

MANDATORY CODE OF CONDUCT REPORTING - ALL EMPLOYEES

A. General.

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

1. reporting any "suspected violation of the code of conduct" (see NH Code of Conduct at Ed 510.05 (a)); and
2. self-reporting within five (5) days any arrest for violations of crimes enumerated in RSA 189:13-a, V ("Section V Offenses") (see NH Code of Conduct, at Ed 510.01 (b)(2)).

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

Reports under this Policy are in addition to other reports as may be mandated by law or other policies (e.g., abuse or neglect of children, required by RSA 169-C:29 and Policy JLF; acts of "theft, destruction, or violence" as defined under RSA 193-D:4, I (a), incidents of "bullying" per Board Policy JICK and hazing under RSA 671:7).

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

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

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

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

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

C. Self-Reporting of Certain Crimes.

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

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

D. Provisions Applicable to Principals.

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

E. Superintendent’s Report to the Department Regarding Credential Holders.

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

F. Procedures.

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

G. Dissemination.

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

Legal References:

N.H. Dept. of Education Administrative Rule – Ed 510.01- 510.05, Code of Conduct for NH Educators

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.

Proposed New Policy Second Reading: April 6, 2022