employees who are required to work on a holiday may take a floating holiday some other time during the year. The floating holiday must be scheduled at least one week in advance and approved by the immediate supervisor. Union employees should refer to their CBA.

New Year's Day *	(January 1)
Martin Luther King Day	(3rd Monday of January)
President's Day	(3rd Monday of February)
Memorial Day *	(Last Monday of May)
Independence Day	(July 4)
Labor Day *	(1st Monday in September)
Veterans' Day *	(November 11)
Thanksgiving Day *	(4th Thursday in November)
Thanksgiving Friday *	(4th Friday in November)
Christmas Eve *	(December 24)
Christmas Day *	(December 25)
Day after Christmas day	

All holidays will be observed on the day designated by the Federal Government.

## VACATION

Full-time and part-time Full-Year employees are eligible for paid vacation. Please refer to your CBA, Contract or Employment Offer for specifics.

No part of an employee's scheduled vacation may be converted to sick leave. If illness or injury occurs during a vacation, sick leave benefits will not begin until the employee is scheduled to return to work.

Vacation pay for each day will be paid based on the normal straight time scheduled hours; i.e., if someone normally is scheduled for eight (8) hours per day, their vacation pay will be for eight (8) hours for each full day requested, and anyone normally scheduled for seven (7) hours will be paid seven (7) hours for each full day requested.

Non-union employees are required to take their vacation during the year in which it is

granted. The Mascoma Valley Regional School District will not pay employees for unused, accrued vacation time not used before it is lost.

All employees must submit requests for vacation time to their immediate supervisor in the iVisions web portal. Requests should be submitted at least ten (10) business days in advance of the requested vacation dates. Vacation may be taken only if the request is approved by the supervisor. If more than one employee requests vacation during the same period of time, approval will be determined on a first come first served basis.

### **PERSONAL DAYS**

The Mascoma Valley Regional School District provides paid personal days to full-time and part-time employees as outlined below.

All non-union employees contracted for at least 20 hours a week or more will be granted two (2) paid personal days per contract year. Eligible part-time non-union employees will be provided these personal days on a prorated basis in accordance with their percentage of full time equivalency. Union employees should refer to their CBA under personal days.

Personal days may not be carried over from year to year. Full-time year-round employees may be paid for unused personal days at year-end. Union employees should refer to their CBA for personal day specifics.

Employees must obtain advance approval from their supervisor before taking a personal day. While personal days will generally be approved, Mascoma Valley Regional School District reserves the right to deny personal day use if District needs so require.

### **SICK LEAVE**

The Mascoma Valley Regional School District provides paid sick days to full-time and part-time employees.

When an employee uses sick time, s/he will be paid at the normal straight time rate for the number of hours the employee was scheduled to work. Sick pay may not exceed the employee's regular workday and/or work week hours.

Sick days are to be used for absences due to illness of the employee or to care for an ill member of the employee's immediate family. The Mascoma Valley Regional School District may, at any time, and under the stipulations set forth in each CBA, require an employee to submit satisfactory medical documentation from a health care provider supporting the use of sick time. Failure to provide requested documentation may result in loss of sick leave benefits or, in cases in which sick leave abuse is detected, disciplinary action, up to and including termination.

The Mascoma Valley Regional School District reserves the right to require an employee who has been absent for three (3) consecutive working days to submit certification from his/her treating physician before being allowed to return to work. An employee will not earn any sick leave for those pay periods in which the employee is on unpaid leave status.

Unused sick time may be carried over from year to year as outlined in your applicable collective bargaining agreements for teachers and support staff. Non-union employees may carry over sick days up to a maximum of 115 days.

Employees who leave the Mascoma Valley Regional School District's employment for any reason will not be entitled to any pay for unused sick days.

Employees who do not report to work due to illness must follow District absence reporting procedures, and follow any other guidance provided by their supervisor for reporting an absence. Please see Attendance section later in this manual for further information.

### **SICK BANK**

Union employees may have access to a sick bank as per the conditions of their collective bargaining agreement. Please refer to your CBA for specifics.

Employees who are receiving Worker's Compensation are not eligible to use donated days.

### **FAMILY AND MEDICAL LEAVE**

Mascoma Valley Regional School District will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees for qualifying reasons in accordance with the requirements of the Family Medical Leave Act. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the employee's available leave balances.

When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice of the need for leave. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day.

To be eligible for Family Medical Leave, an employee must have been employed for a 12 month period of time and have worked at least 900 hours in the previous 12 months.

Qualifying leaves include:

1. The birth of a child and in order to care for that child so long as leave is completed by the child's first birthday;
2. The placement of a child for adoption or foster care and to care for the newly placed child so long as the leave is completed by one year following placement;
3. To care for a spouse, child or parent with a serious health condition (described below).
4. The serious health condition of the employee (as defined by FMLA).
5. Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

6. Military caregiver leave (also known as covered service member leave) to care for an injured or ill service member or veteran.

While an employee is on leave, the District will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the District will require the employee to reimburse the District the amount it paid for the employee's health insurance premium during the leave period.

An employee who takes leave under this policy may be asked to provide a doctor's certification for the employee's or family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Employees returning from a leave for their own serious health condition will be required to provide a fitness for duty certification from their health care provider prior to returning to work. This requirement will be included in the employer's response to the FMLA request and will be required from all employees taking a leave for their own serious health condition. The employee must provide a copy of this certification to their supervisor and HR prior to their return to work.

If an employee is eligible for other types of leave such as Maternity leave or Worker's Compensation, these leaves will run concurrently with FMLA.

Please see **Policy GCCBC, Policy GCCBC-F** and your CBA for further information on employee eligibility, types of leaves covered and requirements of leave. If you have any questions on FMLA, please contact Human Resources.

## **MATERNITY LEAVE**

All female employees may take a leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth, or related medical conditions. A maternity leave begins when an employee is medically determined to be medically disabled and ends when she is medically able to return to work.

Refer to The Family Medical Leave Act for Parental Leave and Child Bonding.

The District will grant a pregnant employee six (6) consecutive calendar weeks of leave following the birth of a child without a physician's note. If an employee is absent for more than this period of time and needs to be out for additional days, a physician's note will be required.

Employees will be required to take FMLA leave, if they are eligible for such leave, concurrently with maternity leave, as described in our FMLA policy which may extend available leave.



If an employee has sick, personal or vacation time available to them, it must be used during maternity leave. If an employee does not have any leave time remaining, this leave will be unpaid.

Employees on maternity leave will be allowed to participate in our health and dental insurance benefits at the rates available to them when they were actively working for the later of the following:

- Until the end of the calendar month during which the leave begins
- Until the end of the calendar month during which they are using paid leave benefits
- Until the end of the calendar month in which FMLA eligibility ends (If an employee doesn't return after FMLA, they may be required to re-pay the District's contribution made while on leave in accordance with District policy GCCBC)

Employees who wish to continue coverage past this date, may do so by making arrangements with Human Resources to continue coverage under COBRA. Employees will be responsible for payment of the entire amount of the appropriate monthly premium in advance each month.

When the employee is physically able to return to work, her original job or a comparable position will be made available to her unless business necessity makes this impossible or unreasonable. An employee who cannot be returned to her original or a comparable position will remain eligible to apply for any available position within the Mascoma Valley Regional School District.

If an employee wishes to extend her leave beyond what is legally required, it will be subject to approval as Extended Unpaid Leave. Please refer to your CBA.

Please contact Human Resources at the SAU with any questions on maternity leave or to request leave time under this policy.

## **LEAVES OF ABSENCE**

The Mascoma Valley Regional School District recognizes that due to personal circumstances, it may be necessary for an employee to request more time off than is provided under our policies.

A leave of absence may be granted at the discretion of the Superintendent, depending on your CBA, and is normally only granted for compelling reasons. Requests for Leaves of Absence should be in writing and directed to the Superintendent. Please refer to your CBA for specifics.

If the reason for your requested leave is for medical reasons, you may be asked to provide a certificate from your health care provider stating the reason for the leave and the expected date of return to work. This type of leave may also qualify for FMLA.

If granted, leaves typically will not exceed thirty (30) days. An employee who has taken leave for medical reasons must submit a fitness for duty certificate from his or her health care provider before reinstated to work.

Leaves of absence will be unpaid, and an employee on an unpaid personal leave of

absence is not entitled to earn any benefits, including, but not limited to, holidays, vacation time, sick leave, and personal days.

Employees who are granted a leave of absence may continue to participate in our health insurance benefit for the calendar month during which the leave begins. When that calendar month expires, the employee may continue health insurance coverage by making arrangements with Human Resources to pay the entire amount of the appropriate monthly premium in advance each month.

The District will make reasonable efforts to reinstate employees returning from leaves to the same or similar job as held prior to the leave of absence, subject to our staffing needs and other contractual agreements. If an employee fails to return to work following the expiration of the leave, the employee will be considered to have voluntarily resigned from his or her employment with the Mascoma Valley Regional School District.

Please refer to your CBA for the types of leave available to you.

### **CIVIC DUTY LEAVE**

In the event that a staff member is called to active military duty, the Superintendent shall, at his/her discretion, determine the extent and duration of continuing pay and benefits for the period of active duty. The Board shall act in accordance with Federal and State regulations on such matters in effect at the time.

Employees who voluntarily or involuntarily serve in the United States armed forces or National Guard (collectively referred to as “uniformed services”) will be provided with leaves of absence for such service or training in connection with such service in accordance with the federal Uniformed Services Employment and Reemployment Rights Act (“USERRA”). Military leaves of absence will be unpaid, unless otherwise required by law. You may elect to take part of, or all of, your accrued vacation time with pay during your military leave of absence, but you are not required to do so. An employee needing time away from work for service or training in the uniformed services should make his/her immediate supervisor aware of the need for leave as soon as the employee receives the written or verbal orders. It is requested that notice should be provided at least 30 days before the leave begins where it is at all possible to do so.

Employees wishing to be reinstated following military leave should promptly notify the Superintendent of their desire to be reinstated.

The Mascoma Valley Regional School District will reinstate eligible employees promptly. Eligibility for reemployment will be determined with reference to USERRA and its implementing regulations.

Please contact Human Resources at the SAU Office with any questions on Civic Duty Leave or to request leave time under this policy. Please also refer to your CBA.

## **BEREAVEMENT LEAVE**

Full-time and part-time employees will be granted time off from work without loss of pay in connection with the death of a relative in accordance with the following policy. Union employees will be provided bereavement time in accordance with the applicable collective bargaining agreement.

Non-union employees will be provided five (5) days paid time off for a death in the employee's immediate family. Pay for part-time employees will be prorated based on the number of hours the employee regularly works on those days.

"Immediate family" for non-union employees includes spouse, partner, children (including biological or by adoption), step-children, parents, brothers, sisters, step-parents, step-brothers, step-sisters, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparents, and grandchildren. Eligibility for union employees may differ and is defined in the collective bargaining agreements.

## **JURY DUTY/WITNESS LEAVE**

The Mascoma Valley Regional School District considers it a civic duty to serve on a jury if summoned and will grant you leave in order to serve on a jury. An employee shall be excused from employment for the day or days required in serving as a juror or witness in any court of the United States or the employee's state of residence. Employees who are compensated by the court for jury duty shall be paid the difference between their regular day's pay and the amount of compensation they receive for performing their jury duty.

Employees summoned for jury duty must inform their immediate supervisor and present a copy of the summons as soon as possible. If released from jury duty on any day, the employee is expected to return to work.

The Mascoma Valley Regional School District desires to work in cooperation with all local, state and federal legal authorities in the operation of district schools according to statutory regulations and procedures. In this regard, staff attendance at off-campus legal proceedings will follow the guidelines intended to fulfill contractual responsibilities and obligations within the law and district insurance policies:

- Personal advocacy will require the use of personal leave.
- Only subpoenaed personnel are lawfully required to attend court proceedings.
- If the School District is joined with the courts, a representative of the District should be in attendance as determined by the Superintendent.
- The laws of confidentiality and family privacy apply to all cases.

## **LEAVE OF ABSENCE FOR VICTIMS OF CRIME**

The District will grant an employee time off from work to attend court or other legal or investigative proceedings associated with the prosecution of a crime in which the employee was

a victim in compliance with NH RSA 275:62. Employees taking leave for this reason will be required to use their own personal and vacation time. If none is available, the leave will be unpaid.

See also NH RSA 275:62

#### **IV. OTHER BENEFITS OF EMPLOYMENT**

MVRSD offers a variety of employment benefits to its employees. These benefits are covered in full in the Mascoma Valley Regional School District Benefit Summary. Each year a new summary is printed and available for all employees of the district. If you would like a copy of the Summary, please login to iVisions, or contact the Human Resources department.

## **V. ON THE JOB**

### **ATTENDANCE**

Attendance and punctuality are important factors for your success in the Mascoma Valley Regional School District. The District is aware that from time to time emergencies, illnesses, or pressing personal business that cannot be scheduled outside work hours may arise.

The District uses an electronic absence reporting system. If an employee is unable to report to work, or if an employee will arrive late or will be leaving early, the employee must contact his/her immediate supervisor and enter the absence into the District's electronic absence reporting system, as directed by their supervisor.

Entry into the system, and contact with the Supervisor, should be made as soon as possible to give as much time as possible to arrange for someone else to cover the position, but must be made at least one hour before the absence is to begin. Employees should follow any and all building protocols related to the absence.

Please ensure that the absence times are accurately reported and entered into the system.

If the employee is unable to report the absence because of an illness, emergency or for some other reason by the deadlines stated above, the employee must report to their supervisor or arrange to have someone report on his or her behalf as soon as possible. Reporting of the absence to any employee other than the immediate supervisor will not be accepted as compliance with the daily reporting requirement.

All employees should be aware that excessive absenteeism, lateness, leaving early or failure to follow reporting procedures may lead to disciplinary action, up to and including dismissal from employment. In addition, attendance records may be considered when evaluating requests for promotions, transfers, leaves of absence, and approved time off, as well as disciplinary, termination and layoff decisions in accordance with any applicable state and federal laws. Information to access electronic absence reporting will be provided to employees at hire.

### **INCLEMENT WEATHER**

In the case of inclement weather it may be necessary to cancel school for the day, release students early, or delay the opening of school. The reporting requirements for employees on days of inclement weather vary depending on the type of closure and work schedule of the employee.

School Closure- Full year staff must report to work at their regularly scheduled time and work their regular work day. School year staff are not required to report (as that work day will be made up with the students at the end of the school year).

Delayed opening- All staff shall report to work as close to their regularly scheduled time as the weather allows and work their regular work day.

Early Release- All staff must stay at work until their regularly scheduled time and work their regular work day.

It is up to you, the employee, to determine if you can safely get to work on days of inclement weather.

If the Mascoma Valley Regional School District's schools are not closed due to severe inclement weather, but you are unable to get to work, then you must contact your supervisor, and enter your absence into the District's electronic absence reporting system.

If you do not report to work because of inclement weather and are required to so as outlined above, report late or leave early, you must use your vacation time or personal days to be paid for missed time. If your benefits have been exhausted, you will not be paid for the time missed, unless otherwise required by law.

## **DISCIPLINE**

Each District employee has an obligation to observe and follow the District's rules, policies, and to maintain proper standards of conduct at all times. It is the policy of the Mascoma Valley Regional School District to take corrective action against employees who violate rules, regulations, or standards of conduct, or who endanger the safety of others, or perform in an unsatisfactory manner.

Generally, there are four (4) types of disciplinary actions used by the Mascoma Valley Regional School District: documented verbal warning, written warning, suspension, and dismissal. While the Mascoma Valley Regional School District will apply the concept of progressive discipline when appropriate, and abide by Collective Bargaining Agreements, it reserves the right to determine the appropriate level of discipline in any circumstance. The Mascoma Valley Regional School District may also place an employee on administrative leave, paid or unpaid, on a temporary basis, as permitted under federal and state law and in accordance with negotiated agreements.

While it is impossible to list all rules by which District employees must abide, the following conduct may result in disciplinary action, up to and including termination:

- Violation of any of the District's policies or rules;
- Violation of safety standards;
- Violation of student confidentiality;
- Insubordination, including refusing to respond to a request or order from a supervisor or the use of abusive, profane, threatening language toward any District personnel;
- Unauthorized or illegal possession, use, or sale of alcohol or controlled substances or work premises or during working hours, while engaged in District activities or in District vehicles;
- Possession, use, or sale of weapons, firearms, explosives, or other dangerous materials on District premises;
- Theft or dishonesty;
- Engaging in any act of violence or disorderly conduct, threatening or using abusive language to another employee, student, or member of the public;
- Sexual or other unlawful harassment;
- Disrespect toward fellow employees, students, visitors, or other members of the public;

- Excessive absenteeism and/or tardiness, leaving work without authorization, or failure to follow absence reporting procedures;
- Falsifying time records;
- Poor performance;
- Any other conduct which the District, in its sole discretion, deems to have a negative impact on the reputation, safety, or operation of the District.

These examples are not all inclusive. Employees should also refer to Mascoma School Board Policies, Section G, available on the District webpage at MascomaSchools.org. **All violations of the Code of Ethics and Code of Conduct for New Hampshire Educators will be reported to the NHDOE for credentialing revocation.**

### **CONFIDENTIALITY**

The Mascoma Valley Regional School District’s information and records relating to our schools, operations, plans, projects, strategies, employees, or students is confidential. Therefore, employees must treat all matters accordingly.

No Mascoma Valley Regional School District information, including, without limitation, documents, notes, files, records, oral information, computer files, or similar materials (except in the ordinary course of performing duties on behalf of the Mascoma Valley Regional School District) may be removed from the Mascoma Valley Regional School District’s premises without permission from the employee’s immediate supervisor.

There are a number of employment and education laws which protect the release of employee or student information. The contents of the Mascoma Valley Regional School District’s employee or student records may not be disclosed to anyone, except as required by law and only for legitimate business purposes.

Aspects of student records, events that occur in school, student names, disability and/or type of service should not be discussed outside of the school setting or with school personnel not involved with the student.

Employees unsure about the confidential nature of specific information are expected to seek clarification from their immediate supervisor. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

See also Policy JRA Student Records and Access, Policy EH Public Access to School District Records and the Individuals with Disabilities Education Act.

### **USE OF COPYRIGHTED MATERIALS**

Mascoma Valley Regional School District adheres to the provisions of the U.S. copyright law (United States Code, Title 17), to maintain the highest ethical standards in the use of all copyrighted materials. The willful infringement of a copyright and plagiarism of any sort by district employees is prohibited.

Employees are hereby notified that willful infringement of the law may result in disciplinary action up to and including termination.

## **COMPUTER SECURITY, E-MAIL, AND INTERNET COMMUNICATIONS**

The Mascoma Valley Regional School District has established this policy with regard to access and disclosure of electronic data composed, stored, sent, or received by employees using a Mascoma Valley Regional School District computer system. This policy is designed to protect the safety and security of the Mascoma Valley Regional School District's computer systems including e-mail and Internet use. The Mascoma Valley Regional School District intends to enforce the rules set forth below and reserves the right to change these rules at any time.

1. The computer hardware system, software and e-mail system are owned by the Mascoma Valley Regional School District, and all messages or data composed, stored, sent, or received using the system are and remain the private property of the Mascoma Valley Regional School District. They are not the property of the employee.
2. The computer and e-mail system is to be used for business purposes only. Personal business is unauthorized and should not be conducted on the system.
3. The electronic mail system may not be used to solicit or proselytize for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations.
4. The Mascoma Valley Regional School District prohibits discriminatory, harassing, or offensive materials in any form of media. Among those which are considered offensive are any messages which contain sexual implications, racial slurs, gender-specific comments, or any other comments that offensively address someone's age, sexual orientation, religious or political beliefs, national origin, or disability.
5. The electronic mail system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization.
6. The Mascoma Valley Regional School District reserves, and intends to exercise without prior notice, the right to read, review, audit, intercept, access or disclose any and all information on an employee's computer system or messages created, received or sent over the electronic mail system for any purpose, even if coded or password protected.
7. The confidentiality of any message or data should not be assumed. Even when a message is erased, it is still possible to retrieve and read that message. The use of passwords for security does not guarantee confidentiality, or that the Mascoma Valley Regional School District will not retrieve it.
8. Any communications created, sent, or retrieved using e-mail may be read by individuals other than the intended recipient.
9. Notwithstanding the Mascoma Valley Regional School District's right to retrieve and monitor any e-mail messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any e-mail that is not sent to them. Any exception to this policy must receive prior approval by the Superintendent of Schools.
10. Any employee who violates this policy or uses the computer system or electronic mail system for improper purposes shall be subject to discipline up to and including discharge.



11. The Mascoma Valley Regional School District has the authority to terminate or limit access to any program at any time.

12. Personal media cannot be used on the system unless pre-authorized by the Technology Director.

*See also MVRSD Policy EHAA*

### **NETWORK/INTERNET ACCEPTABLE USE**

The Mascoma Valley Regional School Board supports responsible use of computers, electronic devices and the Network/Internet when such use benefits teaching, learning, communication, research and/or education for students and faculty.

The Board also supports acceptable use guidelines which assure that any Network/Internet use conforms to relevant legislation, school policy and standards for professional behavior. Some material on the Internet is illegal, defamatory, inaccurate or potentially offensive to some people. It is the responsibility of the Network/Internet user to use the Network/Internet in a legal, ethical, responsible and considerate manner.

The responsible use of computers and computer networks or electronic devices is a powerful tool in the support of the instructional program. The purpose of the Mascoma Valley Regional School District Network is to provide quality, equitable, and efficient access of technology resources to support and enhance our curriculum. These guidelines outline acceptable and unacceptable use of the Mascoma Valley Regional School District Network.

Prior to authorized use, all network and electronic device users are required to sign a contract stating that they will follow the Mascoma Valley Regional School District Network/Internet Acceptable Use Guidelines. If a student is under 18 years of age, the contract must also be signed by that student's parent or guardian. This agreement outlines our expectations for ethical and proper use of all computer, network, and electronic equipment.

#### Acceptable Use

- All computer use and use of electronic devices must be in support of education or research, age appropriate, and consistent with the purposes of the Mascoma Valley Regional School District.
- Computer users may access the Internet for research, but must properly document that information according to the plagiarism policy found in the student handbook.
- MVRSD network users shall only use their personal user id to log on to the MVRSD Network. Users are responsible for all activity on their account.

#### Unacceptable Use

- Any use of the MVRSD network for commercial purposes or political lobbying is prohibited.
- Use of personal computers and electronic devices on the MVRSD Network must be authorized by the administration.
- Computer users will not give any personal information about themselves, other students or teachers without direct approval from a staff member. This includes pictures, telephone numbers, addresses, or location.

- Passwords and/or accounts may not be shared at any time.
- Electronic devices may not be used for texting or other personal uses not related to education.
- Any use of the MVRSD network for illegal, inappropriate, or obscene purposes is prohibited. Inappropriate use shall be defined as a violation of the intended use of the network. This includes intentional vandalism, introduction of viruses, or corruption of systems, files, and resources.
- The use of profanity, obscenity or language that is generally considered offensive or threatening to persons of a particular race, gender, religion, sexual orientation, or to persons with disabilities is prohibited.

### Network Access

Use of the Mascoma Valley Regional School District computers is a privilege—not a right. Rules concerning computer use will be strictly enforced. Penalties for inappropriate computer use may result in action or restriction as deemed appropriate by the District.

Mascoma Valley Regional School District reserves the right to view any material stored on school computers. The school staff reserves the right to restrict access or remove any material that is unlawful, obscene, pornographic, abusive or otherwise objectionable.

Files stored on school computers are not private. E-mail, file folders, and communications may be reviewed to maintain system integrity. This ensures that all individuals are using the system responsibly.

### Internet Access

The Mascoma Valley Regional School District provides access to the Internet via the MVRSD network. The purpose of district-provided Internet access is to facilitate communications in support of research and education. Standard use of the Internet utilizes a commercial grade content filtering system that screens for inappropriate websites. If an authorized user inadvertently accesses an inappropriate site, he/she should immediately disclose the inadvertent access to their immediate supervisor.

All Mascoma Regional School District authorized account owners are responsible for taking the appropriate steps to include password security in all MVRSD accounts, programs, and educational online systems.

Strong passwords shall be selected and passwords shall be treated as confidential District information.

*See Also MVRSD Policy GBEF*

## **EMPLOYEE USE OF MOBILE DEVICES**

### **1. USE OF PERSONAL AND/OR MASCOMA PROVIDED MOBILE DEVICES**

District staff members are expected to exercise discretion in the use of mobile devices. Use of a mobile device by a staff member for district business purposes shall not interfere with the staff member’s ability to satisfactorily perform the duties of his/her job. Making or receiving personal calls or texts during the working hours is restricted to health or safety emergencies. Personal use of mobile devices is permitted during non-instructional hours.

### **2. PERSONAL USE OF MASCOMA PROVIDED MOBILE DEVICES**

Mascoma Valley Regional School District may issue a business mobile device to an employee for work-related communications. Such devices are to be used for business reasons only. Bills may be audited to ensure no unauthorized use has occurred. Personal use will be limited to emergencies only.

Use of mobile devices and other electronic communication devices in violation of Board policies, administrative regulations, personnel policies and/or state/federal laws may result in discipline up to and including dismissal.

See also MVRSD Policy EDCA

### **MOTOR VEHICLE VIOLATIONS**

All employees who operate Mascoma Valley Regional School District vehicles are required within seventy-two (72) hours to notify the Superintendent if they have been convicted of or plead nolo contendere to any motor vehicle violations resulting in the loss of license including violations that occurred in a non-District vehicle. If the license of any employee who operates Mascoma Valley Regional School District vehicles is suspended, revoked, or otherwise restricted, the employee must notify the Superintendent within one working day of learning of the suspension, revocation, or restriction. No employee is authorized to operate any vehicle on district business while his or her license is under revocation or suspension. Employees who are required to but are unable to drive, and/or who fail to comply with this policy, may be subject to discipline, up to and including termination of employment.

### **SECURITY**

It is each employee's responsibility to help ensure that proper security measures are exercised at all times. You should be familiar with emergency exits, alarm systems and the proper steps to take upon hearing them. You should also become familiar with your building's Emergency Operations Plan. Any suspicious person or event should be called to the immediate attention of the building principal or administrator. Any non-employee should not be admitted to the building through access points other than the main entrance.

### **CODE OF ETHICS AND CODE OF CONDUCT**

The professional educator recognizes the importance of the pursuit of truth, devotion to excellence and the nature of democratic principles. Thus, the professional educator has the responsibility to make themselves familiar with and abide by, the laws of the State of New Hampshire, the United States government, the policies of the Mascoma Valley Regional School Board and administrative rules and regulations stated in student and staff handbooks.

The educator shall recognize the magnitude of the responsibility inherent in being a teacher and thus shall represent himself/herself in such a manner that reflects credit to his/her profession and the school district. Essential to this goal is the protection of the freedom to learn, to teach and the guarantee of equal opportunity for all. The desire for the respect and confidence of one's colleagues, of students, of parents, and of members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The professional educator shall model behavior that is worthy of emulation by all students.

All professional educators shall be expected to carry out their assigned responsibilities with conscientious concern and highest ethical standards.

### Commitment to Students

The professional educator strives to help each student to realize his or her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of goals for life.

In fulfillment of the obligation to the student, the teacher:

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning;
2. Shall not unreasonably deny the student access to varying points of view;
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress;
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety;
5. Shall not intentionally expose the student to embarrassment or disparagement;
6. Shall not on the basis of race, color, creed, gender, national origin, disability, marital status, political or religious beliefs, family, or cultural background unfairly-
  - a. exclude any student from participation in any program;
  - b. deny benefits to any student;
  - c. grant any advantage to any student;
7. Shall not use professional relationships with students for private advantage;
8. Shall not disclose information about students obtained in the course of professional services, unless disclosure serves a compelling professional purpose or is required by law.
9. Shall show concern and attention toward students including the need to assure that students are adequately supervised at all times.

### Commitment to the Profession

In the belief that the quality of the education profession directly influences the nation, the community and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions which attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession which may be unlawful or professionally inappropriate.

In fulfillment of the obligations to the profession, the teacher:

1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications;
2. Shall not misrepresent his/her professional qualifications;
3. Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education, or credentials;
4. Shall not knowingly make a false statement concerning the qualifications of a candidate or another staff member;
5. Shall not knowingly make false or malicious statements about a colleague or another Mascoma Valley Regional School District staff member;
6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law;
7. Shall not accept any gratuity, gift or favor that might impair or appear to influence professional decisions or action;

8. Shall demonstrate care and protection of school district property;
9. Shall demonstrate faithfulness and promptness in attendance at work.

*See also* MVRSD Policy GBEA, GBEAB and GBEB

### **PERSONNEL RECORDS**

The Mascoma Valley Regional School District maintains certain records containing job-related information on all employees to ensure compliance with state and federal law and to keep a record of your progress as an employee. Your personnel file is our record of information relative to your employment. You may inspect your own personnel file during regular office hours, upon reasonable request. However, you may not be permitted to review information in your personnel file if you are subject to an investigation at the time of your request and disclosure of such information would prejudice law enforcement. File inspection must be done on your own time, and must be arranged through Human Resources. You may read your personnel file, but you may not remove any portion of the file. Upon request, you may request a copy of all or part of your personnel file.

If upon inspection of your personnel file, you disagree with any of the information contained in such file, you may submit a written statement explaining your version of the information together with evidence supporting such version. The Mascoma Valley Regional School District will maintain such statements as part of your personnel file and will include the statement in any transmittal of the file to a third party.

It is important that your personnel file includes accurate information regarding who should be contacted in case of emergency. Please notify your supervisor and Human Resources as soon as possible of any changes in your name, address, telephone number, marital status, dependents and/or beneficiaries.

### **PERFORMANCE EVALUATIONS**

In order for employees to improve performance and better understand Mascoma Valley Regional School District's expectations, the performance of employees will be periodically reviewed. Job performance will be evaluated in accordance with School Board policy or Collective Bargaining Agreement, as may be applicable. A job description and evaluation tool will be given to all employees at the time of hire.

Generally, during a performance review, the evaluator will give the opportunity for the employee to understand the expectations of the position and to examine strengths, as well as areas which need improvement. Employees will have the opportunity to comment on and sign the review. A signature on the performance appraisal form indicates that you have seen the appraisal; it does not indicate agreement or disagreement with the content of the review.

A performance appraisal is not a contract or a commitment to provide continued employment. Performance evaluations are only one of several factors that the Mascoma Valley Regional School District uses in connection with retention decisions.

*See also* MVRSD Policy GCO

## **PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS**

Professional staff receive their assignment from the Superintendent of Schools. No teacher shall be assigned to a position for which he/she is not qualified. Assignments will be made by the Superintendent of Schools; based on what he/she considers will be most advantageous for the educational program of the District.

See also MVRSD Policy GCK

## **VI. SAFETY AND HEALTH**

### **SAFETY PROGRAM & JOINT LOSS MANAGEMENT COMMITTEE**

The Mascoma Valley Regional School District maintains an active Joint Loss Management Committee (JLMC) comprised equally of management and regular employees, which meets regularly. All participation is voluntary and is strongly encouraged. If you are interested in becoming a member, please contact the SAU Office.

*See also* MVRSD Policy EB

### **FIRST REPORT OF INJURY OR ACCIDENT**

The Mascoma Valley Regional School District requires that in case of an injury or accident, on any school property or at any school event, the individual designated by the principal must fill out the appropriate first report of injury or accident form the day of any injury or accident.

#### **Non-Employees** (i.e. students, visitors, volunteers and contracted services)

All injury or accident, judged to be other than minor, involving anyone other than an employee, requires an Incident Report to be filled out and filed with the Principal within 24 hours of the incident or by the next business day. A copy shall be sent to the Superintendent or his/her designee.

#### **Employees**

Any injuries involving an MVRSD employees requires that a First Report of Injury or disease be filed within 24 hours in compliance with RSA 281-A to Human Resources.

#### **Procedural Training**

The procedures for reporting an injury or accident are to be reviewed annually by the Principal, and the staff of each school.

#### **AED Use**

If the incident is one involving the use of an Automated External Defibrillator (AED), the School Nurse, or his/her designee, shall report all instances of the AED use with the New Hampshire Department of Safety.

*See also* MVRSD Policy EBB and EBBB

## **WORKPLACE VIOLENCE**

The Mascoma Valley Regional School District prohibits employees from bringing firearms or weapons on our premises, including our parking lots. Moreover, violence and verbal or physical threats of violence of any kind while conducting MVRSD business or on Mascoma Valley Regional School District property will not be tolerated.

Employees engaging in such conduct will be subject to discipline, up to and including termination from employment. Responsive action may also include notifying the police or other law enforcement and prosecuting violators of this policy. If you become aware of any violence or threat of violence, you must immediately report the matter to your immediate supervisor.

See also MVRSD Policy AC, ACAC and ACAC-R

## **DRUG-FREE WORKPLACE & DRUG-FREE SCHOOLS**

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**

The Superintendent is directed to promulgate administrative procedures and rules necessary and appropriate to implement the provisions of this policy.

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.

See also MVRSD Policy ADB and GBEC

### **TOBACCO PRODUCTS BAN**

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.

If anyone in violation of this policy refuses to refrain from using banned products after a request to do so, MVRSD may call the local police and the individual violating this policy shall then be responsible for all enforcement proceedings and applicable fines and penalties.

Violations of this policy will result in disciplinary action up to and including termination. In addition, fines or other penalties may result from enforcement of these prohibitions by other law enforcement officials.

See also MVRSD Policy ADC, GBED and JICG

## **VII. SEPARATION FROM EMPLOYMENT**

### **REQUESTED NOTICE OF DECISION TO TERMINATE EMPLOYMENT**

Should you decide to resign from your employment with the Mascoma Valley Regional School District, we ask that you notify, in writing, the Mascoma Valley Regional School Board of your decision at least two (2) weeks in advance of your planned departure date. Employees covered by a collective bargaining agreement, must comply with the notice provisions in their respective

union agreements, which may require additional notice beyond two weeks. Your thoughtfulness will be appreciated, and will allow the Mascoma Valley Regional School District to maintain work schedules and provide important services to the public.

## APPENDIX - STAFF

### 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. **DJ** – Purchasing (5/14/19)
- IV. **EB** – Workplace Safety Program & Joint Loss Management Committee (1/26/21)
- V. **EBB** – School Safety Program (11/8/22)
- VI. **EFA** – Availability and Distribution of Healthy Foods (11/1/18)
- VII. **GBEA** – Staff Ethics (9/24/19)
- VIII. **GBEAB** – Mandatory Code of Conduct Reporting – All Employees (2/11/20)
- IX. **GBEB** - Staff Conduct (2/11/20)
- X. **GBEBA** – Staff Dress Code (1/28/20)
- XI. **GBEBB** – Employee Student Relations (2/11/20)
- XII. **GBEBD** – Employee Use of Social Networking Websites (2/11/20)
- XIII. **GBEC** – Drug-Free Workplace & Drug-Free Schools (2/26/19)
- XIV. **GBED/ADC/JICG** – Prohibitions Regarding Use and Possession of Tobacco Products, E-Cigarettes and E-Liquids In and On School Facilities and Grounds (11/24/20)
- XV. **GBEF** – School District Internet Access for Staff (11/26/19)
- XVI. **GCCBC** – Family and Medical Leave Act (11/24/20)
- XVII. **JICFA** – Hazing (2/9/21)
- XVIII. **JICH** – Drug and Alcohol Use by Students (5/28/19)
- XIX. **JICJ** – Acceptable Use of Electronic Devices in School (10/23/18)
- XX. **JICK** – Pupil Safety and Violence Prevention – Bullying (11/10/20)
- XXI. **JLCF** – Wellness (2/28/23)
- XXII. **JLDBB** – Suicide Prevention and Response (11/22/22)
- XXIII. **JLDBB-R** - Suicide Prevention Procedures (9/8/20) – See Website
- XXIV. **JLF** – Reporting Child Abuse or Neglect (10/27/20)
- XXV. **JRA** – Student Records and 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, 8<sup>th</sup> Floor, Boston, MA 02109-3921; Telephone number: (617) 289-0111; Fax number: (617) 289-0150; Email: [OCR.Boston@ed.gov](mailto: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; 1<sup>st</sup> Reading: 4/23/19; 2<sup>nd</sup> Reading: 5/14/19

Policy Review: 1/30/20; 1<sup>st</sup> Reading: 2/25/20; 2<sup>nd</sup> 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@mvrds.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](mailto: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](mailto:program.intake@usda.gov)

N.H. Commission for Human Rights, 2 Industrial Park Drive, Concord 0330, Telephone - 603-271-2767; Email – [humanrights@nh.gov](mailto: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](mailto:info@doe.nh.gov)

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

**DJ - PURCHASING**

*Category R*

The Mascoma Valley Regional School Board declares its intention to purchase competitively without prejudice and to seek maximum educational value for every dollar expended.



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

The Superintendent shall maintain a procurement and contract administration system in accordance with the USDOE requirements (2 CFR 200.317-.326) for the administration and management of Federal grants and Federally-funded programs.

The Mascoma Valley Regional School Board assigns the Business Administrator the responsibility for the purchases made. The prime guidelines governing this responsibility are that all purchases fall within the framework of budgetary limitations and that they be consistent with the approved educational goals and programs of the Mascoma Valley Regional School District.

The Business Administrator shall be responsible for all phases of purchasing in accordance with Mascoma Valley Regional School Board policy; for requisitions, current order purchasing, writing of specifications for bids, deliveries, storage, and other tasks related to the purchases, acceptance and distribution of supplies.

The Business Administrator will be solely responsible for the final approval of all non-educational purchases. The Business Administrator and/or Superintendent will approve educational purchases beyond budget limitations.

The Business Administrator recommends to the Mascoma Valley Regional School Board transfers from one budgetary appropriation to another as conditions may require.

Adopted 4/25/94

Revisions & First Reading 6/13/06

2<sup>nd</sup> Reading & Adoption 6/27/06

Back to F/F Committee

First Reading 7/25/06

F/F Committee Review 4/2/15

First Reading: 5/12/15

Second Reading and Approval: 5/26/15

F&F Reviewed: 4/3/19; 1<sup>st</sup> Reading: 4/23/19; 2<sup>nd</sup> Reading & Adopted: 5/14/19

## **EB - WORKPLACE SAFETY PROGRAM & JOINT LOSS MANAGEMENT COMMITTEE**

***Category: Recommended***

A. Workplace Safety Program.

The Mascoma Valley Regional School District Superintendent shall prepare and maintain a current workplace safety program as required under RSA 281-A:64, which program shall be filed with the Commissioner of the New Hampshire Department of Labor, and updated at least biennially. The workplace safety program shall meet the requirements established by the Department of Labor (see NH Code of Admin. Rules Lab 602.01-02), and, among other things, shall include a plan for responding to violent acts committed by students against employees, volunteers, and visitors.

**B. Joint Loss Management Committee.**

The Superintendent will cause the formation of the Joint Loss Management Committee (the “Committee”) as required by RSA 281-A:64, III. The purpose of the Committee is to bring workers and management together in a non-adversarial, cooperative effort to promote safety and health in each workplace. The Committee’s recommendations are advisory only, and are intended to assist the employer.

The composition, function and duties of the Committee shall be as provided under New Hampshire Department of Labor rules Lab 603.01, 603.02 and such other rules as the Department of Labor may, from time to time, adopt. The Committee shall also address protocols for employees to follow in relation to workplace violence, including training as required by RSA 281-A:64, III.

The Committee shall meet at least quarterly, with the first meeting each year to occur before the beginning of the student school year.

**Legal References:**

*RSA 281-A:64, Worker’s Compensation, Safety Provisions; Administrative Penalty*

*NH Code of Administrative Rules, Ed 306.04(a)(2), School Safety*

*NH Code of Administrative Rules, Ed 306.04(d), School Safety Procedures*

*NH Code of Administrative Rules, Lab 602.01-02, Safety Programs*

*NH Code of Administrative Rules, Lab 603.01.04, Joint Loss Management Committee*

***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: 5/26/15; Second Reading and Approval: 6/9/15

Reviewed/1<sup>st</sup> Reading: 1/12/21; 2<sup>nd</sup> Reading/Adopted: 1/26/21

## EBB - SCHOOL SAFETY PROGRAM

*Category: Priority/Required by Law*

*Related Policies: EB, EBCA, EBCB, EEAE, JKAA, JLCJA*

The Mascoma Valley Regional School Board recognizes that effective learning and teaching takes place in a safe, secure, and welcoming environment and that safe schools contribute to improved attendance, increased student achievement, and community support. The practice of safety shall be considered a facet of the instructional programming of the District schools by incorporating concepts of safety appropriately geared to students at different grade levels.

The Superintendent shall be responsible for developing and maintaining a comprehensive safety program/plan for the District, taking into account applicable laws, regulations, Board policies, and best practices. **While the comprehensive safety program need not be a single consolidated document**, it should include:

- A. The District-wide Crisis Prevention and Response Plan prepared under policy EBCA, which, in turn, includes the site-specific Emergency Operations Plan for each school (see also RSA 189:64 and policy EBCA);
- B. The Sports Injury Emergency Action Plan prepared under policy JLCJA;
- C. The District Communication Plan; and
- D. The School Bus Safety Program established under policy EEAE.

Additionally, to the extent not included in the above specific Board directed plans, the Superintendent will address the following areas of emphasis in the comprehensive safety plan:

1. Procedures that address the supervision and security of school buildings and grounds.
2. Procedures that address the safety and supervision of students during school hours and school-sponsored activities.
3. Procedures that address persons visiting school buildings and attending school-sponsored activities.
4. Training programs for staff and students in crisis prevention and management. See EBCA.
5. Training programs for staff and students in emergency response procedures that include practice drills for fire and all hazard as required by law and Board policy EBCB.
6. Training programs for staff and students in how to recognize and respond to behavior or other information that may indicate impending violence or other safety problems.
7. Procedures and training to implement employee and work-place safety per Board policy EB.
8. Training and support for students that aims to relieve the fear, embarrassment, and peer pressure associated with reporting behavior that may indicate impending violence or other safety problems.

9. Procedures for safe and confidential reporting of security and safety concerns at each school building.
10. Procedures for regular assessments by school security/safety professionals and law enforcement officers to evaluate the security needs of each school building and to provide recommendations for improvements if necessary.
11. Procedures for periodic assessments by school climate professionals to determine whether students feel safe and to provide recommendations for improvements in school climate at each district building.
12. Procedures for managing the behavior of children, including, proper training and protocols relative to restraint and seclusions consistent with RSA 126-U and Board policy JKAA.
13. Training programs for staff and students in safety precautions and procedures related to fire prevention, natural disaster response, accident prevention, public health, traffic, bicycle and pedestrian safety, environmental hazards, civil defense, classroom and occupational safety, and special hazards associated with athletics and other extracurricular activities.
14. District and building level procedures to assure timely safe schools reporting to law enforcement the N.H. Department of Education and the School Board as required under RSA 193-D:4.

**Whenever the Superintendent delegates tasks relating to the above to other District personnel, that delegation should be recorded in a manner readily accessible to others in the instance of the Superintendent's absence or departure.**

Each Principal shall be responsible for the supervision and implementation of components of the safety programs in his/her school, inclusive of school busses, school grounds (including playgrounds), during authorized school activities (such as field trips), within school building(s) (including classrooms and laboratories), off school grounds during school sanctioned activities (including, but not limited to, work-based learning and internships), and in the use of online resources.

**Legal References:**

RSA 193-D, Safe School Zones

RSA 193-F, Pupil Safety and Violence Prevention

RSA 281-A:64, Safety Provisions

N.H. Dept. of Ed. Rules - Ed. 306.04(a)(2), and 306.04(d), Promoting School Safety

*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.*

Reviewed/1<sup>st</sup> Reading: 1/12/21; 2<sup>nd</sup> Reading: 1/26/21

Reviewed/1<sup>st</sup> Reading: 10/25/22; 2<sup>nd</sup> Reading/Adopted: 11/8/22

## **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

## **GBEA - STAFF ETHICS**

All employees of the Mascoma Valley Regional School District are expected to maintain high standards in their conduct both on and off duty. District employees are responsible for providing leadership in the school and community. This responsibility requires the employee to maintain standards of exemplary conduct. To these ends, the Board adopts the following statements of standards. District employees will adhere to the standards enunciated in this Policy in the decision-making process involving their interactions with students, the school community, colleagues, parents and the public.

### ***A. Adoption and Incorporation of Standards of Code of Ethics for New Hampshire Educators.***

The Board incorporates by reference and adopts as independent ethical standards relative to employment in the District, the provisions of the New Hampshire Code of Ethics for New Hampshire Educators (the “NH Code of Ethics”), as the same may be amended by the State from time to time.

### ***B. Additional Ethical Standards.***

In addition to the ethical standards set forth in the New Hampshire Code of Ethics, and without limiting the application thereof to District employment, employees will:

- Make the wellbeing of students the fundamental value of all decision-making and actions.
- Staff members shall maintain a reasonable standard of care for the supervision, control and protection of students commensurate with their assigned duties and responsibilities.

- Maintain just, courteous, and proper relationships with students, parents, staff members, and others.
- Fulfill their job responsibilities with honesty and integrity.
- Direct any criticism of other staff members toward improving the District. Such constructive criticism is to be made directly to the building administrator.
- Obey all local, state, and national laws.
- Obey and implement the School Board’s policies, administrative rules and regulations.
- Avoid using position for personal gain through political, social, religious, economic, or other influence.
- Maintain the standards and seek to improve the effectiveness of the profession through research and continuing professional development.
- Honor all contracts until fulfillment or release.
- Maintain all privacy and confidentiality standards as required by law.
- Exhibit professional conduct both on and off duty.

**C. Dissemination.**

The content of this policy should be included in every employee/staff member handbook, and/or otherwise provided annually to each employee, designated volunteer, and contracted party.

Draft developed: 7/1/97

Draft submitted to the board on: 7/15/97

1<sup>st</sup> Reading approved by Board on 7/15/97

2<sup>nd</sup> Reading approved by Board on 8/12/978

3<sup>rd</sup> Reading Adopted by Board on 8/26/97

F&F Review: 9/4/19; 1<sup>st</sup> Reading: 9/10/19, 2<sup>nd</sup> Reading & Adopted: 9/24/19

**GBEAB - MANDATORY CODE OF CONDUCT REPORTING  
– ALL EMPLOYEES**

**Category:** *Recommended*

**Related Policies:** *GBEA, GBEB, GBEBB, JICK & JLF*

**A. General.**

The Code of Conduct for New Hampshire Educators, sections 510.01- 510.05 of the N.H. Dept. of Education Administrative Rules (the “NH Code of Conduct”) imposes various reporting requirements upon each “Credential Holder” as that term is defined by N.H. Dept. of Ed. Administrative Rule 501.02 (h). The reporting requirements include, among others:

1. reporting any “suspected violation of the code of conduct” (see NH Code of Conduct at Ed 510.05 (a)); and

2. self-reporting within five (5) days any arrest for violations of crimes enumerated in RSA 189:13-a, V (“Section V Offenses”) (see NH Code of Conduct, at Ed 510.01 (b)(2)).

By way of the Mascoma Valley Regional School District Policy *GBEB*, the Board has adopted the provisions of the NH Code of Conduct as employment rules and standards applicable to all employees and consultant/independent contractor, irrespective of whether or not such persons are Credential Holders. Consequently, each District employee designated volunteer, or contracted service provider (collectively referred to in this policy as a “Covered Individual”), is required to report certain acts, incidents and misconduct as provided in this policy.

Reports under this Policy are in addition to other reports as may be mandated by law or other policies (e.g., abuse or neglect of children, required by RSA 169-C:29 and Policy *JLF*; acts 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).

## **B. Reports by Covered Individuals of Suspected Misconduct or Violations.**

1. Any Covered Individual having reason to suspect that any other district or SAU employee, designated volunteer, or third party consultant/contractor has violated any provision of the NH Code of Conduct, and or District Policy *GBEB*, whether on or off duty, shall report the same to such Covered Individual’s building principal, or to the Superintendent.

If the person who is the subject of the alleged misconduct/violation is the Superintendent, then the Covered Individual shall report the suspected violation to the Business Administrator/Human Resources Director, who is hereby granted authority to consult with the District’s attorney on the matter.

Additionally, if the Covered Individual is also a Credential Holder, he/she shall report the Superintendent’s suspected violation/misconduct directly to the N.H. Department of Education. Likewise, if a Credential Holder has made a report to the Principal and/or the Superintendent, and believes that the District’s reporting procedures as expressed in this Policy have not been followed, the Credential Holder shall so notify the New Hampshire Department of Education directly.

Any initial report made relative to A.1 or A.2 above, may be made orally in the first instance, but must be supplemented with a written report as soon as practicable after the initial report, but in no event longer than two business days. Upon request of the Covered Individual, the recipient of the report shall provide a copy of said report to the Covered Individual with a signed “received” annotation, such that the Covered Individual may document his/her State mandated obligation to report.

## **C. Self-Reporting of Certain Crimes.**

Self-reports of the Section V Offenses as described in A.2 above, shall be made in the same manner as reports under B, above. Because the list of Section V Offences is subject to change by the N.H. Legislature, employees, etc. who are arrested for any reason should promptly review the then statute, which may be found online at:

<http://www.gencourt.state.nh.us/rsa/html/XV/189/189-13-a.htm>

#### **D. Provisions Applicable to Principals.**

Upon receiving a report of suspected violation of *GBEB* or the NH Code of Conduct, or otherwise has knowledge of a violation, the Principal or any other administrator shall immediately report the same to the Superintendent. If the Superintendent is the subject of report, then the Principal's report shall be made in the same manner as described in B.2, above.

#### **E. Superintendent's Report to the Department Regarding Credential Holders.**

The Superintendent shall report misconduct by Credential Holders to the N.H. Department of Education in accordance with section 510.05 (c) of the NH Code of Conduct.

#### **F. Procedures.**

The Superintendent may establish such administrative procedures, forms, etc. as he/she may deem necessary or appropriate to implement this policy.

#### **G. Dissemination.**

The content or a copy of this policy should be included in every employee/staff member handbook, and/or otherwise provided annually to each employee, designated volunteer, and contracted consultant.

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

### **GBEB - STAFF CONDUCT**

*Category: Recommended*

*Related Policies: GBEA, GBEAB & GBEBB*

#### **H. General Provisions.**

All employees have the responsibility to make themselves familiar with, and abide by, the laws of the State of New Hampshire as they affect their work, all policies and decisions of the Mascoma Valley Regional School Board, and the administrative regulations and directives designed to implement them.

All employees shall be expected to carry out their assigned duties, support and enforce Board policies and administrative regulations, submit required reports, protect District property, oversight of students and contribute to the education and development of the District's students.

Employees are advised that failure to abide by this and other school board policies can lead to disciplinary action, up to and including dismissal, and can result in non-renewal. Any action taken regarding an employee's employment with the District will be consistent with all rules, laws, and collective bargaining agreements, if applicable.

#### **I. Adoption and Incorporation of Standards of Code of Conduct for New Hampshire Educators.**



The Board incorporates by reference, and adopts as independent standards of conduct relative to employment in the District, the provisions of the New Hampshire Code of Conduct for New Hampshire Educators (Ed 510.01-510.05) (the “NH Code of Conduct”), as the same may be amended by the State from time to time. The District reserves the right to take employment action against any employee based upon the District's interpretation of the provisions of the NH Code of Conduct and the District’s independent assessment of whether an employee has violated said provisions. The District’s interpretation, assessment and/or action thereon, are independent of any interpretation by the New Hampshire Department of Education (“DOE”) with respect to those standards, and irrespective of any investigation by or action taken by the DOE relative to a District employee’s conduct.

#### **J. Dissemination.**

The content or a copy of this policy should be included in every employee/staff member handbook, and/or otherwise provided annually to each employee, designated volunteer, and contracted party.

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

### **GBEBA - STAFF DRESS CODE**

#### *Category R*

The Mascoma Valley Regional School Board expects all staff members to be neatly groomed and dressed in clothing suitable for the subject of instruction, the work being performed, or the occasion.

The board retains the authority to specify the following dress and grooming guidelines for staff, within law, that will prevent such matters from having an adverse impact on the educational process. All staff members shall, when assigned to district duty:

- A. Be physically clean, neat and well groomed;
- B. Dress in a manner reflecting their assignments;
- C. Dress in a manner that does not cause damage to district property;
- D. Dress and be groomed in such a way so as not to cause a health or safety hazard.
- E. Dress in a manner that meets the business casual or professional attire standard.

The Board recognizes that the nature of certain teaching assignments (i.e. Industrial Arts, Art, Physical Education, field trips, etc.) may require exceptions to the above policy and will be dealt with on an individual basis.

If a staff member feels that an exception to this policy would enable him/her to carry out assigned duties more effectively, a request shall be made to the chief school administrator.

## **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; 1<sup>st</sup> Reading: 1/28/20; 2<sup>nd</sup> Reading/Adopted: 2/11/20

## **GBEBD - EMPLOYEE USE OF SOCIAL NETWORKING WEBSITES**

*Category: Recommended*

*See also GBEBB, JICDAA*

The Mascoma Valley Regional School Board strongly discourages school district staff from socializing with students outside of school on social networking websites or apps, including but not limited to Instagram and Facebook. For the purpose of this policy staff means employees, contract service providers, school volunteers, coaches and student teacher/interns.

All school district employees, faculty and staff who participate in social networking websites, shall not post any school district data, documents, photographs or other district owned or created information on any website. Further, the posting of any private or confidential school district material on such websites is strictly prohibited.

School district employees are prohibited from engaging in any conduct on social networking websites that violates the law, school board policies, or other standards of conduct. Employees who violate this policy may face discipline and/or termination, in line with other school board policies and/or collective bargaining agreements, if applicable.

Staff members should not use social media websites for school/class related purposes unless approved by the Superintendent or his/her designee.

Access of social networking websites for individual use during school hours is prohibited.

Reviewed: 11/20/19; 1<sup>st</sup> Reading: 1/28/20; 2<sup>nd</sup> 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 work place, the specifics of this policy, including, the consequences for violating the policy, and any information about available drug and

alcohol counseling, rehabilitation, reentry, or other employee-assistance programs.

## **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; 1<sup>st</sup> Reading: 2/12/19; 2<sup>nd</sup> Reading & Adopted: 2/26/19

## **GBED/ADC/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 Policies: ADC & 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.*

SB Review: 11/27/18; F&F Review: 4/3/19; 1<sup>st</sup> Reading: 4/23/19; 2<sup>nd</sup> Reading/Adopted: 5/14/19  
Reviewed/1<sup>st</sup> Reading: 11/10/20; 2<sup>nd</sup> Reading/Adopted: 11/24/20

## **GBEF - SCHOOL DISTRICT INTERNET ACCESS FOR STAFF**

*Category: Priority/Required by Law*  
*See also EHAA, JICL*

The Mascoma Valley Regional School Board recognizes that the Internet, the district network and district technology resources support teaching and learning and facilitates communications with students, parents/guardians, and the global and local community. The Board expects all teachers and district employees to learn to use the available district technology and network resources. Also, the Board expects all teachers and employees accessing technology resources, the internet and district network to protect and secure personal, student and district data. As needed, district employees shall receive training for use of the technology resources.

Teachers and district employees shall be responsible for the legal, ethical, respectful and



appropriate use of the district's network, software systems, technology resources and the Internet. Teachers and employees are hereby notified that there is no expectation of privacy on district and personal technology that connects to the Internet and the SAU62 district network and software systems in district or out of district (VPN, district GSuite apps, Student Information Systems, Remote Desktop). This includes personal and/or district computers, tablets, mobile phones, chrome books, e-readers, IoT and wearable devices (watches, virtual reality and augmented reality devices), bluetooth devices (headphones, wearable technology) computer files, email, and other electronic media and data on the district network.

The Superintendent of Schools or designee shall ensure that technology protection measures are installed on all district technology resources and personal computers with Internet and network access. The content filters, firewalls and antivirus programs will prevent access to visual depictions that are dangerous, obscene, non-academic content or pornographic and that the operation of such measures is enforced. With discretion, the Superintendent or designee may limit or disable the technology protection measures during use by an adult to enable access for bona fide research, educational or other lawful purpose.

The Superintendent of Schools shall establish administrative regulations and a Responsible Use Policy that outlines staff obligations and responsibilities related to the use of District technology. He/she also may establish guidelines and limits on the use of technological resources. Inappropriate use of district technology, software systems, the internet and the district network may result in a cancellation of the staff member's user privileges, disciplinary action, and/or legal action in accordance with law, Board policy, and administrative regulations.

The Superintendent or designee shall provide copies of related policies, regulations, and guidelines to all staff. Staff shall be required to acknowledge in writing or by electronic consent that they have read and understood the District's Responsible Use Agreement.

**Legal References:**

**EHAB-Data Governance and Security**

**EGAG-R**

**HB1612 RSA 189.66**

First Reading: 7/28/15; Second Reading and Approval: 8/11/15

EIC Review: 10/17/19; 1<sup>st</sup> Reading: 11/12/19; 2<sup>nd</sup> Reading & Adopted: 11/26/19

## **GCCBC - FAMILY AND MEDICAL LEAVE ACT**

Pursuant to the Family and Medical Leave Act of 1993, the Mascoma Valley Regional School District will provide up to twelve (12) weeks of unpaid family/medical leave per year for employees eligible for such leave and not covered by collective bargaining agreements. The following policy outlines the basic requirements for obtaining leave, the amount of leave that may be taken, and how the leave relates to other time off provided by the Mascoma Valley Regional School District.

### **Eligibility**

Employees who have worked for the school district for at least twelve (12) months and who have worked at least 900 hours in the twelve (12) months preceding the date that requested leave is to begin are eligible for family/medical leave. Employees who do not satisfy these requirements are

not eligible for family/medical leave, but may be eligible for other unpaid leave under other School District policies.

Employees may take family/medical leave in the following circumstances:

- 1.) To care for a newborn child, so long as leave is completed by the child's first birthday;
- 2.) Placement of a child for adoption or foster care, so long as the leave is completed by one year following initial placement;
- 3.) To care for a spouse, child or parent of an employee who requires such care because of a serious health condition; or
- 4.) Because the employee has a serious health condition which renders him/her unable to perform his/her job and which is certified by a health care provider; or
- 5.) A qualifying emergency arising out of an employee's spouse, son, daughter, or parent is a member of the Armed Forces (including Reserves and National Guard) and is on active duty or has been notified of an impending call or order to active duty;
- 6.) The serious injury or illness of a covered servicemember of the Armed Forces (including Reserves and National Guard) who is the employee's spouse, son, daughter, parent or next of kin.

### **Amount of Family/Medical Leave**

In no event can family/medical leave last for longer than twelve (12) weeks per year. The year, for these purposes, shall be July 1 through June 30. Employees who wish to take family/medical leave will be required to substitute any accrued but unused vacation and other leave for family/medical leave (i.e., use of other leave will count as concurrent use of family/medical leave). If other accrued leave is exhausted in less than twelve (12) weeks, employees may augment such leave with family/medical leave until the total of all leave equals twelve (12) weeks. No additional vacation or sick leave will accrue while an employee is on family/medical leave. However, upon returning to work, employees will continue to accrue vacation and other leave.

An employee who is taking family/medical leave for himself/herself, a spouse, a child, or a parent on account of a serious medical condition may take leave intermittently or on a reduced-schedule basis. Employees taking family/medical leave for any other reason are not entitled to leave on an intermittent or reduced schedule basis. When necessary, an employee on intermittent or reduced-schedule leave may be transferred to another position, with no loss in pay or benefits, which will more easily accommodate the need for leave.

### **Military Caregiver Leave**

A covered employer must grant an eligible employee up to a total of 26 workweeks of unpaid, job-protected leave during a "single 12-month period" to care for a covered servicemember with a serious injury or illness. The employee must be the spouse, son, daughter, parent, or next of kin of the covered servicemember. A covered servicemember is either:

- a current member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is on the temporary disability retired list, for a serious injury or illness, or FS 28M

- a veteran of the Armed Forces (including the National Guard or Reserves) discharged within the five year period before the family member first takes military caregiver leave to care for the veteran and who is undergoing medical treatment, recuperation, or therapy for a qualifying serious injury or illness. A veteran who was dishonorably discharged does not meet the FMLA definition of a covered service member.

### **Special Rules for Teachers**

Congress created special rules for teachers who must take family/ medical leave intermittently due to their own or covered relatives' serious health conditions. If the teacher would be on leave for more than 20 percent of the working days in the period for which the teacher seeks intermittent leave, the School District may require the teacher to elect either:

- 1.) To take non-intermittent leave for a period not to exceed the duration of planned medical treatment;
- 2.) To transfer temporally to an available alternative position that the employee is qualified to hold, that has equivalent pay and benefits, and that better accommodates leave than the employee's regular position.

Special provisions of the Family/Medical Leave Act also limit teachers' rights to take family/medical leave, either intermittent or non-intermittent close to the end of the academic term. The United States Department of Labor's regulations define "academic term" to mean a semester. If a teacher wishes to begin family/medical leave ( for any purpose) more than five weeks before the end of the term and to return with less than three weeks left in the term, the Mascoma Valley Regional School District may require the teacher to remain on leave until the end of the term. If the teacher wishes to begin family/medical leave (for any purpose except his/her own serious health condition) during the last three weeks of the term and wishes to take leave of more than five working days, the school district may require the teacher to remain on leave until the end of the term.

### **Health and Other Insurance Benefits**

During family/medical leave, an employee's health insurance will continue on the same basis as when the employee was on active status. If this requires employee contribution for health insurance, the employee must make timely premium payments in order to maintain insurance for himself/herself and dependents. If an employee does not return from family/medical leave, the Mascoma Valley Regional School District is entitled to collect all health premiums paid during the family/medical leave from the employee.

It may be necessary for the employee to continue other benefits as well, such as disability or life insurance, in order to be entitled to the same coverage upon return from leave. Employees will be required to pay premiums for any coverage which must be continued during the leave.

### **Notice of Leave**

Employees seeking leave must provide, to the extent practicable, 30 days' notice that they intend to take family/medical leave. If an employee does not provide at least 30 days' notice, an explanation must be provided as to why less notice was given. The school district may either permit the employee to begin the leave as requested or require him to wait 30 days until after the notice was provided to begin leave.

Forms for notifying the School District of the need for leave are available from the Superintendent's office.

### **Certification of Need for Leave**

Each employee requesting family/medical leave on account of a medical condition of the employee, spouse, child, or parent must provide certification from a health care provider which sets forth:

- 1.) The date the serious health condition commenced and the health care provider's best medical judgment concerning the probable duration of the condition;
- 2.) Diagnosis of the serious health condition;
- 3.) A brief statement of the regimen of treatment prescribed for the condition by the health care provider;
- 4.) Indication of whether in-patient hospitalization is required;
- 5.) A statement of whether the employee is unable to perform his/her job because of the health condition or is needed to care for the spouse, child or parent with the condition;
6. If intermittent or reduced-leave schedules are requested, the dates of expected medical treatment and the duration of such treatment.

Forms for medical certifications are available from the Superintendent's office. This form must be provided within fifteen (15) days after the request for leave is made. Employees who do not provide this information in a timely manner may be denied leave.

### **Reinstatement**

At the beginning of the family/medical leave, the employee is to inform the Superintendent of his expected return date. To the extent possible, employees will be returned to the same position occupied before the leave began. If, however, that position is not available, employees returning from leave will be offered an equivalent position. An equivalent position is one that is similar in terms of pay, benefits, and terms and conditions of employment. Under certain conditions "key employees" may not be reinstated to the same or similar positions.

If the employee takes leave on account of his/her serious medical condition, he/she will be required to present a medical certification of his fitness for duty before being permitted to return. If an employee fails to provide this certification within 50 days after the conclusion of the leave, the employee may be terminated.

Draft presented to the Board on: 2/25/97

Amended draft presented to the Board on: 3/11/97

Adopted by the Board on: 3/25/97

Revised and Approved on: 5/12/15

Reviewed: 2/20/20; 1<sup>st</sup> Reading: 11/10/20; 2<sup>nd</sup> Reading/Adopted: 11/24/20

## **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/1<sup>st</sup> Reading: 1/26/21; 2<sup>nd</sup> 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).

## **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; 1<sup>st</sup> Reading: 10/9/18; 2<sup>nd</sup> Reading 10/23/18; Adopted: 10/23/18

## **JICK - PUPIL SAFETY AND VIOLENCE PREVENTION - BULLYING**

*Category: Priority/Required by Law*

*See also JBAA, JIC, JICD, IHBA*

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 protected 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*

*RSA 570-A:2, Capture of Audio Recordings on School Buses Allowed*

*NH Code of Administrative Rules, Section Ed 306.04(a)(8), Student Harassment*

***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; 2<sup>nd</sup> 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 Director of Food Services, 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, the Food Services Director, each Building Wellness Coordinator, parents, students, physical education teachers, health education teachers, school counselors, school administrators, a school board member, outside health professionals, individual school building representatives, and members of the public.

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

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

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

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

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

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

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

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

Every three years, the Food Services Director 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.

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

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

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

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

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

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

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 Flood 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; 1<sup>st</sup> Reading 5/9/17; 2<sup>nd</sup> Reading/Adopted 5/23/17

Reviewed/Revised Wellness: 3/3/20; 1<sup>st</sup> Reading: 4/28/20; 2<sup>nd</sup> Reading: 5/12/20

Reviewed/1<sup>st</sup> Reading: 11/24/20; 2<sup>nd</sup> Reading/Adopted: 12/8/20

Wellness Review: 2/1/23; 1<sup>st</sup> Reading: 2/14/23; 2<sup>nd</sup> Reading/Adopted: 2/28/23

## **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.** The District shall maintain 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 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.** 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 programming, 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 District Social Worker 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.
- E. **Student Identification Cards.** The National Suicide Prevention Lifeline shall be labeled on student identification cards and include the telephone number 1-800-273-8255; National Suicide Prevention Lifeline 988 or text HOME to 741741. Prior to the start of each school year, the Superintendent shall certify that the contact information for the National Suicide Prevention Lifeline is accurate and up to date.

**Legal References:**

RSA 193-J: Suicide Prevention Education

RSA 193-J:2-a: Suicide Prevention; Public School Identification Cards

**Other Resources:**

The New Hampshire Department of Education's Bureau of Student Wellness, Office of Social and Emotional Wellness (OSEW), provides resources and technical assistance to school districts to work collaboratively with their community to respond to the needs of students through a multi-tiered system of support for behavioral health and wellness. For further information see: [www.nhstudentwellness.org](http://www.nhstudentwellness.org)

American Foundation for Suicide Prevention (AFSP) - <https://www.afsp.org>

Suicide Prevention Resource Center - <http://www.sprc.org>

The National Suicide Prevention Lifeline - <https://www.suicidepreventionlifeline.org>

The Trevor Project - <https://www.thetrevorproject.org>

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New Policy/Reviewed: 1/30/20; 1<sup>st</sup> Reading: 6/9/20; 2<sup>nd</sup> Reading/Adopted: 6/23/20

Review/1<sup>st</sup> Reading: 11/8/22; 2<sup>nd</sup> Reading/Adopted: 11/22/22

## **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; 1<sup>st</sup> Reading: 1/28/20; 2<sup>nd</sup> Reading: 2/11/20

1<sup>st</sup> Reading: 10/13/20; 2<sup>nd</sup> 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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