

Policy Committee
Monday, November 5, 2018, 1:00 PM
SAU 33 Office
Agenda

I. Call to Order

II. Proof of Posting

III. Policies for Review:

Instructional Materials

Raymond Policy IJ Instructional Materials NHSBA Policy IJ Instructional Resources and Instructional Resources Plan

Alternative Diploma

NHSBA Policy IKFC Alternative Diploma for Students with Significant Cognitive Disabilities

Student Conduct

Raymond Policy JIC Student Conduct
NHSBA Policy JIC Student Conduct

Raymond Policy JICD Student Conduct, Discipline, and Due Process
NHSBA Policy JICD Student Discipline and Due Process

Raymond Policy JICD-R Administrative Procedure

Raymond Policy JICD-R Memorandum of Understanding
NHSBA Policy JICD-R Memorandum of Understanding
Updated Policy MOU with Police
Updated Policy MOU with Police Addendum

Access to Public School Programs by Non-Public, Charter, and Home Educated Pupils

Raymond Policy IHBG Non-Public and Home Education Instruction

Raymond Policy IHBG-R Participation in Public School Activities by Home Educated and Non-Public School Pupils

NHSBA Policy JJJ Access to Public School Programs by Non-Public, Charter School, and Home Educated Pupils

Review of Health Policies

Raymond Policy EBA HIV/AIDS Policy Guidelines
NHSBA Policy GBGAA HIV/AIDS (Also Policy IHAMC and JLCCA)

Raymond Policy EBBC/JLCE First Aid (and Emergency Care)
NHSBA Policy EBBC/JLCE First Aid and Emergency Care

Raymond Policy EBCF Pandemic/Epidemic Emergencies
NHSBA Policy EBCF Pandemic/Epidemic Emergencies

Raymond Policy JLC Student Health Services
NHSBA Policy JLC Student Health Services

Raymond Policy JLCA Physical Examinations of Students
NHSBA Policy JLCA Physical Examinations of Students

Raymond Policy JLCA-R Family Physician's Report of Physical Examination
NHSBA Policy JLCA-R Family Physician's Report of Physical Examination

Raymond Policy JLCB Immunization of Students
NHSBA Policy JLCB Immunizations of Students

Raymond Policy JLCC Communicable Diseases/Pediculosis
NHSBA Policy JLCC Communicable Diseases

Raymond Policy JLCC-R Communicable Diseases Form
NHSBA Policy JLCC-R Communicable Diseases

Raymond Policy JLCD Administering Medication to Students
NHSBA Policy JLCD Administering Medication to Students

JLCE-R Confidential Student Information for Nurse's Office
Confidential Student Information for Nurse's Office - Updated Version
NHSBA Policy JLCE-R Emergency Information

Additional notes from nurses on the updated Raymond version regarding chewable tabs: Students at MS/HS level are able to swallow pills. Very few need chewables in 5th grade. Parents bring them in. Difficult to administer chewables at these levels as dosage in box is up to 10 years old, typically. A child would need 8 or so pills or more with 24 or so in a box....not cost effective. Often, pills expire before few students who need them use them up.

Raymond Policy JLCF-R Use of Inhalers

No corresponding NHSBA Policy

Student Records

Raymond Policy JRA Access to Student Records - FERPA

NHSBA Policy JRA Access to Student Records - FERPA

Updated Policy JRA Student Records and PPRA

Updated Policy Student Handbook FERPA PPRA Annual Notice

Updated Policy FERPA Directory Info Opt Out

Updated Policy FERPA Military Recruiting Opt Out

Updated Policy PPRA Opt Out Specific Activities

Updated Policy PPRA Consent for Specific Activities

Raymond School District Policy - II

INSTRUCTIONAL MATERIALS

In fulfilling its responsibility to provide the necessary instructional materials used in the District, the Raymond School Board authorizes the Superintendent to purchase instructional materials based on the following guidelines:

Materials for school classrooms and school libraries shall be initially recommended by the appropriate professional personnel in consultation with administration and faculty.

Textbooks and instructional materials should provide quality learning experiences for students, and:

- Enrich and support the curriculum.
- Stimulate growth in knowledge, literary appreciation, aesthetic value, and ethical standards.
- Provide background information to enable students to make intelligent judgements.
- Present opposing sides of controversial issues.
- Be representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage.
- Depict in an accurate and unbiased way the cultural diversity and pluralistic nature of the American society.
- Be matched to the appropriate skill levels of pupils.

Basic instructional course material in the fundamental skill areas of language arts, mathematics, science, and social studies should be reviewed at intervals not exceeding five (5) years. All instructional materials must be sequential, and must be compatible with previous and future offerings.

Statutory Reference:

ED. 306.18 (a) (5)

Adopted: April 17, 1974

Revised: August 1, 2002

IKFC - ALTERNATE DIPLOMA FOR STUDENTS WITH SIGNIFICANT COGNITIVE DISABILITIES

(Download policy)

Category: Recommended

Related Policies: IHBA, IHBI, IKF

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

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

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

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

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

C. ELIGIBILITY.

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

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

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

D. DETERMINATION OF AWARD.

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

E. TIME OF AWARD.

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

Copyright © 2008, New Hampshire School Boards Association. All rights reserved.

NHSBA sample policies are distributed for resource purposes only, intended for use only by members of NHSBA Policy Services. Contents do not necessarily represent NHSBA legal advice or service, and are not intended for exact publication.

1. At graduation with common age peers;
2. At the conclusion of the student's IEP; or
3. Upon reaching age twenty-one (21).

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

F. EFFECT OF AWARD AND CONTINUED ELIGIBILITY.

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

G. IMPLEMENTATION.

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

History:

First reading: _____
 Second reading/adopted: _____

Legal References:

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

NHSBA history: New policy created May 2018.

NHSBA note: May 2018 This is a new policy intended to adopt the provisions of the federal Every Student Succeeds Act ("ESSA") which allow the awarding of a "state-defined" Alternate Diploma to certain students with the most significant cognitive disabilities. NHSBA adoption consideration: If adopting this sample policy, language of the designated parties should be checked for consistency with District personnel (e.g., Director of Special Education, Student Services Director, etc.).

w/p-updates/2018spring/IKFC Alternate Diploma (2)

Raymond School District Policy – JIC

STUDENT CONDUCT

See also JICD, JICDD, JICDA

All student behavior must be based on respect and consideration for the rights of others.

At the opening of school annually, students shall receive a publication listing the rules and regulations to which they are subject.

Students have a responsibility to know and respect the rules and regulations of the school. Students have the further responsibility to behave everywhere in a manner appropriate to good citizenship. This includes treating all students and staff with courtesy, consideration, and respect. Insults, force, or sarcasm shall not be used.

Students will conduct themselves in a manner fitting to their age level and maturity and with respect and consideration for the rights of others while on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; and/or while attending or engaged in school activities. Students may also be disciplined for off-campus behavior in accordance with the provisions of Policies JICDA and JICDD.

Student conduct that causes material or substantial disruption to the school environment, interferes with the rights of others, presents a threat to the health and safety of students, employees, and visitors, violates other board policies or is otherwise inappropriate is prohibited. Students are expected to maintain appropriate classroom behavior that allows teachers and staff to perform their professional duties effectively and without disruption.

Terms and levels of discipline are established in Policy JICD. Disciplinary measures include, but are not limited to, removal from the classroom, detention, in-school suspension, out-of-school suspension, restriction from activities, probation, and expulsion.

Removal from the classroom means a student is sent to the building principal's office. It is within the discretion of the person in charge of the classroom to remove the student.

Detention means the student's presence is required during non-school hours for disciplinary purposes. The building principal is authorized to establish guidelines or protocol for when detention shall be served. Whether a student will serve detention, and the length of the detention, is within the discretion of the licensed employee disciplining the student or the building principal.

An in-school suspension means the student will attend school but will be temporarily isolated from one or more classes while under supervision. An in-school suspension will not exceed ten consecutive school days.

An out-of-school suspension means the temporary denial of a student's attendance at school for a specific period of time for gross misconduct or for neglect or refusal to conform to school rules or policies.

A long-term suspension is an out-of-school suspension of between 11 and 20 days.

A restriction from school activities means a student will attend school and classes with practice but will not participate in school extra-curricular activities.

Probation means a student is given a conditional suspension of a penalty for a definite period of time in addition to being reprimanded. The conditional suspension will mean the student must meet the conditions and terms for the suspension of the penalty. Failure of the student to meet these conditions and terms will result in immediate reinstatement of the penalty.

Expulsion means the permanent denial of a student's attendance at school for any of the reasons listed in RSA 193:13, II and III. A student shall be expelled for a period of not less than 12 months for possession of a firearm as defined by Section 921 of Title 18 of the U.S. Code of the Safe School Zone.

Due process in accordance with all applicable laws will be afforded to any student involved in a proceeding that may result in suspension, exclusion, or expulsion. Students expelled from school may be reinstated by the Board under the provisions of RSA 193:13.

Following the suspension of a special education student, an informal evaluation of the student's placement will take place. The Individual Education Program (IEP) is evaluated to determine whether it needs to be changed or modified in response to the behavior that led to the suspension.

If a special education student's suspensions, either in or out of school, equal ten days on a cumulative basis, an IEP team will meet to determine whether the IEP is appropriate.

It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal References:

RSA 193:13, Suspension and Expulsion of Pupils

NH Code of Administrative Rules, Section Ed. 306.04(f)(4), Student Discipline

NH Code of Administrative Rules, Section Ed. 306.06, Culture and Climate

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

See appendix: JICD – R

Adopted: August 1, 2002

Revised: October 5, 2011

JIC - STUDENT CONDUCT

(Download policy)

Category: Recommended

Related Policies: JIA, JICD, JICDD, JICK

See also Appendix: JICD-R

A. General Conduct Standards and Disciplinary Concepts.

Student conduct that causes material or substantial disruption to the school environment, interferes with the rights of others, presents a threat to the health and safety of students, employees, and visitors, violates other Board policies or is otherwise inappropriate is prohibited. Students are expected to maintain appropriate classroom behavior that allows teachers and staff to perform their professional duties effectively and without disruption.

Students will conduct themselves in a manner fitting to their age level and maturity, and with respect and consideration for the rights of others, while on School District property or on property within the jurisdiction of the School District; while on school owned and/or operated school or chartered vehicles; and/or while attending or engaged in school activities. Students may also be disciplined for off-campus behavior in accordance with the provisions of Policies JICDD and JICK.

Terms, and levels of discipline are established in Policy JICD, as are the due process procedures to be afforded relative to each level of discipline. Disciplinary measures as defined in that policy include, but are not limited to, removal from the classroom, detention, in-school suspension, out-of-school suspension, restriction from activities, probation, and expulsion.

Due process in accordance with all applicable laws will be afforded to any student involved in a proceeding that may result in suspension, exclusion, or expulsion. Students expelled from school may be reinstated by the Board under the provisions of RSA 193:13.

B. Implementation and Notice.

The School Board delegates to the Superintendent the responsibility of adopting and implementing such age-appropriate rules and regulations for each school as he/she, in consultation with the appropriate building Principal, deems necessary to implement this policy.

The content of RSA 193:13, this policy, and any such rules and regulations adopted hereunder, shall be printed in the student handbook(s) and distributed to all students, and parents/guardians. The Superintendent shall also assure that this policy, the content of 193:13, and any such rules and regulations adopted under this policy are made available on the District's website, with additional notice provided to the student body as the Superintendent or building Principal deems appropriate (e.g., periodic postings and notices).

Rules and regulations adopted and published under this policy will be deemed to be regulations and policies of the School Board and maintained as School Board records. The Superintendent shall provide to the School Board copies of all student handbook(s), and other rules and the regulations adopted under this policy. The School Board retains the authority to modify, supersede, or suspend any such rules and regulations consistent with the Board's statutory authority, and other Board policies regarding review of administrative rules, regulations and

Copyright © 2008, New Hampshire School Boards Association. All rights reserved.

NHSBA sample policies are distributed for resource purposes only, intended for use only by members of NHSBA Policy Services. Contents do not necessarily represent NHSBA legal advice or service, and are not intended for exact publication.

procedures.

C. Parental Notification of Simple Assaults.

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

D. Disciplinary Removal of Students with Disabilities.

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

District Policy History:

First reading: _____

Second reading/adopted: _____

District revision history:

Legal References:

RSA 193:13, Suspension and Expulsion of Pupils

RSA 193-D:4, Written Report Required

RSA 631:2-a, Simple Assault

NH Code of Administrative Rules, Section Ed. 306.04(f)(4), Student Discipline

NH Code of Administrative Rules, Section Ed. 306.06, Culture and Climate

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

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

Instead, they are provided as additional resources for those interested in the subject matter of the policy.

When adopting this sample or variation of the same, a district should not include the NHSBA history or NHSBA policy notes. The district should, to the extent possible, include its own adoption/revision history.

NHSBA history: Revised - September 2018; May 2018; April 2011; September 2009; October 2004; November 1999; July 1998

NHSBA revision note, October 2018: Policy JIC has been revised to include a provision describing the circumstances in which simple assaults will be reported to parents pursuant to RSA 193-D:4, I and NHDOE Administrative Rule 317.05. This provision is required if the

District wishes to limit required reporting for assaults to those constituting first or second degree assaults.

NHSBA revision note, May 2018: This sample policy is revised: (a) to include mandated notice requirements; (b) with an update to the language regarding discipline of children with disabilities, and (c) to remove redundant provisions more appropriately included in sample policy JICD (which has also been substantially revised with the May 2018 policy update.).
NHSBA adoption considerations: If your District uses its own coding system rather than the NHSBA/NEPN letter coding, you should change the internal policy references within this sample policy to match the equivalent policies of your own District.

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

Raymond School District Policy - JICD

STUDENT CONDUCT, DISCIPLINE, AND DUE PROCESS

Inappropriate student conduct that causes material and substantial disruption to the school environment interferes with the rights of others, or presents a threat to the health and safety of others will not be tolerated. Students are expected to exhibit appropriate classroom behavior that allows teachers to communicate and educate effectively.

Students will conduct themselves in a manner fitting to their age level and maturity and with respect and consideration for the rights of others while on school district property or property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district. Consequences for the misconduct will be fair and developmentally appropriate in light of the circumstances.

Students who fail to abide by this policy and the administrative regulations supporting it may be disciplined for conduct which disrupts or interferes with the education program; conduct which disrupts the orderly and efficient operation of the school district or school activity; conduct which disrupts the rights of other students to participate in or obtain their education; conduct that is violent or destructive; or conduct which interrupts the maintenance of a disciplined atmosphere. Disciplinary measures include, but are not limited to, removal from the classroom, detention, suspension, probation, and expulsion.

Suspension means an in-school suspension, an out-of-school suspension, long-term suspension, a restriction from activities or loss of eligibility. An in-school suspension means the student will attend school but will be temporarily isolated from one or more classes while under supervision. An in-school suspension will not exceed ten consecutive school days. An out-of-school suspension means the student is removed from the school environment, which includes school classes and activities. An out-of-school suspension will not exceed ten days. A long-term suspension will not exceed an additional ten days. A restriction from school activities means a student will attend school and classes but will not participate in practice or other extra-curricular activities.

Probation means a student is given a conditional suspension of a penalty for a definite period of time in addition to being reprimanded. The conditional suspension will mean the student must meet the conditions and terms for the suspension of the penalty. Failure of the student to meet these conditions and terms will result in immediate reinstatement of the penalty.

Expulsion means an action by the Board to remove a student from the school environment, which includes, but is not limited to, classes and activities, for a period of time set by the Board.

Due process in accordance with all applicable laws will be afforded to any student involved in a proceeding that may result in suspension, exclusion, or expulsion. Students expelled from school may be reinstated by the Board under the provisions of RSA

193:13.

The Superintendent may modify expulsion requirements as provided in RSA 193:13, IV.

Students receiving special education services will be disciplined in accordance with the student's IEP and all applicable provisions of the Individual with Disabilities Education Act (IDEA).

At all times, students are required to conduct themselves in accordance with behavioral standards set forth in Policy JIC and all other applicable Board policies.

Students and parents will be notified annually of this policy.

Legal References:

RSA 193:13, Suspension & Expulsion of Pupils

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

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

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

See Appendix: JICD-R

Adopted: August 1, 2002

Revised: June 3, 2009

Revised: May 2, 2012

JICD - STUDENT DISCIPLINE AND DUE PROCESS

(Download policy)

Category: Priority - Required by Law

Related Policies: JI, JIA, JIC, JICDD & JICK

See also Appendix JICD-R

At all times, students are required to conduct themselves in accordance with behavioral standards set forth in Policy JIC and all other applicable Board policies and all District or school rules. Failure to comply can lead to disciplinary consequences as set forth in this policy and applicable law.

A. Disciplinary Measures - "Definitions".

Disciplinary measures include, but are not limited to, removal from the classroom, detention, in-school suspension, out-of-school suspension, restriction from activities, probation, and expulsion.

1. "Removal from the classroom" means a student is sent to the building Principal's office. It is within the discretion of the person in charge of the classroom to remove the student.
2. "Detention" means the student's presence is required for disciplinary purposes before or after the hours when the student is assigned to be in class. The building Principal is authorized to establish guidelines or protocol for when detention shall be served (either before school or after school). Whether a student will serve detention, and the length of the detention, is within the discretion of the licensed employee disciplining the student or the building Principal.
3. "In-school suspension" means the student will attend school but will be temporarily isolated from one or more classes while under supervision. An in-school suspension will not exceed ten (10) consecutive school days.
4. "Out-of-school suspension" means the temporary denial of a student's attendance at school for a specific period of time for gross misconduct, for neglect, or refusal to conform to school rules or policies.
 - a. "Short-term suspension" means a suspension of ten (10) school days or less. Ed 317.04(a)(1).
 - b. "Long-term suspension" means the continuation of a short-term suspension under RSA 193:13, I (b)-(c), and also means a suspension in excess of ten (10) school days under Ed 317.04(a)(2).
5. "Restriction from school activities" means a student will attend school, classes, and practice but will not participate in other school extra-curricular activities, including competitions.
6. "Probation" means a student is given a conditional suspension of a penalty for a definite period of time in addition to being reprimanded. The conditional suspension will mean the student must meet the conditions and terms for the suspension of the penalty.

Failure of the student to meet these conditions and terms will result in immediate

Copyright © 2008, New Hampshire School Boards Association. All rights reserved.

NHSBA sample policies are distributed for resource purposes only, intended for use only by members of NHSBA Policy Services. Contents do not necessarily represent NHSBA legal advice or service, and are not intended for exact publication.

reinstatement of the penalty.

7. "Expulsion" means the permanent denial of a pupil's attendance at school for any of the reasons listed in RSA 193:13, II and III.

B. Standards for Removal from Classroom and Detention.

Students may be removed from the classroom at the classroom teacher's discretion if the student refuses to obey the teacher's directives, becomes disruptive, fails to abide by school rules or policies, or otherwise impedes the educational purpose of the class.

Likewise, classroom teachers may assign students to detention for similar conduct.

The building Principal may assign students to detention under the same standard.

C. Standards for In-School Suspension, Restriction of Activities, and Probation.

The building Principal is authorized to issue in-school suspensions, restrictions of activities, or place a student on probation for any failure to conform to school or School District policies or rules, or for any conduct that causes material or substantial disruption to the school environment, interferes with the rights of others, presents a threat to the health and safety of students, employees, and visitors, is otherwise inappropriate, or is prohibited by law.

Restriction of activities may also be issued pursuant to rules or policies pertaining to specific clubs or teams.

D. Process for Out-of-School Suspension.

The power of suspension is authorized for gross misconduct, for neglect, or refusal to conform to School District policies and rules as follows:

1. Short-term Suspensions. The [_____ building Principal] (as designee of the Superintendent) is authorized to suspend a student for ten (10) school days or less. The Principal shall consult with the Superintendent prior to issuing any suspension.

As required by RSA 193:13(a), educational assignments shall be made available to the suspended pupil during the period of suspension.

Due process standards for short-term suspensions (ten (10) days or less) will adhere to the requirements of Ed 317.04(f)(1).

2. Long-term Suspensions. The [_____ Superintendent??? {note: 193:13 and Ed. 317 both authorize the School Board to designate a representative to issue long term suspensions. Most districts designate the Superintendent}] is authorized to continue the suspension and issue a long-term suspension of a pupil for a period in excess of ten (10) school days, provided only that if the Superintendent issued the original short-term suspension, then the School Board may designate another person to continue the short-term suspension and issue the long-term suspension.

Prior to a long-term suspension, the student will be afforded an informal hearing on the matter. The informal hearing need not rise to the level and protocol of a formal hearing

before the School Board, but the process must comply with the requirements of Ed 317.04 (f)(2) and Ed 317.04 (f)(3)(g), including, without limitation, the requirements for advance notice and a written decision.

Any suspension in excess of ten (10) school days, as described in Paragraph 2 of this Section, is appealable to the School Board, provided the Superintendent receives the appeal in writing within ten (10) days after the issuance of the [Superintendent]'s decision described in Paragraph 2. Any suspension in excess of ten (10) school days shall remain in effect while this appeal is pending.

E. Process for Expulsion.

1. Any pupil may be expelled by the School Board for (a) an act of theft, destruction, or violence as defined in RSA Chapter 193-D, (b) for possession of a pellet paint ball gun or BB gun or rifle as provided by RSA 193:13, II, or (c) for gross misconduct, or for neglect or refusal to conform to the reasonable rules of the school. An expulsion under this paragraph will run until the School Board restores the student's permission to attend school. A student seeking restoration of permission to attend school shall file a written request with the Superintendent which details the basis for the request. The Board will determine whether and in what manner it will consider any such request.

2. Additionally, any pupil may be expelled by the School Board for bringing or possessing a firearm as defined in Section 921 U.S.C. Title 18 in a safe school zone, as defined in RSA 193-D:1, unless such pupil has written authorization from the Superintendent. Any expulsion under this provision shall be for a period of not less than twelve (12) months.

3. Prior to any expulsion, the District will ensure that the due process standards set forth in Ed 317.04(f)(3) are followed.

4. Any decision by the Board to expel a student may be appealed to the State Board of Education.

5. The Superintendent of Schools is authorized to modify the expulsion or suspension requirements of Sections E.1 and E.2 above on a case-by-case basis.

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

G. Disciplinary Removal of Students with Disabilities.

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

H. Notice.

This policy and school rules which inform the student body of the content of RSA 193:13

shall be printed in the student handbook and made available on the District's website to students, parents, and guardians. The Principal or designated building administrator shall also inform the student body concerning this policy and school rules which address the content of RSA 193:13 through appropriate means, which may include posting and announcements. See: Ed. 317.04(d).

History:

First reading: _____

Second reading/adopted: _____

Legal References:

RSA 189:15, Regulations

RSA 193:13, Suspension & Expulsion of Pupils

RSA Chapter 193-D, Safe Schools Zones

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

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

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

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

See Appendix: JICD-R

NHSBA revision history: Revised - May 2018; September 2017; April 2011; May 2008; November 2007; October 2005; November 1999

NHSBA note, May 2018: This sample policy has been substantially updated to more closely reflect and track the language of 193:13 and Ed 317.04. This revised version also includes a provision relative to discipline of children with educational disabilities. NHSBA adoption considerations: Because most of this policy derives from specific statutes or DOE regulations, and involves potential deprivation of a student's "property" rights, it is essential that the language adopted by the local School Board, including the designation of responsible personnel, track the applicable statutes and regulations. Districts should also be certain to update pertinent handbooks, website, and other pertinent publications to assure consistency. Finally, districts which do not use the NHSBA/NEPN code reference system, should check to make sure that the internal policy references included in JICD are changed to reflect the local coding system. See also revisions to sample policy JIC.

NHSBA note, September 2017: Revised to include the requirement that educational assignments shall be made available to the suspended student when suspended up to ten (10) days, enacted by House Bill 216, Laws of 2017, Chapter 12, effective June 16, 2017, and to conform to other changes to law and administrative rules. In light of the Supreme Court's decision in *In re Keelin B.*, language is added reflecting the School Board's authority under that statute to adopt policies defining misconduct beyond that explicitly addressed in RSA Chapter 193-D and RSA 193:13. RSA 189:15 was last amended in 1969 and it uses the term "regulation." More recent law and NHSBA practice uses the term "policy" for rules set by the School Board. "Regulation" is the term used for rules and procedure set by the Superintendent or Administrators using authority delegated by the School Board or established by statute. We recommend that School Boards continue to classify their "rule-making as policy, but it may be

Copyright © 2008, New Hampshire School Boards Association. All rights reserved.

NHSBA sample policies are distributed for resource purposes only, intended for use only by members of NHSBA Policy Services. Contents do not necessarily represent NHSBA legal advice or service, and are not intended for exact publication.

beneficial when setting a policy using the authority granted by RSA 189:15, to include in the text of the policy reference to that statute.

w/p-update/spring2018/JICD Student Discipline 2018-5 (f)

DISCLAIMER: This sample policy is copyrighted to the New Hampshire School Boards Association and is intended for the sole and exclusive use of NHSBA Policy Service Subscribers. No portion of this manual may be reproduced, copied, transmitted, or distributed, in any form, except as needed for the development of policy by a subscribing district. This sample is provided for general information only and as a resource to assist subscribing districts with policy development. School districts and boards of education should consult with legal counsel and revise all sample policies and regulations to address local facts and circumstances prior to adoption. NHSBA continually makes revisions based on school districts' needs and local, state and federal laws, regulations and court decisions, and other relevant education activity.

STUDENT CONDUCT, DISCIPLINE, AND DUE PROCESS

ADMINISTRATIVE PROCEDURE

The Raymond School District rules relative to student conduct, discipline, and due process in the schools are adapted from rules of the New Hampshire State Board of Education. See Part ED. 317. The purpose of the State Board rules is set forth as follows:

I. Purpose

- a. These rules provide due process and statewide uniformity in the enforcement of RSA 193-D relative to disciplinary action for misconduct by a pupil in a safe school zone, including possessing a firearm or any other dangerous weapon, and RSA 193:13 relative to suspension and expulsion of pupils.
- b. Since RSA 193-D:2, II provides that school boards may adopt policies relative to pupil conduct and disciplinary procedures, these rules also provide a standard so that the policies of school boards are consistent throughout the state.
- c. These rules also link discipline and due process in safe school zones to the requirements of ED. 1109 relative to special needs students.

II. Definitions

- a. "Expulsion" means the permanent denial of a pupil's attendance at school for any of the reasons listed in RSA 193:13,II and III.
- b. "Weapon" means (1) a firearm [see 18USC Section 921], to include a pellet or BB gun; (2) any object prohibited, licensed, or regulated under RSA 159; (3) a knife, but not a folding pocket knife or cafeteria-issued dining utensil; and/or (4) a knife and/or any other substance or object which, in the manner it is used, intended to be used, or threatened to be used, is known to be capable of producing serious injury.
- c. "Gross misconduct" means an act or acts which: (1) results in violence to another person or property; or (2) poses a direct threat to the safety of others in a safe school zone; or (3) is identified in RSA 193-D:1; or (4) involves repeated instances of misconduct or inappropriate behavior for which the pupil has been previously warned or disciplined.
- d. "Neglect" in the context of RSA 193:13,I and II means the failure of a pupil to pay attention to an announced, posted, or printed school rule.

STUDENT CONDUCT, DISCIPLINE, AND DUE PROCESS
ADMINISTRATIVE PROCEDURE
(continued)

- e. "Possession" shall include, but not be limited to, having control over a weapon during any part of a school day or during any part of a school-related activity, including transporting the weapon to school or to a school-related activity and storage of the weapon anywhere on school premises, whether in the student's locker or in another student's locker or in any other place on school premises. Possession is also deemed to include doing any other act whereby the actor knowingly contributes to causing a weapon to be on school premises or contributes to causing use of a weapon on school premises.
- f. "Pupil" means a child through age 21 in attendance at the school during the school day. (If the pupil is age 18 or older and not under guardianship, the written notices required below to issue to a parent shall issue instead only to the pupil and, further, all consents or decisions required in the suspension or expulsion process will issue from the pupil.)
- g. "Refusal," in the context of RSA 193:13, I and II, means the defiance of a pupil to comply with an announced, posted, or printed school rule.
- h. "Safe school zone" means "safe school zone" as defined in RSA 193-D: I, II.
- i. "School day" shall include not only the instructional portion of the day, but also may include travel to and from school or a school-related activity, as well as the time spent as a participant or spectator at a school-related activity.
- j. "School premises" shall include the school and surrounding school property, including, without limitation, parking areas, athletic fields, and playgrounds; school buses or other vehicles furnished by the district or its agents for transportation to or from school or a school-related activity; school bus stops; and/or those premises and surroundings being used for a school-related activity. For purposes of this procedure and without intending to interfere with the rights and duties of the police and/or private property owners, school premises shall also be deemed to include streets and exterior property in the school neighborhood during the course of travel to and from school or a school-related activity.
- k. "Superintendent" means the School Superintendent or, in the absence of the Superintendent, the Superintendent's designee.
- l. "Suspension" means the temporary denial of a student's attendance at school for a specific period of time for gross misconduct or for neglect or refusal to conform to announced, posted, or printed school rules.
- m. "Day," with respect to the number of days, shall refer to school days unless there is specific reference to "calendar" days.

STUDENT CONDUCT, DISCIPLINE, AND DUE PROCESS
ADMINISTRATIVE PROCEDURE

(continued)

III. Standard for Expulsion by the School District

- a. If the school board expels a pupil under RSA 193:13, II or III, it shall state in writing the act or acts leading to expulsion; and the specific statutory reference prohibiting that act or acts as set forth in RSA 193:13 and/or RSA 193-D; and shall provide notice that the expulsion may be reviewed prior to the start of each school year in accordance with Appendix A to this Procedure.
- b. The principal of each school shall make certain that the pupil has received notice of the requirements of RSA 193:13 and RSA 193-D:1 through announced, posted, or printed school rules. The statutory text shall be printed in the school handbook to be distributed to each student at the beginning of the school year; and shall be announced, posted, and printed at other appropriate locations and times in the middle school and high school. Nothing herein shall prevent a school principal from printing, posting, and/or announcing other rules applicable to the school.
- c. If the student is subject to expulsion and a weapon is involved, the responsibility shall be upon the Superintendent to contact local law enforcement officials whenever there is any issue concerning:
 1. Whether a firearm is legally licensed under RSA 159; or
 2. Whether a firearm is lawfully possessed, as opposed to unlawfully possessed, under the legal definitions of RSA 159.
- d. If a pupil brings or possesses a weapon in a safe school zone without written authorization from the Superintendent, the following shall apply:
 1. The pupil shall be suspended for a period of not less than ten (10) days and, if the weapon is determined to be a firearm as defined in 18 USC Section 921, the school board shall hold a hearing within ten (10) days to determine whether:

The student was in violation of RSA 193:13, III, and, therefore, is subject to expulsion for a period of not less than twelve (12) months; and whether the student's expulsion will be modified under policies set forth in Appendix B to this Procedure.
- e. Nothing in this provision shall be deemed to replace, supercede, or modify IDEA re-authorized.

STUDENT CONDUCT, DISCIPLINE, AND DUE PROCESS
ADMINISTRATIVE PROCEDURE
(continued)

IV. Disciplinary Procedures

There shall be the following levels of discipline available to school officials enforcing RSA 193:13 and/or RSA 193-D relative to the suspension and expulsion of pupils.

- a. A short-term suspension (not to exceed 10 days). The School Board hereby designates that the Superintendent and each Principal, and Assistant Principal, and Administrative Assistants shall have authority to suspend a pupil for 10 days or less.
- b. A long-term suspension (between 11 and 20 days). Following a hearing, the Superintendent and each Principal shall have authority to extend a short-term suspension to 20 days. This hearing shall be conducted by and the decision shall be issued by a different administrator than the administrator who suspended the pupil for the first 10 days.
- c. An expulsion by the School Board whereby conditions are established for reinstatement. See also Appendix A to this Procedure relative to review of an expulsion prior to the start of any school year.

Due process in disciplinary proceedings shall include, at a minimum, the following:

- a. In a short-term suspension:
 1. The pupil shall be informed of the purpose of the meeting.
 2. At or before the meeting, oral and/or written notice of the charges and an oral and/or written explanation of the evidence against the pupil shall be provided to the pupil:
 3. The pupil shall be provided an opportunity to present his/her side of the story;
 4. Following the meeting, a written statement shall be issued to the pupil and at least one of the pupil's parents or guardians, delivered in person or by mail to the pupil's last known address, including an explanation of the charges, the evidence, the findings, any recommendation for additional suspension or expulsion, and a recommendation for student action to correct the discipline problem.

STUDENT CONDUCT, DISCIPLINE, AND DUE PROCESS
ADMINISTRATIVE PROCEDURE
(continued)

- b. In a long-term suspension of a pupil:
 - 1. The written statement issued under Section IV,a.4 above shall establish a date for a hearing. The hearing will not generally be postponed if the postponement would interrupt the continuity of a short-term suspension into a long-term-term suspension.
 - 2. A hearing in accordance with the procedures set forth below in Section IV,c.6..
 - 3. A written decision, which includes the legal and factual basis for the conclusion that the pupil should be suspended for an additional 10 days or less.
 - 4. Within 10 calendar days of the decision, this decision may be appealed to the School Board under RSA 193:13, I. The Board may or may not stay the suspension while the appeal is pending. The Board reserves the right to issue a decision without hearing any evidence or all proffered evidence, but may instead rely upon the record as it has been developed during the suspension process.
- c. In the expulsion by the School Board, due process shall include the following minimal requirements:
 - 1. A formal hearing shall be held before any expulsion.
 - 2. Such hearing may be held either before or after the short-term suspension has expired.
 - 3. If the hearing is held after the expiration of a short-term suspension, the pupil shall be entitled to return to school after the short-term suspension has expired, pending the expulsion hearing. The School Board reserves the right to deny a request for postponement of a scheduled hearing if the request for postponement is objected to by either the pupil or the administrator recommending expulsion.
 - 4. The written statement issued under Section IV,a.4 above shall establish a date for the expulsion hearing and shall also include a complete description of the process used by administration to reach its recommendation that the student should be expelled.
 - 5. This notice shall be delivered to the pupil and at least one of the pupil's parents or guardians at least 5 calendar days prior to the hearing.

STUDENT CONDUCT, DISCIPLINE, AND DUE PROCESS
ADMINISTRATIVE PROCEDURE
(continued)

6. The following hearing procedures shall apply:
- (6.1) The pupil, together with a parent or guardian, may waive the right to a hearing and accept the findings.
 - (6.2) Formal rules of evidence shall not be applicable; however, school officials shall present evidence in support of the charge(s) and the accused pupil or his/her parent or guardian shall have an opportunity to present any defense or reply.
 - (6.3) The hearing shall be either public or private and the choice shall be that of the pupil or his parent or guardian. Provided, nevertheless, that if the nature of the evidence will violate the privacy of other students or if the School Board determines that substantial harm to the pupil could result from an ill-conceived decision to hold the hearing in public, then the Board reserves the right and obligation to insist upon a private hearing.
 - (6.4) During the hearing, the pupil, parent, guardian, or counsel representing the pupil shall have the right to examine any and all witnesses.
- a. The decision of the School Board shall be based on a dispassionate and fair consideration of substantial evidence that the accused pupil committed the act or acts for which expulsion is to be imposed and that such acts are, in fact, a proper reason for expulsion;
 - b. The decision shall state whether the student is expelled; a statement of the time period for which the student is expelled; and any action the student may take to be restored by the Board.
 - c. If the decision is to expel the pupil, the decision shall include the legal and factual basis for the decision; and,
 - 1. A decision shall include a statement that the pupil has the right to appeal the decision to the State Board of Education.
 - 2. All appeals to the State Board allowed under RSA 193:13, II or III, shall be filed within 20 calendar days of receipt of the written decision of the School Board and shall be in accordance with RSA 541-A and ED. 200.

STUDENT CONDUCT, DISCIPLINE, AND DUE PROCESS
ADMINISTRATIVE PROCEDURE
(continued)

V. Reporting Procedures

- a. In accordance with RSA 193-D:4, each written report by a supervisor to the principal relating to an act of theft, destruction, or violence in a safe school zone shall be on standardized New Hampshire State Board of Education Form ED. 317.
- b. The report by a supervisor to a principal on Form ED. 317 shall contain all the statutory information required by RSA 193:D:4.
- c. Form ED. 317 shall be completed and filed with the Commissioner of Education on or before June 30 of each year.
- d. Form ED. 317 shall contain the following information:
 1. School name
 2. School address
 3. School telephone number
 4. Name of School Principal
 5. Date of incident involving an act of theft, destruction, or violence, or the possession of a firearm
 6. Time of incident in (5) above
 7. Location of incident in (5) above
 8. Alleged offense
 9. Description of incident
 10. Name of suspect
 11. Grade in school of suspect
 12. Address of suspect
 13. Gender of suspect
 14. Name of victim
 15. Grade in school of victim
 16. Address of victim
 17. Gender of victim
 18. Name of employee reporting incident
 19. Date report was completed by employee
 20. Date report was filed with law enforcement authority by school principal.

STUDENT CONDUCT, DISCIPLINE, AND DUE PROCESS
ADMINISTRATIVE PROCEDURE
(continued)

VI. Discipline of Students with an Educational Disability

The district shall comply with the provisions of the Individual with Disabilities Education Act (IDEA) when disciplining students. Any special education student whose gross disobedience/ misconduct is not a manifestation of his or her disability may be expelled pursuant to the expulsion procedures, except that such disabled student shall continue to receive educational services as provided in the IDEA during such period of expulsion. A special education student may be suspended for a maximum of 10 consecutive days of school per offense, when the student's gross disobedience or misconduct is not a manifestation of his or her disabling condition, without the need for the district to provide any educational services. (A special education student may be suspended for additional removals as long as the removals do not constitute a pattern.) During such subsequent suspensions for 10 school days or less, the district must provide services to the student with disabilities to the extent determined necessary to enable the student to advance appropriately in the general curriculum and toward achieving his/her IEP goals. School administrators and the special education teacher will determine the services needed. The IEP team (PPT) will decide the level of services to be provided to a student with disabilities who is expelled for behavior unrelated to his/her disability.

Any special education student may be temporarily excluded to an appropriate alternative educational setting for no more than 45 days by court order or by order of a duly appointed hearing officer if the district demonstrates that maintaining the student in his/her current placement is substantially likely to result in injury to the student or others.

A special education student who has carried a weapon to school or to a school function or who knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function may be removed from school. Such a student shall be suspended for an initial period of 45 days or less in accordance with IDEA. This determination is made by the School Principal.

STUDENT CONDUCT, DISCIPLINE, AND DUE PROCESS
ADMINISTRATIVE PROCEDURE
(continued)

APPENDIX A

An expelled pupil has the right to request a review of the expulsion prior to the start of each school year.

A request for review should be directed by the pupil to the Superintendent of Schools and should be received by the Superintendent on or before August 15. The request shall set forth each and all reasons why the pupil's right to attend school should be reinstated. Of particular importance would necessarily be such information as might convince school authorities that the conduct that led to the expulsion would not be repeated.

The Superintendent of Schools shall direct written recommendation to the School Board with a copy to the pupil.

The expulsion may be continued; the pupil may be reinstated without conditions; or the pupil may be required to meet certain conditions prior to reinstatement. A code of conduct and consequences may be established for a reinstated pupil that are more strict than for the general student population.

STUDENT CONDUCT, DISCIPLINE, AND DUE PROCESS
ADMINISTRATIVE PROCEDURE
(continued)

APPENDIX B

The mandatory 12-month expulsion from school for bringing or possessing a firearm in a safe school zone may be modified on a case-by-case basis in the sole discretion of the Superintendent of Schools in the following situations:

1. The Superintendent determines that possession of the firearm was inadvertent in that another person had left the firearm in the pupil's vehicle; and the pupil had not noticed that s/he was bringing the firearm within the safe school zone; or
2. The Superintendent determines that the pupil intended to use the firearm for sport immediately before or after school and had no intention to display the firearm to other students.
3. The pupil is in the fifth grade or lower grade and the Superintendent determines that the pupil did not properly understand the dangers of firearms when the firearm was brought to school.
4. The Superintendent determines that the firearm was not loaded; and that no ammunition was reasonably available; and that the pupil had no intention to display the firearm to other students.

See Policies IHBA and JICI

Adopted: August 1, 2002
Revised: June 18, 2008

RAYMOND SCHOOL DISTRICT POLICY JICD-R

RAYMOND SCHOOL DISTRICT AND RAYMOND POLICE DEPARTMENT MEMORANDUM OF UNDERSTANDING

for administering the Provisions of RSA 193-D Safe School Zones

1. General Principles

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

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

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

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

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

2. Definitions

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

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

department or school administrative unit.

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

3. School/Police Liaisons

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

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

4. Reportable Acts

A. School Reports to Police Department

1. Mandatory: Notwithstanding the provisions of RSA 193-D, the Safe School Zone Act, the following incidents must be reported to the Police Department by the designated school employee:
 - a. Possession of alcohol by a minor or if it appears that a student is under the influence of alcohol or drugs on school property, or at school functions;
 - b. Possession, selling or distribution of any controlled substance (including drug paraphernalia) as defined in NH RSA 318-B, by an individual on school property, or at school functions;
 - c. Any incident in which any individual who is responsible for, suspected of, or determined to be selling or distributing drugs or alcohol on school property, or at school functions,;
 - d. Unlawful possession, sale, or use of firearms or other dangerous or prohibited weapons, fireworks and explosives, as defined in NH RSA's 208, 644 and 159, on school property, or at school functions;
 - e. Arson under RSA 634:1 any person who knowingly starts any fire or causes any explosion which results in injury, damage to property of another, or is done with intentional disregard for the safety of others;
 - f. Burglary under RSA 635: any person who enters a building to

separately secured section of a building, with a purpose to commit a crime;

g. Robbery under RSA 636: including any theft that is accomplished by the physical force or the threat of imminent use of force;

h. Thefts of property where the value is more than \$50.00, repeated occurrences of theft by one student, (thefts by students who are in the third grade or lower are generally not reported to the Police);

i. Homicides under RSA 630: any death shall immediately be reported to the Police Department, regardless of suspected cause;

j. Any first or second degree assault under RSA 631, whereby an injury occurs to a person, requiring medical treatment beyond basic first aid or requiring outside medical follow up, caused by another person. Investigation may reveal that not all of these incidents constitute an actual crime. Reporting will allow an investigation to be conducted;

k. Any sexual assault under RSA 632-A. Any sexual contact with a person who is under 13 years of age will be reported;

l. Criminal Mischief under RSA 634:2, purposely or recklessly damaging the property of another, resulting in a value of \$50 or more of damage. This includes vandalism to school property;

m. Threatening behavior under RSA 631:4 which purposely places or attempts to place another in fear of imminent bodily injury or physical contact.

n. Simple assault under RSA 631:2a. Simple assault may result in some injuries. Simple assault also includes knowingly having unprivileged physical contact with another person. Law enforcement and school officials can jointly determine the best action to be taken in terms of filing a report.

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

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

b. Theft, under RSA 637, of property under \$49.

c. Criminal Mischief under RSA 634:2, purposely or recklessly damaging the property of another, resulting in a value of \$49 or less of damage. This includes vandalism to school property.

B. Police Department Reports to School

1. The following information shall be reported by the Police Department to the School Principal:

a. An arrest made by the Police Department of a student, when such information is relevant to the safety of that student, or of other students in the school, where the law allows.

2. The following information may be shared with school Administration by

the Police Department, subject to applicable statutes and regulations governing confidentiality:

- a. The arrest and filing of a delinquency complaint against any student under the age of 17 years.
- b. Other non-criminal activity that the Police Department deems pertinent to the student's well-being, including but not limited to threatening to attempt suicide; victimization of the student by a parent, caretaker or other individual.

5. Procedures for Reporting

A. It is agreed that every school employee who has witnessed, or has information from the victim of an act of theft, destruction, or violence in a safe school zone shall report such act immediately to a supervisor. A supervisor receiving such report shall immediately forward such information to the school Principal. The Principal shall then contact the Police Department immediately and report the incident. The Principal shall also provide the Police Department with a written report within 48 hours of the incident.

B. The report required shall include:

1. Identification of the act of theft, destruction, or violence that was alleged.
2. The name and address of witnesses to the alleged act.
3. The name and home address of any person suspected of committing the act.

C. The written report required under RSA 193-D:4 shall be waived by law enforcement officials when there is a law enforcement response at the time of the incident which results in a written police report.

D. School Response

1. A teacher or other school employee who has reasonable grounds to believe that a student has committed a reportable act shall:
 - a. Confront the student with the nature of the offense;
 - b. Take the student to the Principal's office;
 - c. Retrieve and turn over any physical evidence to the Principal.
2. For Mandatory Reportable acts, the Principal shall:
 - a. Notify the police and student's parent/guardian, and inform them of the nature of the incident;
 - b. Turn over any physical evidence seized and a written fact summary to the Police Department;
 - c. Initiate disciplinary action in accordance with Board policies.
3. For Discretionary Reportable Acts, the Principal shall:
 - a. Determine if the police and parent/guardian should be notified and, if

so, make the calls as soon as reasonably possible. Any incident reported to the Police shall also be reported to the student's parent/ guardian;

b. Initiate disciplinary action in accordance with Board policies.

4. As a result of New Hampshire RSA 193-D:7, school employees are relieved of concerns regarding confidentiality. It states:

Notwithstanding any other provision of law, it shall be permissible for any law enforcement officer and any school administrator to exchange information relating only to acts of theft, destruction or violence in a safe school zone regarding the identity of any juvenile, police records relating to a juvenile, or other relevant information when such information reasonable relates to delinquency or criminal conduct which would classify a pupil as a child in need of services under RSA 169-D or a child in need of protection under RSA 169-C.

E . Police Response

(1) The Police Officer will make contact with the school as soon as possible after receiving a report from the Principal to investigate the incident, or take any other appropriate action.

(2) During the investigation, the Police Officer may meet with the Principal, the student, the student's parent/guardian and appropriate persons with knowledge of pertinent facts, if required.

(3) If at the conclusion of the investigation, the student is found to have committed the alleged offense, the Police Officer may initiate the formal complaint process.

(4) When the Police Officer is called to the school in response to offenses involving the sale and/or distribution of drugs or alcohol, violent behavior, or the possession of a weapon, and when probable cause exists for arrest, the Officer shall take the appropriate action to initiate the formal complaint process.

(5) To the extent possible, precautions will be taken by both Police and school officials at all times to ensure the education process is not disrupted.

Chief of Police

School Board Chair

Superintendent

Date

Date

Date

3/4/10

3/3/10

3/4/10

MEMORANDUM OF UNDERSTANDING

for administering the Provisions of RSA 193-D

Safe School Zones

1. General Principles

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

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

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

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

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

2. Definitions

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

- "Safe School Zone" means an area inclusive to any school property or school buses.
- "School" means any public or private elementary, secondary or secondary vocational-technical school in New Hampshire. It shall not include home schools.
- "School Employee" means any school administrator, teacher, or other employee of any public or private school, school district, school department, or school administrative unit, or any person providing, or perforating continuing contract services for any public or private school, school districts school department or school administrative unit.
- "School property" means all real property, physical plan and equipment used for school purposes, including but not limited to school playgrounds and buses, whether

public or private.

- "School purposes" means school-sponsored programs, including but not limited to educational or extra-curricular activities.

3. School/Police Liaisons

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

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

4. Reportable Acts

A. School Reports to Police Department

1. **Mandatory:** Notwithstanding the provisions of RSA 193-D, the Safe School Zone Act, the following incidents must be reported to the Police Department by the designated school employee:
 - a. Possession of alcohol by a minor or if it appears that a student is under the influence of alcohol or drugs on school property, or at school functions;
 - b. Possession, selling or distribution of any controlled substance (including drug paraphernalia) as defined in NH RSA 318-B, by an individual on school property, or at school functions;
 - c. Any incident in which any individual who is responsible for, suspected of, or determined to be selling or distributing drugs or alcohol on school property, or at school functions,;
 - d. Unlawful possession, sale, or use of firearms or other dangerous or prohibited weapons, fireworks and explosives, as defined in NH RSA's 208, 644 and 159, on school property, or at school functions;
 - e. Arson under RSA 634:1 any person who knowingly starts any fire or causes any explosion which results in injury, damage to property of another, or is done with intentional disregard for the safety of others;
 - f. Burglary under RSA 635: any person who enters a building to separately secured section of a building, with a purpose to commit a crime;
 - g. Robbery under RSA 636: including any theft that is accomplished by the physical

force or the threat of imminent use of force;

h. Thefts of property where the value is more than \$50.00, repeated occurrences of theft by one student, (thefts by students who are in the third grade or lower are generally not reported to the Police);

i. Homicides under RSA 630: any death shall immediately be reported to the Police Department, regardless of suspected cause;

j. Any first or second degree assault under RSA 631, whereby an injury occurs to a person, requiring medical treatment beyond basic first aid or requiring outside medical follow up, caused by another person. Investigation may reveal that not all of these incidents constitute an actual crime. Reporting will allow an investigation to be conducted;

k. Any sexual assault under RSA 632-A will be reported;

l. Criminal Mischief under RSA 634:2, purposely or recklessly damaging the property of another, resulting in a value of \$50 or more of damage. This includes vandalism to school property;

m. Threatening behavior under RSA 631:4 which purposely places or attempts to place another in fear of imminent bodily injury or physical contact.

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

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

b. Simple assault incidents (which don't meet the criteria as stated in j. above), depending upon the nature of the incident, as determined by the school administration.

c. Theft, under RSA 637, of property under \$49.

d. Criminal Mischief under RSA 634:2, purposely or recklessly damaging the property of another, resulting in a value of \$49 or less of damage. This includes vandalism to school property.

B. Police Department Reports to School

1. The following information shall be reported by the Police Department to the School Principal:

a. An arrest made by the Police Department of a student, when such information is relevant to the safety of that student, or of other students in the school, where the law allows.

2. The following information may be shared with school Administration by the Police Department, subject to applicable statutes and regulations governing confidentiality:

a. The arrest and filing of a delinquency complaint against any student under the age of 17 years.

- b. Other non-criminal activity that the Police Department deems pertinent to the student's well-being, including but not limited to threatening to attempt suicide; victimization of the student by a parent, caretaker or other individual).

5. Procedures for Reporting

A. It is agreed that every school employee who has witnessed, or has information from the victim of an act of theft, destruction, or violence in a safe school zone shall report such act immediately to a supervisor. A supervisor receiving such report shall immediately forward such information to the school Principal. The Principal shall then contact the Police Department by telephone and report the incident. The Principal shall also provide the Police Department with a written report within 48 hours of the incident.

B. The report required shall include:

1. Identification of the act of theft, destruction, or violence that was alleged.
2. The name and address of witnesses to the alleged act.
3. The name and home address of any person suspected of committing the act.

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

D. School Response

1. A teacher or other school employee who has reasonable grounds to believe that a student has committed a reportable act shall:

- a. Confront the student with the nature of the offense;
- b. Take the student to the Principal's office;
- c. Retrieve and turn over any physical evidence to the Principal.

2. For Mandatory Reportable acts, the Principal shall:

- a. Notify the police and student's parent/guardian, and inform them of the nature of the incident;
- b. Turn over any physical evidence seized and a written fact summary to the Police Department;
- c. Initiate disciplinary action in accordance with Board policies.

3. For Discretionary Reportable Acts, the Principal shall:

- a. Determine if the police and parent/guardian should be notified and, if so, make the calls as soon as reasonably possible. Any incident reported to the Police shall also be reported to the student's parent/ guardian;
- b. Initiate disciplinary action in accordance with Board policies.

E. Police Response

(1) The Police Officer will make contact with the school as soon as possible after

receiving a report from the Principal to investigate the incident, or take any other appropriate action.

(2) During the investigation, the Police Officer may meet with the Principal, the student, the student's parent/guardian and appropriate persons with knowledge of pertinent facts, if required.

(3) If at the conclusion of the investigation, the student is found to have committed the alleged offense, the Police Officer may initiate the formal complaint process.

(4) When the Police Officer is called to the school in response to offenses involving the sale and/or distribution of drugs or alcohol, violent behavior, or the possession of a weapon, and when probable cause exists for arrest, the Officer shall take the appropriate action to initiate the formal complaint process.

(5) To the extent possible, precautions will be taken by both Police and school officials at all times to ensure the education process is not disrupted.

Chief of Police

Date

School Board Chair

Date

Superintendent

Date

RAYMOND SCHOOL DISTRICT POLICY JICD-R
RSA 193-D SAFE SCHOOL ZONES
MEMORANDUM OF UNDERSTANDING
RAYMOND SCHOOL DISTRICT AND
TOWN OF RAYMOND POLICE DEPARTMENT

The Raymond Police Department and the Raymond School District agree to work in a joint cooperative effort to provide a safe and healthy school environment for the students, staff, and visitors. We intend to do this in compliance with New Hampshire RSA 193-D, Safe School Zones, as amended.

I. "Acts of theft, destruction, or violence" as defined and described below, regardless of the age of the perpetrator, shall be reported as required below:

A. Mandatory Reporting:

The following incidents will be reported to the Raymond Police Department in accordance with the provisions of RSA 193-D and this memorandum.

- (a) RSA 630:1 – Capital Murder, RSA 630:1-a – First Degree Murder, RSA 630:1-b – Second Degree Murder, RSA 630:2 – Manslaughter. Any death shall be reported to law enforcement regardless of the suspected cause.
- (b) RSA 631:1 – First Degree Assault and Second Degree Assault – These include assaults involving serious bodily injury to another and assaults with a deadly weapon.
- (c) RSA 632-A:2 – Aggravated Felonious Sexual Assault, RSA 632-A:3 – Felonious Sexual Assault, RSA 632-A:4 – Sexual Assault – These include a number of prohibitions on sexual contact with a person in a Safe School Zone.
- (d) RSA 633:1 – Kidnapping – This includes knowingly confining another with the purpose to hold them for ransom, avoid apprehension by a law enforcement official, terrorize him/her or some other person, or commit an offense against, or to detain or conceal any child under the age of 18 unrelated to the person with the intent to detain or conceal the child from a parent, guardian or other person having lawful physical custody of the child.
- (e) RSA 159 – Unlawful Possession or Sale of a Firearm or Other Dangerous Weapon – Any person, except law enforcement personnel, in possession of a firearm within a Safe School Zone will be reported.

Also, RSA 193:13 – prohibits pupils from brining or possessing a firearm as defined in Section 921 of Title 18 of United States Code in a safe school zone or possessing a pellet or BB gun, rifle, or paint ball gun. Title 18 United States Code, Section 922(x)(2)(A) prohibits any juvenile from knowingly possessing a handgun or ammunition for a handgun.

- (f) RSA 634:1 – Arson – This includes knowingly starting a fire or causing an explosion which unlawfully damages the property of another.
- (g) RSA 635 – Burglary – This includes entering or remaining unlawfully in a building or occupied structure or a separately secured or occupied section thereof with the purpose to commit a crime therein.
- (h) RSA 636:1 – Robbery – A person commits robbery if in the course of committing a theft they use physical force on the person of another and such person is aware of such force or they threaten another with or purposely put another in fear of immediate use of physical force.
- (i) RSA 318-B – Illegal Sale or Possession of a Controlled Drug.
- (j) RSA 631:4 – Criminal Threatening – This includes putting a person in fear of imminent bodily injury and threatening to commit a crime with a purpose to coerce or terrorize.
- (k) RSA 639:2 – Incest.
- (l) RSA 639:3 – Endanger the Welfare of a Child – This includes violating a duty of care protection or support a person owes to a child; or inducing the child to engage in conduct that endangers the child's health or safety.
- (m) RSA 645:1, II and III – Indecent Exposure and Lewdness – This includes a person performing a gross or lewd act in the presence of a child less than 16 years old. This includes purposely transmitting a lewd image to a child.
- (n) RSA 645:2 – Prostitution Related Offenses.
- (o) RSA 649-A:3 – Possession of Child Sexual Abuse Images.
- (p) RSA 649-A:3-a - Distribution of Child Sexual Abuse Images – This includes the possession or transfer of any visual representation of a child engaged in sexually explicit conduct.
- (q) RSA 649-A:3-b – Manufacturing Child Sexual Abuse Image.
- (r) RSA 649-B:3 – Computer Pornography – The facilitation or encouraging or offering or soliciting sexual conduct of or with any child of a visual depiction of such conduct.

- (s) RSA 649-B:4 – Certain Uses of Computer Services Prohibited – Knowingly utilizing a computer, etc. to seduce, solicit or entice a child or another person believed by that person to be a child to commit indecent exposure or lewdness or by conduct that could endanger the child or involve sexual assault and related offenses.
- (t) RSA 650:2 – Obscenity – This includes the sale or delivery of obscene material depicting acts involving a child.

B. Discretionary Reporting:

Notwithstanding the provisions of RSA 193-D The Safe School Zone Act, the following incidents may in the circumstances described below not be reported.

- (a) Simple assault under RSA 631:2-a.

Simple assault includes knowingly making unprivileged contact with another person.

The parties acknowledge and agree that simple assaults will not normally be reported to the police department and will usually be handled as an internal disciplinary matter as permitted by RSA 193-D:4, I(b) under the Districts policies which set forth circumstances under which parents will be notified of Simple Assaults.

Examples of minimal contacts that will not generally be reported include, but are not limited to: minor bumping, pushing, tripping another, grabbing a backpack or personal item of clothing, or simply placing a person's hand(s) on another when it is clear the person does not want to be touched. Simple assault also includes knowingly or recklessly causing bodily injury to another. This will be reported when the act or when the bodily injury is deemed serious enough by the principal to be reported. Simple assault also includes negligently causing bodily injury with a deadly weapon. Such a suspected assault will be reported.

- (b) The parties also acknowledge and agree common sense dictates that not every act which may fit the technical definition of Criminal Mischief under RSA 634:2 (purposely or recklessly damaging the property of another. This includes school property) and Theft under RSA 637 (obtaining or exercising of unauthorized control over the property of another. This includes school property) needs to be reported to the police department. For example, purposefully breaking or stealing a fellow student's pencil is not required to be reported while stealing and or intentionally taking and breaking a cell phone should be reported. Therefore, acts of criminal mischief and theft as defined for the purpose of this section will be reported when the school principal reasonably believes that the act is serious enough so that the police department would expect the act to be reported, provided, however, that the school district agrees to err on the side of caution by filing a report when

there is doubt about whether the incident should be reported. Typically, an incident will not be reported if the value of the item taken/damaged is minimal i.e. less than fifty dollars.

II. Exchange of Information:

As authorized by RSA 193-D:7, the parties agree to exchange information relating only to acts of theft, destruction, or violence in a safe school zone regarding the identity of any juvenile, police records relating to a juvenile, or other relevant information when such information reasonably relates to delinquency or criminal conduct, suspected delinquency or suspected criminal conduct, or any conduct which would classify a pupil as a child in need of services under RSA 169-D or a child in need of protection under RSA 169-C.

The release of student records is governed by The Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g (FERPA). FERPA authorizes without parental consent the release of confidential student records to "school officials" with a legitimate educational interest in the information in the educational record. The School Resource Officer (SRO) is a "school official" who may have a legitimate educational interest in certain educational records of students in the school to which the SRO is assigned.

The SRO, however, shall not disclose **educational records** to any other party including other members of the Police Department or any other law enforcement authorities without parental consent, except in accordance with FERPA.

"Law enforcement records" on the other hand are those records and other materials: (1) created by the SRO or Police Department; (2) created for a law enforcement purpose; and (3) maintained by the Police Department. Law enforcement records include Safe School Zone reports required below in Section III.

The SRO shall physically segregate education records and law enforcement records and maintain such records separately. Education records shall be subject to FERPA and the School District's policies and procedures. Law enforcement records shall be subject to the exclusive supervision and control of the Raymond Police Department.

The parties also recognize that not every action which is reported will be found to be a violation of law or be prosecuted. However, reporting an incident will allow the police department to make an investigation to determine the appropriate Department response. The school district therefore agrees to err on the side of filing a report when there is doubt as to whether an incident should be reported.

The parties agree that their representatives will meet on a regular basis to discuss the implementation of this Memorandum of Understanding, particularly with respect to which acts of simple assault, criminal mischief, and theft the police department expects to be reported. In addition the parties agree that they will meet annually to review the purpose of the memorandum of understanding.

III. Procedures for Reporting:

As required by law, it is agreed that every school employee who has witnessed, or who has information from the victim of an act of theft, destruction, or violence in a safe school

zone shall report such act in writing immediately to a supervisor. A supervisor receiving such report shall immediately forward such information to the school principal who shall file it with the local law enforcement authority. When the principal has received any such information, she/he shall report it to Raymond Police Department immediately, by telephone or otherwise, and the reporting shall be followed within 48 hours by a report in writing.

The report required above shall include all information as defined in R.S.A. 193-D:4, II.

The written report shall be waived by law enforcement officials when there is a law enforcement response, including by an SRO, at the time of the incident which results in a written police report.

IV. Definitions:

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

"Safe School Zone" means an area inclusive of any school property or school buses.

"School" means any public or private elementary, secondary, or secondary vocation-technical school in New Hampshire. It shall not include home schools under RSA 193-A.

"School Employee" means any school administrator, teacher, or other employee of any public, or private school, School District, school department, or school administrative unit, or any person providing or performing continuing contact services for any public or private school, School District, school department, or school administrative unit.

"School property: means all real property, physical plant and equipment used for school purposes, including but not limited to school playgrounds and buses, whether public or private.

"School purposes" means school-sponsored programs, including but not limited to educational or extra-curricular activities.

V. Miscellaneous:

The Raymond School District will cooperate with law enforcement agencies in the interest of the general welfare of all citizens. At the same time, the School District works to guard welfare of students while they are attending school. To the extent possible, precautions will be taken by both police and school officials at all times to ensure the educational process is not disrupted. In the absence of unique/extenuating circumstances, including but not limited to:

- 1) The presence of School Resource Officers in school under agreement with the District,
- 2) Police response to a call for assistance or police response to an emergency or

crime being committed on school property,

3) Officers entering the school premises in hot pursuit of a suspect,

4) Police presence due to an on-going investigation of a serious nature,

5) A police interview of a reported victim of child abuse or neglect, or

6) Presence of law enforcement at the request of school officials,

Police Officers and police department officials will not otherwise be present at school without the express permission of the school principal.

Nothing contained in this memorandum is intended to limit the events that may be reported to the police department or to limit school employees from requesting police assistance on matters not referred to in this memorandum.

This Memorandum of Understanding replaces any previous written or oral understanding between the parties.

Signed by the parties on the dates indicated below, to be effective upon the date of the second party to sign.

Date: _____

The Raymond Police Department

By: _____

Title: _____

Date: _____

Raymond School District

By: _____

Title: _____

ADDENDUM TO
MEMORANDUM OF UNDERSTANDING
BETWEEN
THE RAYMOND SCHOOL DISTRICT AND THE RAYMOND POLICE DEPARTMENT

A goal of the Raymond School Board ("Board") is to provide a safe learning environment for its students and staff. To that end, the Board recognizes that cooperation with law enforcement agencies will help protect students, staff, and visitors and help maintain a safe environment in schools, and safeguard Raymond School District ("District") property.

The Board believes that the District's video monitoring system can be a valuable tool to monitor activity on school property to help protect students, staff, visitors to the schools as well as police and other law enforcement personnel if and when they respond to safety emergencies at the schools.

The School Board recognizes that real time monitoring of the District's video monitoring system by police and other law enforcement responders during a safety emergency at the schools and of the exterior of school buildings when school is not in session, is permitted by FERPA because it does not involve the release of a "student record" and furthermore the release of a student record in a health or safety emergency is permitted by FERPA.

In order to allow the police and law enforcement access to the District's live video monitoring during a response to a safety emergency at Raymond schools and to the exterior of school buildings when school is not in session, the Board and the Raymond Police Department agree to the following additional terms to their Memorandum of Understanding, dated _____:

1. A safety emergency is defined as an articulable and significant threat where police response is necessary to keep from harm, attack or injury students, staff, visitors, or other persons.
2. The Raymond Police Department will be permitted real time access to the District's video monitoring system and cameras but only when circumstances involve a police response to a safety emergency or the access is to the cameras monitoring the public areas outside the school when school is not in session. The Police Department will not make any recording of any video from the District's video monitoring system when it accesses the system.
3. Access to such view-only video monitoring will be limited to the staff of the Raymond Police Department. Other law enforcement personnel working with the Police Department who respond to a safety emergency at the District's schools may be permitted to view the video monitoring as they monitor response of their personnel to a safety emergency.
4. The Superintendent or her/his designee may review any access by the police to the District's video monitoring system, and will note the date and time of any such access.

5. Video only cameras (no audio) will only be located in public areas at District schools and on District property and will be positioned so that they can only focus on and view areas where there is no reasonable expectation of privacy. No audio recording will be made by the monitoring system located at the District's schools. (Audio recording may be made on District buses in accordance with District policy and state law).

6. The Raymond Police Department agrees to adopt and implement a policy and procedures to limit access to the District's video monitoring system. The policy will at a minimum state that: (1) access to or use of the District's video monitoring system will only occur when responding to "safety emergencies" on school property or to the cameras monitoring the public areas outside the school when school is not in session (to help prevent vandalism) and the system will not otherwise be accessed during routine non-emergency calls and other police business at the schools or at any other time; (2) unauthorized access to the school video system is prohibited; (3) a log of department access will be maintained that states the date, time, camera location and reason for access and the School District will be allowed to review the log on request; and (4) the Police Department will not under any circumstances make or allow others to make any recording while using the District's video monitoring system.

7. Any and all recordings from the District's video monitoring system made by the District will remain the property of the District. All recordings will be stored and secured for not more than 10 days unless an incident is reported in which case a record may be made and be retained by the District for as long as the Superintendent or his/her designee deems appropriate. Release of any recording to the Raymond Police Department, or other law enforcement responder will only be made, in accordance with state and federal law, including the Family Educational Rights and Privacy Act 20 U.S.C. 12329 (FERPA), and applicable School District policy.

Date: _____

The Raymond Police Department

By: _____

Title: _____

Date: _____

Raymond School District

By: _____

Title: _____

Raymond School District Policy - IHBG

NON-PUBLIC AND HOME EDUCATION INSTRUCTION

Eligibility

The Board recognizes the right of parents to pursue home education within the parameters RSA 193-A and other applicable state laws and regulations.

Enrollment Procedures

Any parent commencing a home education program for a child who withdraws from the School District shall notify the New Hampshire Department of Education, the Superintendent, or a non-public school within five (5) business days of commencing the home education program. Such notification shall include the names, addresses and birth dates of all children who are participating in the home education program. If notice is provided to the Superintendent, he/she will acknowledge receipt of notification within fourteen (14) days.

Annual notification of intent to home education is not required.

If requested by the parent, the Superintendent will assist parents in making such notification and in complying with applicable statutory requirements. State attendance laws and District attendance policies shall apply to all students within the District until the commissioner of education, the Superintendent, or principal of a non-public school receives notice from a student's parent/guardian of the commencement of a home education program, consistent with the requirements of RSA 193-A:5.

Evaluation Procedures

Parents electing to request the School District's participation in the annual evaluation must make arrangements to do so with the appropriate building Administrator prior to the end of the public school year, provided the School District is acting as the participating agency. In this case, the Superintendent shall provide evaluation services, if the parent so requests. If the District is not acting as the participating agency, the Superintendent shall provide evaluation services at his/her discretion.

The Superintendent will review the results of the annual education evaluation of children in home educational programs. If the home-educated child has not demonstrated educational progress, the Superintendent will notify the parent in writing that educational progress has not been achieved. Likewise, the Superintendent or his/her designee will notify the parent in writing within 21 days of the evaluation if the child has demonstrated educational progress.

The Superintendent will ensure that the evaluation includes all information, dates and signatures required by state statute and/or regulation.

Parents shall maintain a portfolio of records and materials relative to the home education program and must provide for an annual evaluation documenting the child's demonstration of educational progress at a level commensurate with the child's age and ability, in accordance with RSA 193-A and NH Code of Administrative Rules, Section Ed 315.

Re-enrollment into the School District

Parents deciding to re-enroll their children into the school district following a period of home education will make arrangements with the Principal for an evaluation to determine appropriate placement in the District's program. Placements will be consistent with the School Board policy governing student placements (JG – Assignment of Students to Classes and Grade) and are subject to the same appeal process.

Parents should be attentive that when re-enrolling a student, there may be discrepancies between the home schooling level of achievement and the scope and sequence of the District's curriculum.

Graduation/Diplomas

The School Board will not award certificates or diplomas to home educated students. Students must enter the regular school program and complete all necessary graduation requirements of the District and the state to be eligible for a certificate or diploma.

Participation in school curricular and co-curricular activities

Regulations regarding the participation of home education students in District curricular and extra-curricular programs are established in Appendix IHBG-R. The Superintendent is charged with establishing such regulations. Consistent with RSA 193:1-c, any regulations shall not be more restrictive for non-public or home educated pupils than they are for students enrolled in the District.

Legal References:

RSA 193-A, Home Education

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

RSA 193:1-a, Dual Enrollment

RSA 193:1-c, Access to Public School Programs by Nonpublic or Home Educated Pupils

NH Code of Administrative Rules, Section Ed 315, Procedures for the Operation of Home Education Programs

Appendix IHBG-R

Adopted: September 20, 1979

R/R: 11/17/94, 3/23/95

Revised: August 1, 2002

Revised: March 7, 2007

Revised: September 4, 2013

Raymond School District Policy – IHBG-R*

PARTICIPATION IN PUBLIC SCHOOL ACTIVITIES BY
HOME EDUCATED AND NONPUBLIC SCHOOL PUPILS

The Board recognizes the right of parents to home educate their children consistent with the provisions of RSA 193-A or to send their children to a nonpublic school. The Board also recognizes the right of home educated pupils or pupils attending nonpublic schools to have access to curricular courses and cocurricular programs offered by the District. Access to such programs shall be consistent with the provisions of RSA 193:1-c and these administrative regulations.

Participation in Curricular Courses

Requests by home educated or nonpublic school pupils for participation in curricular courses shall be made in writing by the parent/guardian to the building principal. The following criteria and conditions are established:

1. The curricular course is developmentally and academically appropriate for the pupil.
2. All course prerequisite requirements are met.
3. Transportation to and from school generally shall not be provided. The principal may make an exception to this condition based on his/her review of all pertinent circumstances. The principal's decision shall be final.
4. Pupils participating in curricular courses are expected to maintain punctual attendance and complete all required coursework, homework, exams, etc. as established by the teacher or instructor.
5. The parent/guardian may be required to provide proof of prior course work to establish academic appropriateness and/or to establish that all academic prerequisites have been met.
6. If the pupil is taking the course for credit or grade, such credit or grade will be granted only after the completion of the class.
7. Requests for participation that are received after class schedules have been made will be granted only if there is space available.
8. Requests for special education or related services including, but not limited to, physical therapy, occupational therapy, speech therapy, counseling, psychological, and/or guidance shall generally be denied unless such service is an already existing class or related service group. Requests for participation that are received after class schedules have been made will be granted only if there is space available. If a dispute arises between the parent/guardian and this District as to the pupil's right to these services, the building principal shall inform the Superintendent, who shall consult the District's attorney for a legal opinion.

Participation in Extra-Curricular Activities

Requests by home educated or nonpublic school pupils for participation in extra-curricular activities shall be made in writing by the parent/guardian to the building principal. Extra-curricular activities include, but are not necessarily limited to field trips, excursions, athletics (including intramurals), band, chorus, clubs, organizations, school dances, and others.

The following criteria and conditions are hereby established:

1. The parent/guardian must provide prior written permission for participation.
2. The participating pupil agrees to abide by all Board policies relative to student code of conduct and eligibility.
3. Participation in the activity is developmentally appropriate for the pupil.
4. The building principal may ask the parent/guardian to chaperone an event.
5. Coaches, teachers and group/club supervisors may establish their own rules relative to participation, attendance, and expectations, provided such rules are not contrary to this Appendix or its corresponding policy. Participating home educated and nonpublic school pupils are expected to abide by those rules as well.
6. Home educated or nonpublic school pupils may be required to provide proof of a recent physical examination from their physician for participation in athletic activities, consistent with other board policies relative to athletic participation.

Use of School Texts and Library Materials

Home educated and nonpublic school pupils will be permitted to use the school library, borrow school texts and borrow library materials under the same conditions and rules as pupils enrolled in the District.

Adopted: August 1, 2002
Adopted: September 4, 2013
Revised: May 17, 2017

JJJ - ACCESS TO PUBLIC SCHOOL PROGRAMS BY NONPUBLIC, CHARTER SCHOOL AND HOME-EDUCATED PUPILS

(Download policy)

Category: Recommended

Related Policy: IHBG

See also Appendix: IHBG-R

All pupils residing in the District, whether they are home educated, or are attending public chartered school or nonpublic schools, shall have access to curricular courses and co/extra-curricular programs offered by the District in accordance RSA 193:1-c and these administrative regulations.

The District will comply with the provisions of RSA 193:1-c allowing pupils who attend nonpublic schools, charter schools or are home educated equal access to the District's curricular courses and co/extra-curricular programs. The District recognizes that any School Board policies regulating participation in curricular courses and co/extra-curricular programs, cannot be more restrictive for non-public, public chartered school, or home educated pupils than the policy governing the District's resident pupils.

History:

First reading: _____

Second reading/adopted: _____

Legal References:

RSA 193:1-c, Access to Public School Programs by Nonpublic, Public Chartered Schools or Home Educated Pupils.

RSA 193-A, Home Education

NHSBA history: Revised: May 2018

New policy September 2016

NHSBA note, May 2018: We changed the policy category from optional to recommended to help assure that school personnel (and families) are apprised of the statutory obligation of districts to provide access to nonpublic, charter and home educated students. We also included introductory language taken from revised sample appendix IHBG-R.

NHSBA note, September 2016: NHSBA issues this new sample policy in response to HB 555, which amends RSA 193:1-c, to now include charter school students in the "equal access" to school district programs statute. Prior to HB 555, RSA 193:1-c required school districts to grant equal access of such programs to pupils attending private schools and pupils engaged in home-school programs, provided the pupil was a district resident. Such access to district programs has now been extended to include resident pupils who attend a charter school. This policy seeks to clarify this statute and put school boards and administrators on notice of its provisions.

w/p-update/2018/JJJ Access by Nonpublic Students 2018-5 (f).docx

Copyright © 2008, New Hampshire School Boards Association. All rights reserved.

NHSBA sample policies are distributed for resource purposes only, intended for use only by members of NHSBA Policy Services. Contents do not necessarily represent NHSBA legal advice or service, and are not intended for exact publication.

DISCLAIMER: This sample policy is copyrighted to the New Hampshire School Boards Association and is intended for the sole and exclusive use of NHSBA Policy Service Subscribers. No portion of this manual may be reproduced, copied, transmitted, or distributed, in any form, except as needed for the development of policy by a subscribing district. This sample is provided for general information only and as a resource to assist subscribing districts with policy development. School districts and boards of education should consult with legal counsel and revise all sample policies and regulations to address local facts and circumstances prior to adoption. NHSBA continually makes revisions based on school districts' needs and local, state and federal laws, regulations and court decisions, and other relevant education activity.

HIV/AIDS POLICY GUIDELINES

The following statements, when considered collectively, constitute the policy guidelines from the Raymond School District with regard to Human Immunodeficiency Virus (HIV) Acquired Immune Deficiency Syndrome (AIDS).

The Raymond School District is committed to programs and policies that protect individuals' confidentiality and the right to further their personal goals and objectives regardless of disease or disabling conditions. Raymond School District recognizes the rights, privileges, and services of students and staff infected with HIV to attend school.

Raymond School District recognizes that an employee or student with HIV/AIDS should be given the same consideration as any other employee or student with any other illness or disability.

Raymond School District recognizes the rights of employees to maintain their employee status for as long as their medical condition allows and they can perform their essential job functions.

An individual's right to privacy is of the utmost importance. There is absolutely no medical or other compelling reason to advise students or employees of the identity and/or presence of persons with HIV/AIDS who may be attending classes or performing work assignments.

Discrimination and/or harassment against those with, or suspected of having, HIV/AIDS will not be tolerated. Any employee who suspects that a coworker or a student is HIV-infected or has AIDS may not refuse to work with that person or student. Those members of the school community who perpetrate such actions will be disciplined in the same way as individuals involved in other forms of discrimination and/or harassment.

The Raymond School District recognizes and supports the current regulations regarding mandatory HIV testing of either employees or students. Under RSA 141-F: 5, mandatory testing is only permitted in specific circumstances including blood or tissue donation, incarceration or immediate necessity for the protection of the individuals health. (See RSA for details).

Raymond School District Procedure

Title: Raymond School District HIV/AIDS Procedures and Guidelines
For **Faculty and Staff**

The following procedures and guidelines apply to faculty and staff.

Human Immunodeficiency Virus (HIV), is the infectious agent of Acquired Immune Deficiency Syndrome (AIDS). AIDS represents the late clinical stage of HIV infection. It is a severe, life-threatening clinical condition that most often results in progressive damage to the immune and other organ systems, especially the central nervous system.

The Raymond School District is guided in the development and implementation of these policies by current specific and medical information. RSD subscribes to the position that education must be the primary institutional response to HIV infection and commits itself to on-going HIV/AIDS education and awareness with all members of the educational community.

Raymond School District is committed to programs and policies that protect individuals' confidentiality and right to further their proposal goals and objectives regardless of disease or disabling conditions. Raymond School District also recognizes the right of such persons to maintain employee status for as long as their medical condition allows and they can perform their tasks. There is no justification (medical or otherwise) to deny or restrict access of persons with HIV infection or AIDS to classrooms, offices, eating and recreational facilities, or other such common areas within the school setting. Accordingly, the following procedures and guidelines should be carefully implemented in accordance with all applicable state and federal regulations.

Employment

HIV antibody tests can not be required of candidates for employment. Consideration for job application, employment, advancement, discharge, compensation, training, or other terms, conditions, or privileges of employment cannot be denied to individuals on the basis of HIV zero status.

Confidentiality

Due to the gravity of the HIV/AIDS epidemic and the potential for discriminatory abuse targeted against those who are thought to be HIV positive, maintenance of an individual's right to privacy is of utmost importance.

All matters regarding an employee's health and medical information, including HIV-related information, are to be managed in a confidential manner. HIV-related information means any information that is likely to identify, directly or indirectly, someone suspected of or actually having HIV infection or AIDS.

Legal Liability

HIV-related information is confidential regardless of the source, including whether the information is obtained intentionally or unintentionally from the employee or from another source; or through oral, written, or electronic communication. Disclosure of HIV-related information could result in a loss of privacy, harassment, and discrimination. Unauthorized disclosures by staff could lead to individual liability in addition to criminal or civil penalties against the school district.

Guidelines for Superintendent

1. An employee may disclose his or her positive HIV status to the Superintendent so as to become less isolated in coping with his or her diagnosis, to gain the support of his/her employer, and/or to request reasonable accommodation.
2. Once the Superintendent is notified of an employee who is HIV positive, the Superintendent should meet with the employee to determine if any reasonable Accommodations (as defined in the Americans With Disabilities Act) are needed for the employee to perform the essential functions of his/her job and to plan for the support of the infected employee.
3. The Superintendent and employee, together in consultation with school and employee health care providers, shall determine whether there is any risk of transmission of HIV or a serious secondary infection.
4. Systems need to be designed to ensure that all meetings, correspondence, documentation, and discussions are kept highly confidential to protect the privacy of the employee.
5. If the Superintendent determines that additional information is necessary, public health officials may be consulted. In such cases. The identity of the infected employee shall not be divulged without the written consent of the infected employee. If however, the Superintendent determines it is necessary, he/she may request additional medical Information, including but not limited to a physical examination, as provided by the collective bargaining agreement or personnel rules in the district but only with the written consent of the HIV positive employee.
6. Written consent from the employee must be obtained prior to disclosing any information regarding the HIV status of an employee to any additional personnel.
7. The Superintendent shall periodically review with the employee his/her health status and support needed for the employee to continue to perform essential duties.

8. Appeal Procedure

- A. If the HIV-positive employee does not agree with a decision of the Superintendent made under this policy, he/she may appeal this decision in accordance with the School District's grievance procedures in the applicable collective bargaining agreement. For non-represented employees, the appeal shall be to the School Board.
- B. The HIV-positive employee shall comply with the decision of the Superintendent pending the final disposition of his/her appeal.

Occupational Safety

Raymond School District shall follow the most current Centers for Disease Control and Prevention (CDC) *Standard Precautions for Prevention of Transmission of Human Immunodeficiency Virus, Hepatitis B Virus, and Other Blood borne Pathogens in Health Care Settings* and the federal Occupational Safety and Health Administration (OSHA) standards. Training regarding universal precautions shall be provided for all staff on an annual basis.

Each school shall provide materials necessary to follow universal precautions. School nurses are the appropriate staff members to assist in implementation of guidelines for the handling of body fluids based on the recommendations of the New Hampshire Department of Education, New Hampshire Division of Public Health Services, and the U.S. Centers for Disease Control and Prevention. All employees shall be encouraged to comply with these guidelines in handling all blood or body fluids.

Raymond School District Procedure

Title: Raymond School District HIV/AIDS Procedures and Guidelines for **Students**

The following procedures and guidelines apply to students.

Human Immunodeficiency Virus (HIV), is the infectious agent of Acquired Immune Deficiency Syndrome (AIDS). AIDS represents the late clinical stage of HIV infection. It is a severe, life-threatening clinical condition, which most often results in progressive damage to the immune and other organ systems, including the central nervous system.

The Raymond School District is guided in the development and implementation of these policies by current scientific and medical information. Raymond School District subscribes to the position that education will be the primary institutional response to HIV infection and commits itself to on-going HIV/AIDS education and awareness with all members of the educational community.

Raymond School District is committed to programs and policies that protect individuals' confidentiality and right to further their personal goals and objectives regardless of disease or disabling conditions. Raymond School District also recognizes that HIV-infected students are entitled to all rights, privileges, and services. Accordingly, the following procedures and guidelines should be carefully implemented in accordance with state and federal regulations.

Access to Facilities

There is no justification (medical or otherwise) to deny or restrict access of persons with HIV infection of AIDS to classrooms, office buildings, theatres, eating and recreational facilities, or other such common areas within the school setting.

Attendance

Mandatory or random testing for the HIV antibody can not be required by the school district as a condition for school entry or attendance.

Athletic and Recreation Programs

Students with HIV/AIDS who are capable of vigorous sports activity will not be restricted from recreational sports, intramural, or interscholastic athletic participation.

As of March 1997, there has never been a confirmed case of HIV transmission during any athletic activity in the United States. HIV is not transmitted through casual contact such as touching, rubbing, sharing sports equipment or using the same locker room or bathroom facilities. The virus has never been identified in sweat and has been found only rarely and in minute concentrations in saliva. Transmission does not occur from swimming pool water or through the air (CDC, May 1997). There is a risk of HIV infection from sharing needles used to inject steroids and human growth hormone.

Students and their parents are encouraged to consult with their health care provider for advice in regard to the student's health-related limitation(s) to participate in recreational, intramural, or interscholastic athletic events.

Sports participation does not present sufficiently clear danger to another individual to warrant unauthorized disclosure of confidential information by a health care provider to a coach or a athletic trainer.

Confidentiality

Due to gravity of the HIV/AIDS epidemic and the potential for discriminatory abuse targeted against those who are or are thought to be HIV positive, maintenance of an individual's right to privacy is of utmost importance.

All matters regarding a student's health and medical information, including HIV-related information, are to be managed in a strict confidential manner. HIV-related information means any information that is likely to identify, directly or indirectly, someone suspected of or actually having HIV infection or AIDS.

HIV-related information is confidential regardless of the source, including whether the information is obtained intentionally or unintentionally from the student or from another source; or through oral, written, or electronic communication. Disclosure of HIV-related information could result in a loss of privacy, harassment, and discrimination against the student and his/her family. Unauthorized disclosures by staff or student could lead to individual liability in addition to criminal or civil penalties against school districts and their personnel.

The Family Educational Rights and Privacy Act of 1974 and other laws protect individuals from unauthorized disclosure of confidential information. More specifically, this means that no medical information will be released unless there is prior specific written consent of the student (if he/she is eighteen or older), his/her parents, or his/her legal guardians. It also means that no specific or detailed information concerning complaints or diagnosis will be provided to faculty, administrators without written consent of the student (if he/she is eighteen or older), his/her parents, or his/her legal guardians. Further, no information about a student will be entered into non-medical or education records without the knowledge and written consent of the student (if he/she is eighteen or older), his/her parents, or his/her legal guardians.

Guidelines for Superintendent

1. A student or a parent/guardian of a student may disclose the student's positive HIV status so as to become less isolated in coping with his or her diagnosis and to gain the support of the educational community and/or to seek modification of the student's educational program.
2. The Superintendent, upon being informed that a student is infected with HIV, will meet with the infected student, his/her parents/guardians and upon receiving written consent, will consult with his/her health care provider to determine whether there is any risk of transmission of HIV or other secondary infections.
3. Systems need to be designed to ensure that all meetings, correspondence, documentation, and discussions are kept highly confidential to protect the privacy of the student, unless the student or the student's parents/guardians agree otherwise in writing.
4. If the Superintendent determines that additional information is necessary, a state public health official may be consulted. However, the identity of the infected student shall not be divulged without the express written consent of the infected student and the student's parents/guardians.
5. Written consent shall be obtained from the adult (eighteen years or older) student or parents/guardians prior to disclosing to any additional personnel a student's HIV status.
6. HIV infection is not transmitted by casual contact and is not, in itself, a reason to exclude a student from school or to alter his/her class assignment. However, if an HIV-infected student's illness substantially impairs his/her academic performance, the student may be considered educationally handicapped under the IDEA (P.L. 94-142)** and shall be referred for evaluation and placement through the school district's special education process. In addition, Section 504 also should be utilized when appropriate.
7. The Superintendent, in collaboration with the student's parent(s) or guardian(s), shall periodically review the health status and educational needs of the HIV-positive student to assure that the needs of the student are being met.

**Note from nurses: 504 initially, if co-morbidity is affecting cognitive or mental health status, then IDEA.

8. Appeal Procedure

- A. If the infected student or the student's parents/guardians do not agree with the decision of the Superintendent's, he/she/they may appeal to the school board.
- B. In the event of an appeal, the student shall comply with the decision of the Superintendent pending final disposition of the appeal.
- C. This procedure does not displace other remedies available under Section 504 or IDEA.

HIV Testing and Counseling

Students who suspect they may be at risk of HIV infection are encouraged to be tested so the appropriate counseling and treatment can be initiated. Risk factors include engaging in high-risk behavior and/or having been subjected to a "high risk exposure" during the past ten years. A "high risk exposure" is defined as an event involving the introduction of blood into the blood stream, mucous membranes, and/or non-intact skin by splash or puncture wound.

Testing is voluntary and confidential and includes pre- and post-test counseling. Information about testing may be obtained through the student's health care provider, the local Visiting Nurse Association, or by contacting the New Hampshire Department of Health and Human Services, HIV/AIDS Program.

Legal Liability

HIV-related information is confidential regardless of the source, including whether the information is obtained intentionally or unintentionally from the student or from another source; or through oral, written, or electronic communication. Disclosure of HIV-related information could result in a loss of privacy, harassment, and discrimination against the student and his/her family. Unauthorized disclosures by staff may lead to individual liability in addition to criminal or civil penalties against school districts and their personnel.

Occupational Safety

Raymond School District shall follow the most current Centers for Disease Control and Prevention (CDC) *Standard Precautions for Prevention of Transmission of Human Immunodeficiency Virus, Hepatitis B Virus, and Other Blood borne Pathogens in Health Care Settings* and the Federal Occupational Safety and Health Administration (OSHA) standards. Training regarding universal precautions shall be provided for all staff on an annual basis.

Each school shall provide materials necessary to follow universal precautions. ~~District nurses~~ **The Maintenance Department in conjunction with district nurses** are the appropriate staff members to assist in the implementation of guidelines for the handling of body fluids based on the recommendations of the New Hampshire Department of Education, New Hampshire Division of Public Health Services, and the U.S. Centers for Disease Control and Prevention. All employees shall be encouraged to comply with these guidelines in handling all blood or body fluids.

Transportation

The HIV-infected child shall be transported to school without restrictions. Bus drivers and drivers' aides cannot be informed of the identity of HIV-infected students without written consent of the HIV-positive student and/or student's parents or legal guardian. Bus drivers and drivers' aides shall be instructed to follow standard precautions at all times with all students.

**Raymond School District
DISCLOSURE CONSENT FORM**

I, _____, the parent
or guardian of _____
(or the name of student in the case of a consenting adolescent minor)

hereby give consent for the disclosure of the following medical information:

(check as many as apply)

_____ HIV antibody test result;

_____ AIDS diagnosis;

_____ summarized medical record;

_____ details of symptoms, signs, and diagnostic test results
(specify _____);

_____ psychiatric, other mental health and/or developmental evaluation records
(specify _____);

_____ names of medical care and/or support service providers
(specify _____);

to name(s) _____,

role(s) _____

for the express purpose of _____.

This release is limited to a single disclosure of the above listed information to the above named individuals. Any disclosure of information not listed above or disclosure to individuals not listed above is expressly prohibited. Disclosure to any other persons than those listed above requires my informed, written consent. This release expires on year from the date it is signed.

Signature _____

Date _____

10.

GBGAA - HIV/AIDS

(Download policy)

Category R

Also IHAMC & JLCCA

Preamble. Human Immunodeficiency Virus (HIV) progressively destroys the body's ability to fight infections and certain cancers. The term acquired immunodeficiency syndrome (AIDS) is used to mean the later stages of an HIV infection. To assist the District and infected persons, the District adopts the following policy.

I. General Principles:

(A) HIV is not spread by casual, everyday contact. Therefore, absent a serious secondary infection that may be transmitted to others or a significant health problem that restricts the infected person's ability to attend School, a student who is infected with HIV or AIDS shall attend the School and classroom to which he or she would be assigned, and shall receive the rights, privileges and services to which he or she would be entitled if not infected, free of physical and verbal harassment.

(B) There shall be no discrimination in employment against a person infected with HIV or AIDS based solely upon said infection. No District employee shall be terminated, non-renewed, demoted, suspended, transferred or subjected to adverse action based solely upon his/her infection with HIV or AIDS, or the perception that he or she is so infected. However, the District may take whatever action is appropriate as to an employee who, despite reasonable accommodation, is unable to perform his/her duties due to an illness, including an illness related to HIV or AIDS.

(C) The School District shall provide a sanitary environment and shall establish procedures for handling bodily fluids, pursuant to Section V.

(D) The District shall administer a program of education about HIV or AIDS for students, their families, and School District employees to ensure that they are informed about the following:

- (1) The nature and effects of HIV including current information about how it is transmitted and prevented in ways that are scientifically, legally, and educationally sound;
- (2) District policies and procedures relating to employees and students with diseases such as HIV or AIDS;
- (3) Resources within the School District and elsewhere for obtaining additional information or assistance; and
- (4) Procedures to prevent the spread of communicable diseases at School.

II. Evaluation of Infected Students and Staff

(A) HIV is not transmitted casually. Accordingly, infection with HIV or AIDS is not, by itself, sufficient reason to remove a student or staff member from the School. When the Superintendent has been notified that a student or staff member is infected with HIV or

AIDS, the Superintendent shall act appropriately to ensure the safety of persons in the School setting and to plan to support the infected person.

(B) When the District learns that a student is infected with HIV or AIDS, the appropriate procedures under State and Federal Law with regard to evaluation and educational programming shall be followed if the student is or may be educationally handicapped.

(C) (1) When notified that an employee is infected with HIV or AIDS, the Superintendent shall determine whether the infected person has a significant health problem that will restrict his/her ability to work and shall determine whether the infected person has a secondary infection (e.g., tuberculosis) that poses a medically recognized risk of transmission of disease. The Superintendent shall make this determination by consulting with the infected person's physician and the infected person.

The Superintendent also may consult with public health officials and other persons, subject to the confidentiality provisions in this policy. The Superintendent shall consider methods in which the School District may anticipate and meet the needs of persons infected with HIV or AIDS.

(2) Absent a secondary infection, which creates a medically recognized risk of transmission of disease, or a significant health problem that restricts the infected person's ability to work, the Superintendent shall not alter the job assignment of the infected person. However, the Superintendent shall periodically review the case with the persons described in Section II(C) (1).

(3) If the Superintendent determines that a secondary infection poses a medically recognized risk of transmission of disease in the School setting or that a significant health problem restricts the infected person's ability to work, the Superintendent shall consult with the persons described in Section II(C) (1). After said consultation, the Superintendent shall, if necessary, develop an individually tailored plan to accommodate the staff member if possible. Additional persons may be consulted if necessary for gaining additional information, but the infected person must approve of the notification of any additional persons who are informed of the infected person's identity. The Superintendent may consult with legal counsel to ensure that any official action is consistent with state and federal law. If an individually tailored plan is necessary, said plan should be medically, legally, educationally and ethically sound.

(D) Infected students who are aggrieved by the education plan determinations may appeal said determinations pursuant to state and federal special education law if the infected student is eligible for or claims that he is eligible for special education or special education and related services. Infected persons who do not claim that they are eligible for special education or special education and related services, but who are aggrieved by the Superintendent's determinations, may appeal said determinations to the Board.

(E) Confidentiality shall be observed throughout the foregoing process.

III. Confidentiality

(A) The identity of a student or staff member who is infected with HIV or AIDS may be disclosed to those persons who determine whether the infected person has a secondary

infection that poses a medically recognized risk of transmission of disease in the School setting or whether a significant health problem will restrict the infected person's ability to work or attend class. These persons include:

- (1) The Superintendent or a person designated by the Superintendent to be responsible for the determination, or, in the case of a student who is identified as educationally handicapped or who is claimed or believed to be educationally handicapped, the special services team.
- (2) The physician of the infected person.
- (3) Public health officials, to the extent that their knowledge of the infected person's identity is necessary.

(B) The persons listed in Section III (A) (1) - (2) and the infected person (or his/her parents or guardians) shall determine whether additional persons to know the identity of an infected person. The identity of an infected person shall not be disclosed to persons who are not listed in Section III (A) without the consent of the infected person, or the infected person's parents or guardians. The persons to whom the infected person's identity may be disclosed with the aforementioned consent include the School nurse, the School Principal or other persons necessary to protect the health of the infected person or to evaluate and monitor the case.

(C) All staff members who know the identity of persons infected with HIV or AIDS shall treat said information as confidential. No information will be divulged directly or indirectly to any individuals or groups, except as noted in Section III (A) - (B). All medical information and written documentation of discussions, telephone conversations, proceedings, and meetings concerning the HIV or AIDS infection shall be maintained in a locked file. Access to said file shall be granted only to those persons who have the written consent of the infected person or his/her parents or guardians. The names of infected persons shall not be used in documents, except when essential. No document containing the name or other information that reveals the identity of an infected person may be shared with any person for any purposes without the consent of the infected person or the infected person's parents or guardians. Any School staff member who violates the confidentiality provisions of Section III shall be subject to discipline. Test results and medical records shall be disclosed only with the consent of the infected person (or that person's parent if he is a minor), pursuant to a subpoena or order of a court or administrative agency, or otherwise in accordance with law.

IV. Testing

Mandatory testing for communicable diseases that are not spread by casual, everyday contact (e.g., HIV or AIDS) shall not be a condition for School entry or attendance, or for employment or continued employment.

V. Control of Infections

(A) HIV cannot penetrate unbroken skin, and there is no evidence that HIV has been transmitted through contact with vomit, nasal discharge, saliva, urine, or feces. However, said body fluids commonly transmit infections such as Hepatitis, colds and flu. Accordingly, direct skin contact with body fluids should be avoided whenever possible.

(B) Staff members shall follow the universal precautions in handling body fluids in the Schools.

(C) The District shall cooperate with local, state and federal health agencies in controlling infections.

(D) If a person in a school setting has been exposed to blood-to-blood contact, the district should counsel the person to seek medical testing and attention.

VI. Health Education

The Board recognizes that HIV/AIDS education should be integrated into the health and family life curriculum, but may also be applied to other curriculum areas.

The District's HIV/AIDS education program must address, at a minimum, the nature, transmission, prevention, and effects of the disease. The program shall be provided in a sequential manner in all grades, taking into consideration the age and maturity of the pupils and the subject matter of the course.

Development of the program should take into account the instructional needs of all pupils in the District and be scientifically, legally, and educationally sound.

The Superintendent shall ensure that the information presented as a part of the HIV/AIDS program is articulated in such a way that transition from grade to grade in the elementary Schools and from elementary to secondary approaches to the material will be appropriate for all pupils.

The Superintendent shall ensure that all staff involved in teaching the HIV/AIDS education program are properly certified and adequately prepared to teach the material. As necessary, appropriate staff training shall be provided. All employees shall have training in Universal Precautions.

Legal References:

RSA 186:11, IX, Instruction as to Intoxicants and Venereal Disease

RSA 186:11, IX-a, AIDS Instructional Material

RSA 189:1-a, Duty to Provide Education

RSA 186-C, Special Education

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

RSA 193:3, Change of School or Assignment, Manifest Educational Hardship or Best Interest, Excusing Attendance

National Association of State Boards of Education, Someone at School Has AIDS, 2001
www.aids.gov/basic/index.html

Revised: February 2007

Reviewed: October 2004

Revised: November 1999

Revised: July 1998

DISCLAIMER: This sample policy manual is copyrighted to the New Hampshire School Boards Association and is intended for the sole and exclusive use of NHSBA Policy Service Subscribers. No portion of this manual may be reproduced, copied, transmitted, distributed, in any form, except as needed for the development of policy by a subscribing district. The materials contained in the manual are provided for general information only and as a resource to assist subscribing districts with policy development. School districts and boards of education should consult with legal counsel and revise all sample policies and regulations to address local facts and circumstances prior to adoption. NHSBA continually makes revisions based on school districts' needs and local, state and federal laws, regulations and court decisions, and other relevant education activity.

Raymond School District Policy – EBBC/JLCE

FIRST AID
(AND EMERGENCY CARE)

All School personnel have responsibilities in connection with injuries and emergencies occurring in school and at school-sponsored events, which may be classified as follows: (1) administering first aid; (2) summoning medical assistance; (3) notifying administration; (4) notifying parents/guardians; and (5) filing accident/injury reports.

School personnel must use reasonable judgment in handling injuries and emergencies. Caution should be exercised not to minimize or maximize any injury or illness.

The Superintendent will ensure that at least one other person on staff, aside from the school nurse, has current first aid and cardiopulmonary certification (CPR). If the school nurse, licensed nurse assistant, or licensed practical nurse is not available, the person(s) who have current first aid and CPR certification is authorized to administer first aid and CPR as needed.

The school will obtain, at the start of each school year, emergency contact information of parents or legal guardian for each student and staff member. See appendix JLCE-R for a sample form.

~~The school physician, school nurse, School nurses or specially trained staff members shall assist in the treatment of injuries or emergency situations. Such individuals have the authority to administer oxygen in case of a medical emergency, if available and if appropriate. This authorization extends to administering oxygen to students without prior notification to parents/guardians~~

→
There
is no
oxygen
in the
district.

Additionally, the school physician, school nurse or specially trained staff members may also administer epinephrine to any student in case of a medical emergency, if appropriate. This authorization extends to administering epinephrine without prior notification to parents/guardians.

For significant injuries, the staff person witnessing the event must fill out an accident report, which must be submitted to **the nurse.** ~~administration so that he/she is informed and a basis is established for the proper processing of insurance claims and remediation, if necessary.~~ **The nurse will notify and provide a copy to the building principal and school business administrator to ensure that a basis is established for the proper processing of insurance claims and remediation, if necessary.**

The District makes it possible for parents/guardians to subscribe to student accident insurance at low rates. This program is offered each year during September. The District does not provide student accident insurance.

Transportation of pupils home or to a source of medical attention is the responsibility of the parent, but the School District will act if the parent is unavailable, **including emergency transportation if deemed necessary.**Raym

Naloxone/Narcan and Opioid Antagonists:

The Board authorizes the District to obtain, store and administer naloxone/Narcan and/or other opioid antagonists for emergency use in schools.

The school nurse or other properly trained staff member may administer such medication in emergency situations. Opioid antagonists will be available during the regularly scheduled school day. They may be available at other times at the discretion of the Superintendent.

The Superintendent/designee is authorized to procure such medication on behalf of the District.

All such medication will be clearly marked and stored in a secure space in the school nurse's office or other appropriate location. Such medication will be secured at all times except when needed for administration. The school nurse is responsible for storing the medication consistent with the manufacturer's instructions.

Local law enforcement and emergency medical service personnel will be notified if such medication is administered by the District.

Records related to the administration of such medication shall be made and maintained by the school nurse. The school nurse will follow other first aid reporting protocols, as may be determined by other Board policy or administrative directive.

Legal References:

RSA 200:40, Emergency Care

RSA 200:40-a, Administration of Oxygen by School Nurse

NH Code of Administrative Rules, Section Ed 306.04(a)(19), Emergency Care

NH Code of Administrative Rules, Section Ed 306.12(b), School Health Services

Appendix: JLCE-R

Adopted: May 16, 2002

Revised: August 1, 2012

Revised: September 7, 2016

EBBC/JLCE - EMERGENCY CARE AND FIRST AID

(Download policy)

Category: Priority/Required by Law

All School personnel have responsibilities in connection with injuries and emergencies occurring in school and at school-sponsored events, which may be classified as follows: (1) administering first aid; (2) summoning medical assistance; (3) notifying administration; (4) notifying parents; and (5) filing accident/injury reports.

School personnel must use reasonable judgment in handling injuries and emergencies. Caution should be exercised not to minimize or maximize any injury or illness. All personnel will understand the proper steps to be taken in the event of an injury or emergency.

The Superintendent will ensure that at least one other person on staff, aside from the school nurse, has current first aid and cardiopulmonary certification (CPR). If the school nurse or licensed practical nurse is not available, the person(s) who have current first aid and CPR certification is authorized to administer first aid and CPR as needed.

The school will obtain at the start of each school year emergency contact information of parents or legal guardian for each student and staff member. See appendix JLCE-R for a sample form.

The school physician, school nurse, or specially trained staff members shall assist in the treatment of injuries or emergency situations. Such individuals have the authority to administer oxygen in case of a medical emergency, if available and if appropriate. This authorization extends to administering oxygen to students without prior notification to parents/guardians.

The school nurse or other designated personnel may administer other medications to students in emergency situations, provided such personnel has all training as is required by law. Such medication may also be administered in emergency situations if a student's medical action plan has been filed and updated with the school district to the extent required by law. The district will maintain all necessary records relative to the emergency administration of medication and will file all such reports as may be required.

Additionally, the school physician, school nurse, or specially trained staff members may also administer epinephrine to any student in case of a medical emergency, if appropriate. This authorization extends to administering epinephrine without prior notification to parents/guardians.

For significant injuries, the staff person witnessing the event must fill out an accident report, which must be submitted to administration so that he/she is informed and a basis is established for the proper processing of insurance claims and remediation if necessary.

The District makes it possible for parents to subscribe to student accident insurance at low rates. This program is offered each year during September. The District does not provide student accident insurance.

Naloxone/Narcan and Opioid Antagonists:

The Board authorizes the District to obtain, store and administer naloxone/Narcan and/or other opioid antagonists for emergency use in schools.

Copyright © 2008, New Hampshire School Boards Association. All rights reserved.
NHSBA sample policies are distributed for resource purposes only, intended for use only by members of NHSBA Policy Services. Contents do not necessarily represent NHSBA legal advice or service, and are not intended for exact publication.

The school nurse or other properly trained staff member may administer such medication in emergency situations. Opioid antagonists will be available during the regularly scheduled school day. They may be available at other times at the discretion of the Superintendent.

The Superintendent is authorized to procure such medication on behalf of the District.

All such medication will be clearly marked and stored in a secure space in the school nurse's office or other appropriate location. Such medication will be locked at all times except when needed for administration. The school nurse is responsible for storing the medication consistent with the manufacturer's instructions.

Local law enforcement and emergency medical service personnel will be notified if such medication is administered by the District.

Records related to the administration of such medication shall be made and maintained by the school nurse. The school nurse will follow other first aid reporting protocols, as may be determined by other Board policy or administrative directive.

NHSBA Note, September 2016: Amendments to this Sample Policy are necessary due to the passage of SB 25, which adds a new statute, RSA 200:44-a, relative to pupil use of epinephrine; and SB 322, which amends RSA 200 by adding RS 200:53, :54, :55, :56 and :57, relative to the use of bronchodilators, spacers and nebulizers in school. Paragraph 6 of this Sample Policy is added to the requirements of new legislation. RSA 200:44-a and RSA 200:57 are added to the Legal References.

NHSBA Note, April 2016: Amendments to this policy include a new section relative to the obtaining and administration of naloxone/Narcan and other opioid antagonists by the District. These amendments are in response to significant NHSBA member feedback and request for policy guidance on this subject.

Please note this policy is required by law. However, the provisions relative to naloxone/Narcan are not required by law and are provided as guidance only. NHSBA recommends these provisions be reviewed by necessary school district staff and, if necessary, by local legal counsel prior to adoption.

Legal References:

RSA 200:40, Emergency Care

RSA 200:40-a, Administration of Oxygen by School Nurse

RSA 200:44-a, Anaphylaxis Training Required

RSA 200:54, Supply of Bronchodilators, Spacers or Nebulizers

RSA 200:55, Administration of Bronchodilator, Spacer or Nebulizer

Ed 306.04(a)(21), Emergency Care For Students And School Personnel

Ed 306.12, School Health Services

Appendix: JLCE-R

Revised: September 2016

Revised: October 2005, February 2007, August 2008, May 2014, April 2016

DISCLAIMER: This sample policy manual is copyrighted to the New Hampshire School Boards Association and is intended for the sole and exclusive use of NHSBA Policy Service Subscribers. No portion of this manual may be reproduced, copied, transmitted, distributed, in any form, except as needed for the development of policy by a subscribing district. The materials contained in the manual are provided for general information only and as a resource to assist subscribing districts with policy development. School districts and boards of education should consult with legal counsel and revise all sample policies and regulations to address local facts and circumstances prior to adoption. NHSBA continually makes revisions based on school districts' needs and local, state and federal laws, regulations and court decisions, and other relevant education activity.

Raymond School District Policy – EBCF

PANDEMIC/EPIDEMIC EMERGENCIES

The Board recognizes that a pandemic/epidemic is a serious threat that stands to affect students, staff, and the community as a whole. The Board establishes this policy in the event the town/municipality and/or school district is affected by a pandemic or epidemic. At all times the health, safety and welfare of the students shall be the first priority. The District shall follow the advice and recommendations in the State of New Hampshire's Influenza Pandemic Public Health Preparedness & Response Plan, as prepared by the Dept. of Health & Human Services.

Planning and Coordination

Planning for a pandemic requires a multi-faceted effort, and school preparedness should include input from a team of individuals to address their specific areas of expertise.

The Superintendent shall designate one or more employees to serve as a liaison between the school district and local and State health officials. This designee is responsible for communicating with health officials to identify local hazards, determine what crisis plans exist in the school district and community, and to establish procedures to account for student well being and safety during such a crisis. The designee shall work with local health officials to coordinate their pandemic/epidemic plans with that of the school district. The Board encourages the designee to become a member of the Health Alert Network through the New Hampshire Department of Health & Human Services.

The principal and/or school nurse or other designee shall develop a curriculum component to health classes that is designed to teach students about preventing or limiting the spread of communicable diseases.

With fiscal concerns in mind, the district may purchase and store supplies necessary for an epidemic/pandemic response, including but not limited to disinfectant products, face masks, water, examination gloves, and other supplies as recommended by the school nurse.

The Superintendent shall develop procedures and plans for the transportation of students in the event students are released from school early.

Response

In the event anyone within the school is discovered or suspected to have a communicable disease that may result in transmission to other students, faculty, or staff, that person shall be immediately isolated pending further medical examination. The New Hampshire Communicable Disease Control Section of the Department of Health and Human Services shall be notified immediately.

Infection Control

Any student or staff member found to be infected with a communicable disease that may bears risk of transmission will be excluded from school until that individual's primary care physician or other medical personnel indicating that the individual does not bear the risk of transmitting the communicable disease provide medical clearance.

Students with excessive absences due to a communicable disease may be given a reprieve from

other Board policies relative to excessive student absences. Efforts will be made by the staff to determine what, if any, schoolwork the student can complete while absent.

Staff members who are forced to miss excessive days of work shall first use any leave entitled to them through the Family and Medical Leave Act and/or accrued sick leave. If a staff member has still not received medical clearance to resume his/her work duties, absences in excess of a staff member's allotted leave will not affect the employees right to continued employment.

Continuance of Education

The Superintendent will develop a plan of alternate means of educating students in the event of prolonged school closings and/or extended absences. Such a plan may include providing students with assignments via mail, local access cable television, or the school district's website.

The Superintendent is authorized to amend the traditional class schedule and schedule of days. Such a plan may include extending the school day, having school days held on Saturdays, the use of previously scheduled vacation days, and/or extend the school year beyond the previously established end of school year.

Legal References:

*Influenza Pandemic Public Health Preparedness & Response Plan, New Hampshire
Department of Health & Human Services, Updated March 2, 2006,
www.dhhs.nh.gov/DHHS/CDCS/LIBRARY/Policy-Guideline/dphs-influenza-plan.htm*

Adopted: October 3, 2007

EBCF - PANDEMIC/EPIDEMIC EMERGENCIES

(Download policy)

Category O

The Board recognizes that a pandemic/epidemic is a serious threat that stands to affect students, staff, and the community as a whole. The Board establishes this policy in the event the town/municipality and/or school district is affected by a pandemic or epidemic. At all times the health, safety and welfare of the students shall be the first priority. The District shall follow the advice and recommendations in the State of New Hampshire's Influenza Pandemic Public Health Preparedness & Response Plan, as prepared by the Dept. of Health & Human Services.

Planning and Coordination

Planning for a pandemic requires a multi-faceted effort, and school preparedness should include input from a team of individuals to address their specific areas of expertise.

The Superintendent shall designate one or more employees to serve as a liaison between the school district and local and State health officials. This designee is responsible for communicating with health officials to identify local hazards, determine what crisis plans exist in the school district and community, and to establish procedures to account for student well being and safety during such a crisis. The designee shall work with local health officials to coordinate their pandemic/epidemic plans with that of the school district. The Board encourages the designee to become a member of the Health Alert Network through the New Hampshire Department of Health & Human Services.

The principal and/or school nurse or other designee shall develop a curriculum component to health classes that is designed to teach students about preventing or limiting the spread of communicable diseases.

With fiscal concerns in mind, the district may purchase and store supplies necessary for an epidemic/pandemic response, including but not limited to disinfectant products, face masks, water, examination gloves, and other supplies as recommended by the school nurse.

The Superintendent shall develop procedures and plans for the transportation of students in the event students are released from school early.

Response

In the event anyone within the school is discovered or suspected to have a communicable disease that may result in transmission to other students, faculty, or staff, that person shall be immediately isolated pending further medical examination. The New Hampshire Communicable Disease Control Section of the Department of Health and Human Services shall be notified immediately.

Infection Control

Any student or staff member found to be infected with a communicable disease that may bears risk of transmission will be excluded from school until that individual's primary care physician or other medical personnel indicating that the individual does not bear the risk of transmitting the communicable disease provide medical clearance.

Students with excessive absences due to a communicable disease may be given a reprieve from

other Board policies relative to excessive student absences. Efforts will be made by the staff to determine what, if any, schoolwork the student can complete while absent.

Staff members who are forced to miss excessive days of work shall first use any leave entitled to them through the Family and Medical Leave Act and/or accrued sick leave. If a staff member has still not received medical clearance to resume his/her work duties, absences in excess of a staff member's allotted leave will not affect the employees right to continued employment.

Continuance of Education

The Superintendent will develop a plan of alternate means of educating students in the event of prolonged school closings and/or extended absences. Such a plan may include providing students with assignments via mail, local access cable television, or the school district's website.

The Superintendent is authorized to amend the traditional class schedule and schedule of days. Such a plan may include extending the school day, having school days held on Saturdays, the use of previously scheduled vacation days, and/or extend the school year beyond the previously established end of school year.

Legal References:

Influenza Pandemic Public Health Preparedness & Response Plan, New Hampshire Department of Health & Human Services, Updated March 2, 2006,
www.dhhs.nh.gov/DHHS/CDCS/LIBRARY/Policy-Guideline/dphs-influenza-plan.htm

Revised: February 2007

New Policy: August 2006

DISCLAIMER: This sample policy manual is copyrighted to the New Hampshire School Boards Association and is intended for the sole and exclusive use of NHSBA Policy Service Subscribers. No portion of this manual may be reproduced, copied, transmitted, distributed, in any form, except as needed for the development of policy by a subscribing district. The materials contained in the manual are provided for general information only and as a resource to assist subscribing districts with policy development. School districts and boards of education should consult with legal counsel and revise all sample policies and regulations to address local facts and circumstances prior to adoption. NHSBA continually makes revisions based on school districts' needs and local, state and federal laws, regulations and court decisions, and other relevant education activity.

Raymond School District Policy - JLC

STUDENT HEALTH SERVICES

The School Board may appoint a School Nurse to function in the school health program. A School Nurse shall be a registered professional nurse licensed in the State of New Hampshire.

The Board may employ or contract with a licensed practical nurse or a certified nursing assistant, to work under the direct supervision of the School Registered Nurse. Treatment is limited to first-aid care. The administration will attempt to notify parents before a student who is ill is permitted to go home.

1. Any student not in class because of illness must report to the School Nurse.
2. All student medications must be kept in the custody of the School Nurse. No medication is to be administered by school personnel except as prescribed by a doctor and accompanied by a parental permission form.
3. All accidents occurring on school property are to be reported to the School Nurse and the building Principal immediately. Students attending school during the extended day, at night, in summer school, or any other time when the School Nurse is not in the building are to report to the main office immediately in case of illness or accident.

Statutory Reference:
RSA 200:27, 29, 31

Adopted: August 1, 2002

JLC - STUDENT HEALTH SERVICES

(Download policy)

Category P

See also EBBC, JLCE

The Board may appoint a school nurse to function in the school health program and to provide school health services. A school nurse shall be a registered professional nurse licensed in New Hampshire. The Board may employ or contract with a Licensed Practical Nurse (LPN) or a Licensed Nursing Assistant (LNA) to work under the direct supervision of the school Registered Nurse (RN).

Responsibilities of the school nurse include, but are not limited to: providing direct health care to students and staff; providing leadership for the provision of health services; promoting a healthy school environment; promoting health; serving in a leadership role for health policies and programs; and serving as a liaison between school personnel, family, community, and health care providers. Additionally, the school nurse is responsible for developing procedures to address and meet special physical health needs of students. Such procedures may be developed and implemented on a case-by-case basis.

All injuries or illnesses occurring during the school day are to be reported to the school nurse or the building principal. Students attending school during the extended day, night, or summer school programs, or any other time when the school nurse is not in the building, are to report to the supervising adult. The school nurse, principal or designee will notify parents/guardians before a student who is injured or ill is permitted to go home. Students will not be allowed to leave school without first notifying either the school nurse or principal of his/her injury or illness. Additionally, parent/guardian notification and authorization is necessary before any student will be released from school due to injury or illness.

Emergency medical care will be provided pursuant to the guidelines of Board Policy EBBC/JLCE.

Any pupil who is required to take prescribed medication during the school day will do so consistent with the provisions of Department of Education Rule 311.02. Clarification of these provisions are in Board Policy JLCD and Appendix JLCD-R.

In addition to the provisions of this policy, the school nurse is responsible for the oversight of other school services, including but not limited to: assessing and responding to student health needs, maintaining accurate health records, screening for vision, hearing and BMI according to national recommendations, participating on 504 and IEP teams (if requested), health promotion, disease and injury prevention initiatives, student wellness, and other responsibilities and services as dictated by law or Board policy.

Legal References:

RSA 200:27, School Health Services

RSA 200:29, School Nurse

RSA 200:31, School Health Personnel

RSA 326-B, Nurse Practice Act

NH Code of Administrative Rules, Section Ed 306.12(b), School Health Services

Copyright © 2007, New Hampshire School Boards Association. All rights reserved.

NHSBA sample policies are distributed for resource purposes only, intended for use only by members of NHSBA Policy Services. Contents do not necessarily represent NHSBA legal advice or service, and are not intended for exact publication.

NH Code of Administrative Rules, Section Ed 311, School Health Services

Revised: May 2008

Revised: July 1998, November 1999, February 2007

DISCLAIMER: This sample policy manual is copyrighted to the New Hampshire School Boards Association and is intended for the sole and exclusive use of NHSBA Policy Service Subscribers. No portion of this manual may be reproduced, copied, transmitted, distributed, in any form, except as needed for the development of policy by a subscribing district. The materials contained in the manual are provided for general information only and as a resource to assist subscribing districts with policy development. School districts and boards of education should consult with legal counsel and revise all sample policies and regulations to address local facts and circumstances prior to adoption. NHSBA continually makes revisions based on school districts' needs and local, state and federal laws, regulations and court decisions, and other relevant education activity.

Raymond School District Policy - JLCA

PHYSICAL EXAMINATIONS OF STUDENTS

Each child shall have a complete physical examination within a one-year period before first entry to school. A physical exam is required for all students entering a new school within the district; K, 5 and 9th grade.

However, no medical examination shall be required of a child whose parent or guardian objects thereto in writing on the grounds that such medical examination is contrary to his/her religious tenets and teachings.

Parents of students transferring to the District must present proof of meeting the physical examination and immunization requirement within thirty (30) days of entrance. Failure to comply with this provision may result in exclusion from school for the child.

A child shall be exempted from the above immunization requirements if he/she presents evidence from his/her physician that immunization will be detrimental to his/her health. A child shall be excused from immunization for religious reasons upon the signing of a notarized form by the parent/guardian stating that the child has not been immunized due to religious beliefs.

Students must pass a physical every year to be eligible for athletics for that school year. Students must present evidence of a physical exam from his or her own physician/nurse practitioner or physician's assistant. Any injured student excused from athletic practice for three or more days while under a physician's care must provide written authorization from a physician to the coach in order to resume practice.

No child shall be excused from regular physical education except on the written notice of a duly licensed physician or on the written request of the parents, subject to School Board approval, in which case an alternative program shall be provided. Temporary excuses on a day-to-day basis may be granted by the teacher upon the request of the parents.

Statutory/Regulatory Reference:

ED. 306

RSA 141-C:20-c

RSA 200:32

RSA 200:38

Appendix JLCA-R

Adopted: February 1, 1979

R/R: 5/19/94

Revised: August 1, 2002

Revised: October 6, 2010

JLCA - PHYSICAL EXAMINATIONS OF STUDENTS

(Download policy)

Category R

Each child must have a complete physical examination within one year preceding first entry to school. The Board recommends that physical exams also be completed before entry into middle school and again before high school. No medical examination shall be required of a child whose parent or guardian objects thereto in writing on the grounds such medical examination is contrary to his/her religious tenets and teachings.

Parents of students transferring to the District must present proof of meeting the physical examination requirement prior to or upon first entry into the District's schools. Failure to comply with this provision may result in exclusion from school for the child.

Prior to participation on a school athletic team, students must provide written documentation that they have passed a physical. Such exam must be completed at least once every school year. This requirement does not apply to students participating in intramural athletics. The school may schedule physical exams; any student who misses the scheduled physicals must present evidence of a physical exam from his/her own licensed health care provider.

No child shall be excused from regular physical education except on the written notice of a duly licensed health care provider or on the written request of the parents, subject to the Superintendent's approval, in which case an alternative program shall be provided. The physical education teacher, school nurse, or principal, upon the request of the parents, may grant temporary excuses on a day-to-day basis.

Parent Notification - Certain Circumstances

Pursuant to No Child Left Behind and the Protection of Pupil Rights Amendment, if the District utilizes federal money to perform physical exams or screenings on students, the District will notify parent(s) of such physical exam or screening and will allow the parent's to "opt out" their child of any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent and scheduled by the school, and not necessary to protect the immediate health and safety of a student or of another student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under state law.

Legal Reference:

RSA 141-C:20-c, Exemptions

RSA 200:32, Physical Examination of Pupils

RSA 200:38, Control and Prevention of Communicable Diseases: Duties of School Nurse

NH Code of Administrative Rules, Section Ed. 311.03, Physical Examination of Students

No Child Left Behind, Title II, Sec 1061

Protection of Pupil Rights Amendment, 20 U.S.C. §1232h; 34 C.F.R. Part 98

Appendix: JLCA-R

Revised: April 2003, February 2007

Reviewed: October 2004

DISCLAIMER: This sample policy manual is copyrighted to the New Hampshire School Boards Association and is intended for the sole and exclusive use of NHSBA Policy Service Subscribers. No portion of this manual may be reproduced, copied, transmitted, distributed, in any form, except as needed for the development of policy by a subscribing district. The materials contained in the manual are provided for general information only and as a resource to assist subscribing districts with policy development. School districts and boards of education should consult with legal counsel and revise all sample policies and regulations to address local facts and circumstances prior to adoption. NHSBA continually makes revisions based on school districts' needs and local, state and federal laws, regulations and court decisions, and other relevant education activity.

Raymond School District Policy – JLCA-R*

FAMILY PHYSICIAN'S REPORT OF PHYSICAL EXAMINATION

Name _____

School _____

Birth Date _____ Grade _____

PHYSICAL EXAMINATION, IMMUNIZATIONS, AND TESTS DATE _____

Height _____ Weight _____ Small Pox _____

Result _____

Eyes _____ Vision _____ Tuberculin Test (Required) _____

Ears _____ Nose _____ Result _____

Teeth: Temporary _____ Chest X-ray _____ Result _____

Permanent _____ DPT _____ Booster _____

Tonsils _____ Polio Vaccine: Sabin _____ Number _____

Nutrition _____ Salk _____ Number _____

Latest Booster - Type _____ Number _____

Measles Vaccine _____ Mumps Vaccine _____

German Measles Vaccine _____

Glands (specify) _____

Heart _____

Lungs _____

Orthopedic _____

Skin

Hernia

FAMILY PHYSICIAN'S REPORT OF PHYSICAL EXAMINATION
(continued)

Nervous System (specify if epilepsy)

Speech

Remarks or Special Instructions:

Previous Diseases/Operations:

Is this child capable of carrying a full program of school work including gymnastics and athletics? Yes _____ No _____

Must the school program be modified to meet the needs of this child? Yes _____ No _____

By restriction of use of stairs?	Yes _____	No _____
By special seating accommodations?	Yes _____	No _____
Other (specify) _____	Yes _____	No _____

Examining Physician _____

Signature

Date

Please Print Name

Adopted: August 1, 2002

FAMILY PHYSICIAN'S REPORT OF PHYSICAL EXAMINATION

Name _____ Birth Date _____

School _____

Grade _____

PHYSICAL EXAMINATION IMMUNIZATIONS & TESTS DATE _____

Height _____ Weight _____ Small Pox _____ Result _____

Eyes _____ Vision _____ Tuberculin Test _____

Ears _____ (Required) Result _____

Nose _____ Chest X-ray Result _____

Teeth: Temporary _____ DPT Booster _____

Permanent _____ Polio Vaccine-Sabin _____

Number _____

Tonsils _____ Salk Number _____

Nutrition _____ Latest Booster-type _____

Number _____

Measles Vaccine _____ Mumps Vaccine _____

German Measles Vaccine _____

Glands (specify) _____

Heart _____

Lungs _____

Orthopedic _____

Skin _____

Hernia _____

Nervous System (specify if epilepsy) _____

Speech _____

Remarks or special instructions: Previous Diseases and Operations:

Is this child capable of carrying a full program of school work including
gymnastics and athletics? Yes _____ No _____

Must the school program be modified to meet the needs of this child?

Yes _____ No _____

By restriction of use of stairs: Yes ____ No ____

By special seating accommodations? Yes ____ No ____

Other (specify) Yes ____ No ____

Date of examination

Examining Physician

See Policy JLCA

Raymond School District Policy - JLCB

IMMUNIZATIONS OF STUDENTS

Any child being admitted to the District must present proof of meeting immunization requirements. Failure to comply with this provision may result in exclusion from school for the child. The school nurse, principal or designee is responsible for documenting that all students have been immunized prior to school entrance in accordance with RSA 141-C:20-a.

Principals will notify parents/guardians of this requirement at the earliest possible date, so that the necessary plans can be made with the family physician or other medical resources to accomplish this standard prior to a child being admitted to school.

A student shall be exempted from the above immunization requirements if he/she presents written documentation in accordance with RSA 141-C:20-c from his/her physician that immunization will be detrimental to his/her health. A child will be excused from immunization for religious reasons, upon the signing of a notarized form by the parent or guardian stating that the child has not been immunized because of religious beliefs.

In the event of an outbreak, students who have been exempted from immunization requirements will be excluded from school for a period of time, to be established after consultation with the NH Dept. of Health & Human Services, if such students are considered to be at risk for the disease that they have not been immunized against.

Legal References:

RSA 141-C:20-a, Immunization

RSA 141-C:20-c, Exemptions

RSA 141-C:20-d, Exclusion During Outbreak of Disease

RSA 200:38, Control and Prevention of Communicable Diseases: Duties of School Nurse

NH Code of Administrative Rules, Section Ed. 311.01, Immunization Program

Adopted: August 1, 2002

Revised: February 18, 2015

JLCB - IMMUNIZATIONS OF STUDENTS

(Download policy)

Category R

Any child being admitted to the District must present proof of meeting immunization requirements. Failure to comply with this provision may result in exclusion from school for the child. The school nurse, principal or designee is responsible for documenting that all students have been immunized prior to school entrance in accordance with RSA 141-C:20-a.

Principals will notify parents/guardians of this requirement at the earliest possible date, so that the necessary plans can be made with the family physician or other medical resources to accomplish this standard prior to a child being admitted to school.

A student shall be exempted from the above immunization requirements if he/she presents written documentation in accordance with RSA 141-C:20-c from his/her physician that immunization will be detrimental to his/her health. A child will be excused from immunization for religious reasons, upon the signing of a notarized form by the parent or guardian stating that the child has not been immunized because of religious beliefs.

In the event of an outbreak, students who have been exempted from immunization requirements will be excluded from school for a period of time, to be established after consultation with the NH Dept. of Health & Human Services, if such students are considered to be at risk for the disease that they have not been immunized against.

Legal References:

RSA 141-C:20-a, Immunization

RSA 141-C:20-c, Exemptions

RSA 141-C:20-d, Exclusion During Outbreak of Disease

RSA 200:38, Control and Prevention of Communicable Diseases: Duties of School Nurse

NH Code of Administrative Rules, Section Ed. 311.01, Immunization Program

Revised: February 2007

Reviewed: October 2004

Revised: November 1999

Revised: July 1998

DISCLAIMER: This sample policy manual is copyrighted to the New Hampshire School Boards Association and is intended for the sole and exclusive use of NHBBA Policy Service Subscribers. No portion of this manual may be reproduced, copied, transmitted, distributed, in any form, except as needed for the development of policy by a subscribing district. The materials contained in the manual are provided for general information only and as a resource to assist subscribing districts with policy development. School districts and boards of education should consult with legal counsel and revise all sample policies and regulations to address local facts and circumstances prior to adoption. NHBBA continually makes revisions based on school districts' needs and local, state and federal laws, regulations and court decisions, and other relevant education activity.

COMMUNICABLE DISEASES/PEDICULOSIS

This policy is adopted to carry out the provisions of RSA 200:32, RSA 200:38, and RSA 200:39.

Pediculosis: Screening. Based on recommendations from the American Academy of Pediatrics, the Board recognizes that school-wide screening for nits (**live eggs**) alone is not an accurate way of predicting which children will become infested with head lice, and screening for live lice has not been proven to have a significant decrease on the incidence of head lice in a school community.

The school nurse will periodically provide information to families of all children on the diagnosis, treatment, and prevention of head lice. Parents are encouraged to check their children's heads for lice if the child is symptomatic. The school nurse may check a student's head if the student is demonstrating symptoms.

Management on the Day of Diagnosis. The Board recognizes that head lice infestation poses little risk to others and does not result in additional health problems. The management of pediculosis should proceed so as to not disrupt the education process. Nonetheless, any staff member who suspects a student has head lice will report this to the school nurse or Principal. Students known to have head lice will remain in class provided the student is comfortable. If a student is not comfortable, he/she may report to the school nurse or principal's office. Such students will be discouraged from close direct head contact with others and from sharing personal items with other students. District employees will act to ensure that student confidentiality is maintained so the child is not embarrassed.

The Principal or school nurse will notify the parent/guardian by telephone or other available means if their child is found to have head lice. Verbal and written instructions for treatment will be given to the family of each identified student. Instructions will include recommendations for treatment that are consistent with New Hampshire Department of Health and Human Services recommendations.

Based upon the school nurse's recommendation, other children who were most likely to have had direct head-to-head contact with the assessed child may be checked or screened for head lice.

Criteria for Return to School. Students will be allowed to return to school after proper treatment as recommended by the school nurse. The Board recognizes that The American Academy of Pediatrics and the National Association of School Nurses discourage "no nit" policies. In alignment with these recommendations, no student will be excluded from attendance solely based on grounds that nits may be present. The school nurse may recheck a child's head. In addition, the school nurse may offer extra help or information to families of children who are repeatedly or chronically infested.

Legal Reference:

RSA 200:32, Physical Examination of Pupils

RSA 200:38, Control and Prevention of Communicable Diseases: Duties of School Nurse

RSA 200:39, Exclusion from School

American Academy of Pediatrics, Clinical Report on Head Lice Infestation, September 2002

<http://aappolicy.aappublications.org/cgi/content/full/pediatrics;110/3/638>

Appendix JLCC-R

Adopted: August 1, 2002

Revised: August 6, 2008

JLCC - COMMUNICABLE DISEASES

(Download policy)

Category R

This policy is adopted to carry out the provisions of RSA 200:32, RSA 200:38, and RSA 200:39.

Pediculosis: Screening. Based on recommendations from the American Academy of Pediatrics, the Board recognizes that school-wide screening for nits alone is not an accurate way of predicting which children will become infested with head lice, and screening for live lice has not been proven to have a significant decrease on the incidence of head lice in a school community.

The school nurse will periodically provide information to families of all children on the diagnosis, treatment, and prevention of head lice. Parents are encouraged to check their children's heads for lice if the child is symptomatic. The school nurse may check a student's head if the student is demonstrating symptoms.

Management on the Day of Diagnosis. The Board recognizes that head lice infestation poses little risk to others and does not result in additional health problems. The management of pediculosis should proceed so as to not disrupt the education process. Nonetheless, any staff member who suspects a student has head lice will report this to the school nurse or Principal. Students known to have head lice will remain in class provided the student is comfortable. If a student is not comfortable, he/she may report to the school nurse or principal's office. Such students will be discouraged from close direct head contact with others and from sharing personal items with other students. District employees will act to ensure that student confidentiality is maintained so the child is not embarrassed.

The Principal or school nurse will notify the parent/guardian by telephone or other available means if their child is found to have head lice. Verbal and written instructions for treatment will be given to the family of each identified student. Instructions will include recommendations for treatment that are consistent with New Hampshire Department of Health and Human Services recommendations.

Based upon the school nurse's recommendation, other children who were most likely to have had direct head-to-head contact with the assessed child may be checked or screened for head lice.

Criteria for Return to School. Students will be allowed to return to school after proper treatment as recommended by the school nurse. The Board recognizes that The American Academy of Pediatrics and the National Association of School Nurses discourage "no nit" policies. In alignment with these recommendations, no student will be excluded from attendance solely based on grounds that nits may be present. The school nurse may recheck a child's head. In addition, the school nurse may offer extra help or information to families of children who are repeatedly or chronically infested.

Legal Reference:

RSA 200:32, Physical Examination of Pupils

RSA 200:38, Control and Prevention of Communicable Diseases: Duties of School Nurse

RSA 200:39, Exclusion from School

American Academy of Pediatrics, Clinical Report on Head Lice Infestation, September

2002

<http://aappolicy.aappublications.org/cgi/content/full/pediatrics;110/3/638>

Appendix JLCC-R

Revised: February 2007

Reviewed: October, 2004

Revised: July, 1998, November, 1999

DISCLAIMER: This sample policy manual is copyrighted to the New Hampshire School Boards Association and is intended for the sole and exclusive use of NHSBA Policy Service Subscribers. No portion of this manual may be reproduced, copied, transmitted, distributed, in any form, except as needed for the development of policy by a subscribing district. The materials contained in the manual are provided for general information only and as a resource to assist subscribing districts with policy development. School districts and boards of education should consult with legal counsel and revise all sample policies and regulations to address local facts and circumstances prior to adoption. NHSBA continually makes revisions based on school districts' needs and local, state and federal laws, regulations and court decisions, and other relevant education activity.

Raymond School District Policy – JLCC-R*

SCHOOL HEALTH SERVICE

COMMUNICABLE DISEASES

As part of the School Health Service Program, a free Tuberculin screening will be offered to students in Grades 4, 8, and 12.

Please fill out the following form and indicate by checking Yes or No if you wish your child to participate.

You will be contacted if your child has a positive reaction.

Home Address _____

Student's Name _____

Phone _____

Teacher or Home Room _____

Date of Last Tuberculin Test _____ Reaction _____

Please list any immunizations your child has received in the past 30 days:

Permission granted: Yes _____ No _____

Parent Signature _____

Date _____

SCHOOL HEALTH SERVICE
(continued)

SCHOOL HEALTH SERVICE

CHILD'S NAME _____

SCHOOL _____

TEACHER _____ GRADE _____ DATE _____

DEAR PARENT:

Your child's throat has been cultured at school by the School Nurse. A germ (streptococcus) has been found that may lead to rheumatic fever or kidney infection if it is not destroyed. It is important that your child receive immediate treatment. Please see your family physician at once and take this notice with you for his signature.

Your child must have this signed notice to be re-admitted to school. Please return this notice to the School Nurse.

Thank you.

PHYSICIAN'S SIGNATURE _____

TREATMENT GIVEN _____

DATE OF TREATMENT _____

Adopted: August 1, 2002

COMMUNICABLE DISEASE

As part of the School Health Service program, a free Tuberculin screening will be offered to students in grades 4, 8, and 12.

Please fill out the following form and indicate by checking yes or no if you wish your child to participate.

You will be contacted if your child has a Positive reaction.

Home _____

Student's Name _____

Phone _____

Teacher or Home Room _____

Date of last Tuberculin Test _____ Reaction _____

Please list any immunizations your child has received in the past 30 days:

Permission Granted Yes ___ No ___

Parent's Signature _____

Date _____

SCHOOL HEALTH SERVICE

CHILD'S NAME _____ SCHOOL _____

TEACHER _____ GRADE _____ DATE _____

DEAR PARENT: Your child's throat has been cultured at school by the school Nurse. A germ (streptococcus) has been found that may lead to rheumatic fever or kidney infection if it is not destroyed. It is important that your child receive immediate treatment. Please see your family physician at once and take this notice with you for his signature.

Your child must have this signed notice to be readmitted to school. Please return this notice to the School Nurse.

Thank you.

PHYSICIAN'S SIGNATURE _____

TREATMENT GIVEN _____

DATE OF TREATMENT _____

See policy JHCC

Raymond School District Policy - JLCD

ADMINISTERING MEDICATION TO STUDENTS

The Superintendent shall be responsible for establishing specific procedures to control medications administered in schools. Such procedures are found in Appendix JLCD-R.

Any prescribed medication or over-the-counter medication should not be taken during the school day, if at all possible. Medication is to be administered by the school nurse, principal or other designee. Medication will be administered in school only after the following is received by the school nurse and filed in the student's health record:

1. A written statement from the licensed prescriber detailing the method of taking the medication, dosage, and the time schedule of the medication.
2. A written authorization from the parent/guardian indicating the desire that the school assist the student in taking the prescribed medication.

All medication should be delivered to appropriate school personnel by the parent/guardian. All prescription medication must be delivered and contained in its original pharmacy container. The school nurse is directed to keep such medications in a locked cabinet or refrigerator. No more than a 30-day supply will be kept and maintained by the school. The school nurse will contact the parent/guardian regarding any unused medication. Such medication shall be picked up by parent/guardian within ten days after its use is discontinued. If the parent/guardian does not pick up the medication within ten days, the school nurse may dispose of the unused medication and record as such in the student's health record file.

The school nurse is responsible for keeping accurate records regarding the administration of medication to students.

Students may possess and self-administer an epinephrine auto-injector if the student suffers from potentially life-threatening allergies. Both the student's parent/guardian and physician must authorize such self-possession and self-administration. If a student finds it necessary to use his/her auto-injector, s/he shall immediately report to nearest supervising adult. The school nurse or building principal may maintain at least one epinephrine auto-injector, provided by the student, in the nurse's office or other suitable location. Additionally, students may possess and self-administer a metered dose inhaler or a dry powder inhaler to alleviate or prevent asthmatic symptoms, auto-injectors for severe allergic reactions, and other injectable medications necessary to treat life-threatening allergies. Both the student's parent/guardian and physician must authorize such self-possession and self-administration.

Students shall not share any prescription or over-the counter medication with another student. Notice of this prohibition will be provided in student handbooks. Students acting in violation of this prohibition will be subject to discipline consistent with applicable Board policies.

Over the counter, non-prescribed medication may be taken by students in the nurse's office during the school day. Parent/guardian must provide signed permission. Over-the-counter medication will be kept in the nurse's office.

In addition to the provisions set forth herein, the school nurse and Principal are responsible for ensuring the provisions of Ed. 311.02, Medication During the School Day, are followed.

This policy shall extend to any school-sponsored activity, event, or program.

The school nurse or other designated personnel may administer other medications to students in emergency situations, provided such personnel has all training as is required by law. Such medication may also be administered in emergency situations if a student's medical action plan has been filed and updated with the school district to the extent required by law. The district will maintain all necessary records relative to the emergency administration of medication and will file all such reports as may be required.

Legal References:

RSA 200:40-b, Glucagon Injections
RSA 200:42, Possession and Use of Epinephrine Auto-Injectors Permitted
RSA 200:43, Use of Epinephrine Auto-Injector
RSA 200:44, Availability of Epinephrine Auto-Injector
RSA 200:44-a, Anaphylaxis Training Required
RSA 200:45, Pupil Use of Epinephrine Auto-Injectors - Immunity
RSA 200:46, Possession and Self-Administration of Asthma Inhalers Permitted
RSA 200:47, Use of Asthma Medications by Pupils - Immunity
RSA 200:54, Supply of Bronchodilators, Spacers or Nebulizers
RSA 200:55, Administration of Bronchodilator, Space or Nebulizer
N.H. Code of Administrative Rules - Section Ed. 306.12(b)(2), Special Physical Health Needs of Students
N.H. Code of Administrative Rules – Section Ed. 311.02(d); Medication During School Day

*See Policy JLCC and
Appendix JLCC-R*

Adopted: August 1, 2002
Revised: June 23, 2010
Revised: December 7, 2016 (Legal References)
Revised: October 18, 2017

JLCD - ADMINISTERING MEDICATION TO STUDENTS

(Download policy)

Category: Priority/Required by Law

The Superintendent shall be responsible for establishing specific procedures to control medications administered in schools. Such procedures are found in Appendix JLCD-R.

Prescribed medication should not be taken during the school day, if at all possible. Medication is to be administered by the school nurse, principal or other designee. Medication will be administered in school only after receiving and filing in the student's health record the following:

1. A written statement from the licensed prescriber detailing the method of taking the medication, dosage, and the time schedule of the medication.
2. A written authorization from the parent/guardian indicating the desire that the school assist the student in taking the prescribed medication.

All medication should be delivered to appropriate school personnel by the parent/guardian. All prescription medication must be delivered and contained in its original pharmacy container. The school nurse is directed to keep such medications in a locked cabinet or refrigerator. No more than a 30-day supply will be kept and maintained by the school. The school nurse will contact the parent/guardian regarding any unused medication. Such medication shall be picked up by parent/guardian within ten days after it's use is discontinued. If the parent/guardian does not pick up the medication within ten days, the school nurse may dispose of the unused medication and record as such in the student's health record file.

The school nurse is responsible for keeping accurate records regarding the administration of medication to students.

Students may possess and self-administer an epinephrine auto-injector if the student suffers from potentially life-threatening allergies. Both the student's parent/guardian and physician must authorize such self-possession and self-administration. If a student finds it necessary to use his/her auto-injector, s/he shall immediately report to nearest supervising adult. The school nurse or building principal may maintain at least one epinephrine auto-injector, provided by the student, in the nurse's office or other suitable location. Additionally, students may possess and self-administer a metered dose inhaler or a dry powder inhaler to alleviate or prevent asthmatic symptoms, auto-injectors for severe allergic reactions, and other injectable medications necessary to treat life-threatening allergies. Both the student's parent/guardian and physician must authorize such self-possession and self-administration.

Students shall not share any prescription or over-the counter medication with another student. Notice of this prohibition will be provided in student handbooks. Students acting in violation of this prohibition will be subject to discipline consistent with applicable Board policies.

This policy shall extend to any school-sponsored activity, event, or program.

In addition to the provisions set forth herein, the school nurse and Principal are responsible for ensuring the provisions of Ed. 311.02, Medication During the School Day, are followed.

The school nurse or other designated personnel may administer other medications to students in

emergency situations, provided such personnel has all training as is required by law. Such medication may also be administered in emergency situations if a student's medical action plan has been filed and updated with the school district to the extent required by law. The district will maintain all necessary records relative to the emergency administration of medication and will file all such reports as may be required.

NHSBA Note, September 2016: Amendments to this Sample Policy are necessary due to the passage of SB 25, which adds a new statute, RSA 200:44-a, relative to pupil use of epinephrine; and SB 322, which amends RSA 200 by adding RS 200:53, :54, :55, :56 and :57, relative to the use of bronchodilators, spacers and nebulizers in school. Paragraph 6 of this Sample Policy is added to the requirements of new legislation. Additions to Legal References are made, as well.

Legal References:

RSA 200:40-b, Glucagon Injections

RSA 200:42, Possession and Use of Epinephrine Auto-Injectors Permitted

RSA 200:43, Use of Epinephrine Auto-Injector

RSA 200:44, Availability of Epinephrine Auto-Injector

RSA 200:44-a, Anaphylaxis Training Required

RSA 200:45, Student Use of Epinephrine Auto-Injectors - Immunity

RSA 200:46, Possession and Self-Administration of Asthma Inhalers Permitted

RSA 200:47, Use of Asthma Medications by Students - Immunity

RSA 200:54, Supply of Bronchodilators, Spacers or Nebulizers

RSA 200:55, Administration of Bronchodilator, Space or Nebulizer

N.H. Code of Administrative Rules - Section Ed. 306.12(b)(2), Special Physical Health Needs of Students

N.H. Code of Administrative Rules - Section Ed. 311.02(d); Medication During School Day

Appendix JLCD-R

Revised: September 2016

Revised: February 2007, September 2015

DISCLAIMER: This sample policy manual is copyrighted to the New Hampshire School Boards Association and is intended for the sole and exclusive use of NHSBA Policy Service Subscribers. No portion of this manual may be reproduced, copied, transmitted, distributed, in any form, except as needed for the development of policy by a subscribing district. The materials contained in the manual are provided for general information only and as a resource to assist subscribing districts with policy development. School districts and boards of education should consult with legal counsel and revise all sample policies and regulations to address local facts and circumstances prior to adoption. NHSBA continually makes revisions based on school districts' needs and local, state and federal laws, regulations and court decisions, and other relevant education activity.

RAYMOND SCHOOL DISTRICT
CONFIDENTIAL STUDENT INFORMATION FOR NURSE'S OFFICE

JLCE-R

NAME: _____ GRADE: _____ DOB: _____

PARENT/GUARDIAN: _____

ADDRESS: _____

Your child primarily lives with (circle one) Both Parents / Mom / Dad / Other _____

Primary Doctor: _____ Phone: _____ Hospital for emergencies: _____

Last physical date: _____ (copy needed in nurse's office for sports and files)

Did your child receive any immunizations recently? _____

Please forward information and dates to the nurse's office.

Has your child had Chicken Pox or been vaccinated for Chicken Pox? _____

If yes, please forward the date of vaccine or disease to the nurse's office.

Does your child have any allergies to medication? (circle one) Yes No

(If "yes", please list and document reactions.)

1. _____

2. _____

Any other allergies: (bee stings, peanuts/nuts, dairy, seasonal, food, environmental, etc.)

_____ Reactions: _____

Current treatment used at home: _____

Special diet or classroom considerations: (no sugar, no soda, etc.)

Pertinent medical information: (check any that apply)

_____ Heart Disease/Murmur

_____ Frequent Ear Infections

_____ Seizures

_____ Frequent Headaches

_____ Diabetes

_____ Kidney/Bladder Concerns

_____ Nose Bleeds

_____ Migraines

_____ Asthma (Inhaler? Yes / No)

_____ ADD/ADHD (circle one)

_____ Contacts/Glasses (circle one)

_____ Menstrual Problems

_____ Insect Bite Reactions

_____ Frequent Sore Throat

_____ Intestinal Problems

_____ Dizziness/Fainting

_____ Recent Mononucleosis

_____ Other

Please explain any special health concerns for items that were checked above:

(continued on reverse)

IN SCHOOL MEDICATION:

If necessary, I give permission for the school nurse to give my child the following medications:

- Tylenol 325mg tab (1 or 2 tabs) or liquid (weight appropriate dosage) *MISSING Benadryl*
 Ibuprofen (Advil) 200 mg tab (1 or 2 tabs) or liquid (weight appropriate dosage)
 If your child needs chewable tabs, please bring in a supply for your child.
 Chewable tabs are not stocked in the nurse's office.
 Tums
 Cough drops/ throat lozenges

***I understand that if my child needs these medications frequently, I will need to bring in a supply for my child. Any and all medications will be kept in the nurse's office.

Parent/Guardian Signature: _____ Date: _____

Please list any medications that your child takes during the day at home and include dosages:
(This alerts us to possible side effects to watch out for.)

_____ Dose _____
_____ Dose _____
_____ Dose _____

EMERGENCY INFORMATION

Father's Name _____
Home Phone _____
Cell Phone _____
Work Phone _____
Work Address _____

Mother's Name _____
Home Phone _____
Cell Phone _____
Work Phone _____
Work Address _____

Please list 2 people who may assume responsibility for your sick/injured child and who can pick your child up from school if we are unable to contact you.

Name _____
Address _____
Phone _____

Name _____
Address _____
Phone _____

My child usually:

- Walks Home
 Takes Bus
 Is Picked Up

AUTHORIZATION TO RELEASE/EXCHANGE INFORMATION

Information may need to be exchanged between the nurse's office and the physician's office regarding immunizations, physical dates, or for emergency purposes.

I **give** / **do not give** (please circle one) permission for the nurse's office and the physician's office to exchange the above information.

Doctor's Name _____

Telephone _____

Parent Signature: _____

Adopted: August 1, 2002
Revised: June 2, 2010

RAYMOND SCHOOL DISTRICT
CONFIDENTIAL STUDENT INFORMATION FOR NURSE'S OFFICE

NAME: _____ GRADE: _____ DOB: _____

PARENT/GUARDIAN: _____

ADDRESS: _____

Your child primarily lives with (circle one): Both Parents / Mom / Dad / Other _____

Primary Doctor: _____ Phone: _____ Hospital for emergencies: *** _____

Last physical date: _____ (Copy needed in nurse's office for sports and file)

*** In the event of an emergency, the school will make every effort to contact me. If the school is unable to reach me, I give permission for the transport of my child to the hospital via ambulance.

Parent Signature: _____ Date: _____

Has your child had a Tdap Booster recently? Yes ☐ No ☐

If yes, please forward the date of vaccine or disease to the nurse's office.

Does your child have any allergies to medication? (Circle one) Yes No

(If "yes", please list and document reactions)

1. _____
2. _____

Any other allergies: (Bee stings, peanuts/nuts, dairy, seasonal, food, environmental, etc.)

Reactions: _____

Current treatment used at home: _____

Special diet or classroom considerations: (No sugar, no soda, etc.) any Food Sensitivities: _____

Pertinent medical information: (Check any that apply)

- | | |
|--|--|
| <input type="checkbox"/> Heart disease/Murmur (ANY RESTRICTIONS) | <input type="checkbox"/> ADD/ADHD (Circle one) |
| <input type="checkbox"/> Frequent ear infections | <input type="checkbox"/> Contacts/Glasses (Circle one) |
| <input type="checkbox"/> Seizures | <input type="checkbox"/> Menstrual problems |
| <input type="checkbox"/> Frequent headaches | <input type="checkbox"/> Insect bite reactions |
| <input type="checkbox"/> Diabetes | <input type="checkbox"/> Frequent sore throat |
| <input type="checkbox"/> Kidney/Bladder concerns | <input type="checkbox"/> Intestinal problems |
| <input type="checkbox"/> Nose bleeds | <input type="checkbox"/> Dizziness/fainting |
| <input type="checkbox"/> Migraines | <input type="checkbox"/> Recent Mono |
| <input type="checkbox"/> Asthma (Inhaler? Yes / No) | <input type="checkbox"/> Other |
| <input type="checkbox"/> Currently using: Yes / No | |

* Please explain any special health concerns for items that were checked above:

IN SCHOOL MEDICATION:

If necessary, I give permission for the school nurse to give my child the following medications:

☐ **Benadryl for allergic reactions** (weight appropriate dosage)

☐ **Tylenol 325mg tab (1 or 2 tabs)**

☐ **Ibuprofen (Advil) 200mg tab (1 or 2 tabs)**

If your child needs chewable tabs, please bring in a supply for your child.

Chewable tabs are not stocked in the nurse's office, *@ the Middle and High School levels.*

☐ **Tums**

☐ **Cough drops/throat lozenges**

*** I understand that if my child needs these medications frequently, I will need to bring in a supply for my child. Any and all medications will be kept in the nurse's office.

Parent/Guardian Signature: _____ Date: _____

Please list **any medications that your child takes during the day at home** and include dosages:

(This alerts us to possible side effects to watch out for)

_____	Dose _____
_____	Dose _____
_____	Dose _____

EMERGENCY INFORMATION

Father's name _____

Home phone _____

Cell phone _____

Work phone _____

Work address _____

Mother's name _____

Home phone _____

Cell phone _____

Work phone _____

Doctor's name _____ *Switch*

Please list 2 people who may assume responsibility for your sick/injured child and who can pick your child up from school if we are unable to contact you.

Name _____

Address _____

Phone _____

Relationship _____

Name _____

Address _____

Phone _____

Relationship _____

My child usually:

☐ Walks home ☐ Takes bus ☐ Is picked up

AUTHORIZATION TO RELEASE/EXCHANGE INFORMATION

Information may need to be exchanged between the nurse's office and the physician's office regarding immunizations, physical dates or for emergency purposes.

I give / do not give (please circle one) permission for the nurse's office and the physician's office to exchange the above information.

Work address _____

Telephone _____

Parent Signature _____

Email _____

EMERGENCY INFORMATION FORM

Student's Name Last _____ First _____

Please Print

Address _____

Telephone: _____

Where can parents be reached if not at home? _____

Mother: Address _____ Tel. _____

Father: Address _____ Tel. _____

List two neighbors or nearby relatives who will assume temporary care of your child if you cannot be reached.

1. Name _____

Address _____ Tel. _____

2. Name _____

Address _____ Tel. _____

In case of accident or serious illness, I request the school to contact me. If the school is unable to reach me, I hereby authorize the school to call the physician indicated below and to follow his instructions. If it is impossible to contact this physician, the school may make whatever arrangements seem necessary.

Local Physician's Name _____

Address _____

Office Telephone _____ Home Telephone _____

Signature

Date

See policy JLCE

RAYMOND SCHOOL DISTRICT
Raymond High School ~ 895-6616
Iber Holmes Gove Middle School ~ 895-3394
Lamprey River Elementary School ~ 895-3117

USE OF INHALERS

Physician Portion:

Date: _____

My patient, _____, is being treated
by this office for asthma. He/She has been instructed in the proper use of the
_____ inhaler, and should be allowed to
carry it with him/her in school for use as directed.

Physician's Signature

Clinic Address _____
Address City/Town State

Parent Portion:

I give my daughter/son, _____, permission
to carry his/her _____ inhaler in school to be
used as directed by his/her physician.*

Parent/Guardian Print Name

Parent/Guardian Signature

*I understand that, in accordance with the State of New Hampshire RSA 200:46 – Possession and Self Administration of Asthma Inhalers Permitted, the school nurse, or if a school nurse is not available, the school principal, shall maintain for a student's use at least one inhaler, provided by the student, in the nurse's office.

Adopted: September 17, 2003
Revised: June 23, 2010

RAYMOND SCHOOL DISTRICT POLICY JICD-R

RAYMOND SCHOOL DISTRICT AND RAYMOND POLICE DEPARTMENT MEMORANDUM OF UNDERSTANDING

for administering the Provisions of RSA 193-D Safe School Zones

1. General Principles

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

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

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

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

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

2. Definitions

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

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

department or school administrative unit.

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

3. School/Police Liaisons

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

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

4. Reportable Acts

A. School Reports to Police Department

1. Mandatory: Notwithstanding the provisions of RSA 193-D, the Safe School Zone Act, the following incidents must be reported to the Police Department by the designated school employee:
 - a. Possession of alcohol by a minor or if it appears that a student is under the influence of alcohol or drugs on school property, or at school functions;
 - b. Possession, selling or distribution of any controlled substance (including drug paraphernalia) as defined in NH RSA 318-B, by an individual on school property, or at school functions;
 - c. Any incident in which any individual who is responsible for, suspected of, or determined to be selling or distributing drugs or alcohol on school property, or at school functions,;
 - d. Unlawful possession, sale, or use of firearms or other dangerous or prohibited weapons, fireworks and explosives, as defined in NH RSA's 208, 644 and 159, on school property, or at school functions;
 - e. Arson under RSA 634:1 any person who knowingly starts any fire or causes any explosion which results in injury, damage to property of another, or is done with intentional disregard for the safety of others;
 - f. Burglary under RSA 635: any person who enters a building to

separately secured section of a building, with a purpose to commit a crime;

- g. Robbery under RSA 636: including any theft that is accomplished by the physical force or the threat of imminent use of force;
- h. Thefts of property where the value is more than \$50.00, repeated occurrences of theft by one student, (thefts by students who are in the third grade or lower are generally not reported to the Police);
- i. Homicides under RSA 630: any death shall immediately be reported to the Police Department, regardless of suspected cause;
- j. Any first or second degree assault under RSA 631, whereby an injury occurs to a person, requiring medical treatment beyond basic first aid or requiring outside medical follow up, caused by another person. Investigation may reveal that not all of these incidents constitute an actual crime. Reporting will allow an investigation to be conducted;
- k. Any sexual assault under RSA 632-A. Any sexual contact with a person who is under 13 years of age will be reported;
- l. Criminal Mischief under RSA 634:2, purposely or recklessly damaging the property of another, resulting in a value of \$50 or more of damage. This includes vandalism to school property;
- m. Threatening behavior under RSA 631:4 which purposely places or attempts to place another in fear of imminent bodily injury or physical contact.
- n. Simple assault under RSA 631:2a. Simple assault may result in some injuries. Simple assault also includes knowingly having unprivileged physical contact with another person. Law enforcement and school officials can jointly determine the best action to be taken in terms of filing a report.

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

- a. Refusal or neglect to conform to reasonable rules of the school or to clear non-injurious directions given by staff member.
- b. Theft, under RSA 637, of property under \$49.
- c. Criminal Mischief under RSA 634:2, purposely or recklessly damaging the property of another, resulting in a value of \$49 or less of damage. This includes vandalism to school property.

B. Police Department Reports to School

- 1. The following information shall be reported by the Police Department to the School Principal:
 - a. An arrest made by the Police Department of a student, when such information is relevant to the safety of that student, or of other students in the school, where the law allows.
- 2. The following information may be shared with school Administration by

the Police Department, subject to applicable statutes and regulations governing confidentiality:

- a. The arrest and filing of a delinquency complaint against any student under the age of 17 years.
- b. Other non-criminal activity that the Police Department deems pertinent to the student's well-being, including but not limited to threatening to attempt suicide; victimization of the student by a parent, caretaker or other individual.

5. Procedures for Reporting

A. It is agreed that every school employee who has witnessed, or has information from the victim of an act of theft, destruction, or violence in a safe school zone shall report such act immediately to a supervisor. A supervisor receiving such report shall immediately forward such information to the school Principal. The Principal shall then contact the Police Department immediately and report the incident. The Principal shall also provide the Police Department with a written report within 48 hours of the incident.

B. The report required shall include:

1. Identification of the act of theft, destruction, or violence that was alleged.
2. The name and address of witnesses to the alleged act.
3. The name and home address of any person suspected of committing the act.

C. The written report required under RSA 193-D:4 shall be waived by law enforcement officials when there is a law enforcement response at the time of the incident which results in a written police report.

D. School Response

1. A teacher or other school employee who has reasonable grounds to believe that a student has committed a reportable act shall:
 - a. Confront the student with the nature of the offense;
 - b. Take the student to the Principal's office;
 - c. Retrieve and turn over any physical evidence to the Principal.
2. For Mandatory Reportable acts, the Principal shall:
 - a. Notify the police and student's parent/guardian, and inform them of the nature of the incident;
 - b. Turn over any physical evidence seized and a written fact summary to the Police Department;
 - c. Initiate disciplinary action in accordance with Board policies.
3. For Discretionary Reportable Acts, the Principal shall:
 - a. Determine if the police and parent/guardian should be notified and, if

so, make the calls as soon as reasonably possible. Any incident reported to the Police shall also be reported to the student's parent/ guardian;

b. Initiate disciplinary action in accordance with Board policies.

4. As a result of New Hampshire RSA 193-D:7, school employees are relieved of concerns regarding confidentiality. It states:

Notwithstanding any other provision of law, it shall be permissible for any law enforcement officer and any school administrator to exchange information relating only to acts of theft, destruction or violence in a safe school zone regarding the identity of any juvenile, police records relating to a juvenile, or other relevant information when such information reasonable relates to delinquency or criminal conduct which would classify a pupil as a child in need of services under RSA 169-D or a child in need of protection under RSA 169-C.

E . Police Response

(1) The Police Officer will make contact with the school as soon as possible after receiving a report from the Principal to investigate the incident, or take any other appropriate action.

(2) During the investigation, the Police Officer may meet with the Principal, the student, the student's parent/guardian and appropriate persons with knowledge of pertinent facts, if required.

(3) If at the conclusion of the investigation, the student is found to have committed the alleged offense, the Police Officer may initiate the formal complaint process.

(4) When the Police Officer is called to the school in response to offenses involving the sale and/or distribution of drugs or alcohol, violent behavior, or the possession of a weapon, and when probable cause exists for arrest, the Officer shall take the appropriate action to initiate the formal complaint process.

(5) To the extent possible, precautions will be taken by both Police and school officials at all times to ensure the education process is not disrupted.

Chief of Police

David R. Nauman

School Board Chair

Jean R. Richards

Superintendent

3/4/10

Date

3/3/10

Date

3/4/10

Date

JRA - STUDENT RECORDS AND ACCESS - FERPA

(Download policy)

Category: Recommended

Related Policies: EHB & JRC

A. General Statement. It is the policy of the 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 [_____] ?? date to be determined after consultation with Superintendent] 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 [_____] weeks of each school year (Superintendent to determine; NHSBA recommends three or four)], 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.

History:

First reading: _____

Second reading/adopted: _____

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

NHSBA history: Revised - May 2018; September 2009; November 2006; March 2005; April 2004

NHSBA revision note, May 2018: This update to JRA includes several important modifications to reflect (1) a state requirement that Districts respond to parent requests for access to their student's records within fourteen (14) days; (2) to remove birth date/place of birth information from the list of "directory information"; and several other content changes to better reflect the requirements of FERPA and applicable regulations. We have also added "post-high school plans" to the list of items included as directory information. NHSBA adoption considerations: As noted, this update includes a removal of a student's birth date and place of birth from the list of data included as "directory information" (section C). The reason for this is to limit the potential for identity theft. There is, however, no prohibition to including that information. Also, neither FERPA, nor State law, require that a request to inspect records or for copies of records be submitted in writing. Staff should be trained (as they should be with Right to Know requests) to direct parents/eligible students to appropriate forms, procedures and/or personnel, but to also be prepared to process the request whether it is in writing or not.

w/p-update/2018spring/JRA Student Records 2018-5(f)

DISCLAIMER: This sample policy is copyrighted to the New Hampshire School Boards Association and is intended for the sole and exclusive use of NHSBA Policy Service Subscribers. No portion of this manual may be reproduced, copied, transmitted, or distributed, in any form, except as needed for the development of policy by a subscribing district. This sample is provided for general information only and as a resource to assist subscribing districts with policy development. School districts and boards of education should consult with legal counsel and revise all sample policies and regulations to address local facts and circumstances prior to adoption. NHSBA continually makes revisions based on school districts' needs and local, state and federal laws, regulations and court decisions, and other relevant education activity.

STUDENT RECORDS AND PPRA POLICY

Adult students over 18 years of age and parents/legal guardians will have access to school records of Raymond students in accordance with Federal and State law and this Policy.

I. ANNUAL NOTICE

Annually, the School District will distribute a student handbook to students, parents or guardians and adult students over 18 years of age containing the following notice of policies hereby adopted by the School Board:

A. FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT ANNUAL NOTICE

The Family Educational Rights and Privacy Act (FERPA) and state law affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 14 days of the day the school receives a request for access. Parents or eligible students should submit to the building principal a written request that identifies the record(s) they wish to inspect. The building principal or his/her designee will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the school to amend a record that they believe is inaccurate or misleading. They should write the building principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school or SAU as an administrator, supervisor, instructor, or support staff member such as guidance, health or medical staff and law enforcement unit personnel; or a person serving on the School Board. A school official may also include a volunteer, contractor, or consultant who, while not employed by the school, performs an

institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of personally identifiable information from education records such as an attorney, auditor, medical or educational consultant, evaluators, educational providers, experts, therapist, SRO, or online educational services; or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or a person assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

4. Upon request, the School District discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.
5. Under federal law, military recruiters and institutions of higher education are entitled to receive the names, addresses and telephone numbers of high school students and the School District must comply with any such request, provided that parents have been notified that they or their eligible student have the right to opt out and request that this information not be released without their prior written consent.
6. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

**Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202**

B. NOTICE OF DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that the Raymond School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the School District may disclose appropriately designated "directory information" without written consent, unless you have advised the School District to the contrary in accordance with School District procedures. The primary purpose of directory information is to allow the School District to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- An annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; or

- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories - names, addresses and telephone listings - unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want the School District to disclose directory information from your child's education records without your prior written consent, you must notify the School District in writing by September 15. The School District has designated the following information as directory information:

- Parents/guardians' name and address
- Student's name, address, telephone number, date and place of birth, dates of enrollment
- Student's participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Photograph
- Degrees, honors, and awards received
- Students' grade level, enrollment status and dates of attendance

C. PROTECTION OF PUPIL RIGHTS AMENDMENT NOTICE
(See also District Policy ILD)

The Protection of Pupil Rights Amendment (PPRA) affords parents of elementary and high school students certain rights regarding the School District's conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These rights include but are not limited to:

- Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (DOE):
 1. Political affiliations or beliefs of the student or student's parent;
 2. Mental or psychological problems of the student or student's family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;

6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or parents; or
 8. Income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of:
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.
 - Inspect, upon request and before administration or use:
 1. Protected information surveys of students and surveys created by a third party;
 2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

The Raymond School District has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The School District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes.

The School District will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys at least 10 days before the specific activities or survey and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The School District will make this notification to parents at the beginning of the school year if the School District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys and be provided an opportunity to opt their child out of such

activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information collected from students for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by DOE.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

**Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202**

II. PROCEDURE TO INSPECT AND REVIEW RECORDS

A. Parents/guardians and eligible students wishing to inspect student records must file a written request to do so with the building principal. Such inspection shall take place during regular school hours or at reasonable times during vacation periods, but not during weekends or holidays.

B. 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/guardians and eligible students wish to inspect records where they are maintained, school principals will determine if a review at that site is reasonable.

C. Single copies of appropriate records shall be made available in a reasonable length of time, but in no case more than 14 days after request has been made in writing to the building principal. The records may be inspected by the parents, guardians, and all students once they reach 18 in the presence of the building principal or his/her designee.

D. The school shall make a written record of the disclosure of all student records, except directory information, and such record will be kept in the student's file. This record of disclosure is also available for inspection by the parent or eligible student. A record of inspections will also be kept.

E. In cases involving a third party request for records requiring consent for disclosure under law, the student over 18, parent or guardian shall sign a consent form furnished by the building principal. Forms used will identify the records to which access is sought and will be placed in the student's file as a record of the request.

F. Access will be refused or granted depending upon the propriety of the request and validity of the request and consent forms.

- G. If a request for access is refused, and the party who requested access objects to said refusal, said request will be referred to the Superintendent for a final ruling.
- H. The building principal shall be the custodian of all student records in his/her school.
- I. If for any valid reason such as working hours, distance between record location sites or health, a parent/guardian/eligible student cannot personally inspect and review a student's education records, the principal may arrange for the parent/guardian/eligible student to obtain copies of the records.
- J. When records contain information about students other than a parent's/guardian's child or the eligible student, the parent/guardian/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.

III. PROCEDURE TO AMEND RECORDS

- A. The parent(s), guardian(s) of a student under 18, or a student over 18, shall have an opportunity to identify in writing, addressed to the building principal, the record or records which he/she believes are inaccurate, misleading or otherwise in violation of the student's privacy rights, together with a statement of the reasons for the requested amendment of the record.
- B. A response by the building principal shall be made within 14 days indicating whether he/she finds the record to be inaccurate, misleading or otherwise in violation of the student's privacy rights and if so how the record will be corrected or deleted. The parent, guardian or eligible student will then be given 5 days from receipt of the principal's decision to refer the request on to the Superintendent for a hearing.
- C. If requested, a hearing before the Superintendent or Superintendent's designee who does not have a direct interest in the outcome of the hearing, shall be held within a reasonable period of time, but in no case more than 45 days after receipt of such a request by the Superintendent. The parent, guardian or student 18 years or older, will have the right to be represented by counsel and to present evidence in support of his/her belief that the record should be amended. A written decision will be rendered within 30 days stating the disposition of the challenge to the record and the reasons for the determination. Although the hearing may be informal in nature, the processes used shall ensure fairness and impartiality. The decision made shall be final and not subject to appeal.
- D. If as a result of the hearing the Superintendent or his/her designee decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy rights of the student, he/she shall inform the parent, guardian, or the eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the School District.

IV. MAINTENANCE OF RECORDS

The building principal shall make sure that all student records are maintained in accordance with retention schedules established by law or School District policy.

Legal References:

RSA 91-A:5, III, Exemptions, Pupil Records

RSA 189:1-e, Directory Information

RSA 189:66. IV(a) Student Records

20 U.S.C. §1232g, Family Educational Rights and Privacy Act

34 C.F.R. Part 99, Family Educational Rights and Privacy Act Regulations

20 U.S.C. §1232h, PPRA

34 C.F.R. Part 98, PPRA

20 U.S.C. §7908, Military Recruiters

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT ANNUAL NOTICE

The Family Educational Rights and Privacy Act (FERPA) and state law affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 14 days of the day the school receives a request for access. Parents or eligible students should submit to the building principal a written request that identifies the record(s) they wish to inspect. The building principal or his/her designee will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the school to amend a record that they believe is inaccurate or misleading. They should write the building principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school or SAU as an administrator, supervisor, instructor, or support staff member such as guidance, health or medical staff and law enforcement unit personnel; or a person serving on the School Board. A school official may also include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of personally identifiable information from education records such as an attorney, auditor, medical or educational consultant, evaluators, educational providers, experts, therapist, SRO or online educational services; or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or a person assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
4. Upon request, the School District discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

5. Under federal law, military recruiters and institutions of higher education are entitled to receive the names, addresses and telephone numbers of high school students and the School District must comply with any such request, provided that parents have been notified that they or their eligible student have the right to opt out and request that this information not be released without their prior written consent.
6. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office - U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

NOTICE OF DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that the Raymond School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the School District may disclose appropriately designated "directory information" without written consent, unless you have advised the School District to the contrary in accordance with School District procedures. The primary purpose of directory information is to allow the School District to include this type of information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- An annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; or
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories - names, addresses and telephone listings - unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want the School District to disclose directory information from your child's education records without your prior written consent, you must notify the School District in

writing by September 15. The School District has designated the following information as directory information:

- Parents/guardians' name and address
- Student's name, address, telephone number, date and place of birth, dates of enrollment
- Student's participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Photograph
- Degrees, honors, and awards received
- Students' grade level, enrollment status and dates of attendance

PROTECTION OF PUPIL RIGHTS AMENDMENT NOTICE

The Protection of Pupil Rights Amendment (PPRA) affords parents of elementary and high school students certain rights regarding the School District's conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These rights include but are not limited to:

- Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (DOE):
 1. Political affiliations or beliefs of the student or student's parent;
 2. Mental or psychological problems of the student or student's family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or parents; or
 8. Income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of:
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.

- Inspect, upon request and before administration or use:
 1. Protected information surveys of students and surveys created by a third party;
 2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

The Raymond School District has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The School District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes.

The School District will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys at least 10 days before the specific activities or survey and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The School District will make this notification to parents at the beginning of the school year if the School District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information collected from students for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by DOE.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

**Family Policy Compliance Office - U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202**

**RAYMOND SCHOOL DISTRICT
FERPA DIRECTORY INFORMATION OPT-OUT FORM**

This form must be completed if you do not wish any or all directory information for your child to be disclosed without your prior consent. You must return this form to the Principal or his/her designee by September 15.

Name of Student: _____

School: _____

Grade: _____

A. ☐ **I do not want any directory information disclosed without my prior consent.** (If you initial this box you do not have to fill out the rest of this form, but must date and sign below.)

B. ☐ **I do not want the following categories of directory information disclosed without my prior consent.** (Initial those items which you do not want released.)

- ☐ Parents/guardians' name and address
- ☐ Student's name, address, telephone number, date and place of birth, dates of enrollment
- ☐ Student's participation in officially recognized activities and sports
- ☐ Weight and height of members of athletic teams
- ☐ Photograph
- ☐ Degrees, honors, and awards received
- ☐ Student's grade level, enrollment status and dates of attendance

PARENT/GUARDIAN or STUDENT 18 or older

Name

Signature

Date

**RAYMOND SCHOOL DISTRICT
FERPA MILITARY RECRUITING OPT-OUT FORM**

This form must be completed if you do not wish the name, address, and telephone number of your high school student to be disclosed to military recruiters.

Name of Student: _____

Grade: _____

In compliance with the requirements of the Family Education Rights and Privacy Act ("FERPA"), 20 U.S.C. §1232(g), and 20 U.S.C. § 7908, Raymond School District shall release the names, addresses and telephone numbers of high school students to military recruiting officers unless the parent or eligible student submits a written request that such information not be released.

If you do not want the Raymond School District to disclose this information to military recruiters without your prior written consent, you must fill out this form and return it to the Principal or his/her designee by September 15. If the school does not receive this form back by this date, the school will release student information to military recruiters upon request. If your child is over 18 years of age, he/she must sign this form.

I do not want my child's name, address, or telephone number disclosed to military recruiters without my prior written consent.

PARENT/GUARDIAN or STUDENT 18 or older

Name

Signature

Date

**RAYMOND SCHOOL DISTRICT
PPRA OPT-OUT FOR SPECIFIC ACTIVITIES**

(For activities NOT funded in whole or in part by the United States Department of Education)

Dear Parent/Guardian,

On _____ at _____
Date Name of School/Site

there will be a protected information survey conducted. This activity consists of:

If you do NOT want your child to participate, please sign below and return the form to your Principal/designee by _____
Five (5) days before activity or as directed

OPTIONAL: You may also opt out of the activity by calling or e-mailing your Principal no later than _____ at _____ or _____
Five (5) days before activity or as directed Telephone

E-mail address

I do NOT want my child to participate in the activity designated above and, by signing and returning this form, indicate my decision to opt my child out of the activity.

Name of Student: _____

School: _____

Grade: _____

PARENT/GUARDIAN or STUDENT 18 or older

Name

Signature

Date

**RAYMOND SCHOOL DISTRICT
PPRA CONSENT FOR SPECIFIC ACTIVITIES**

(For activities funded in whole or in part by the United States Department of Education)

Dear Parent/Guardian,

On _____ at _____
Date Name of School/Site

there will be a survey, analysis, or evaluation, and your consent is required so that your child may participate. This activity consists of:

Please sign below in the event that you consent to your child's participation and return this form to your Principal/designee by _____
Five (5) days before activity or as directed

I give my consent for my child to participate in the activity designated above.

Name of Student: _____

School: _____

Grade: _____

PARENT/GUARDIAN or STUDENT 18 or older

Name

Signature

Date