

**MILFORD SCHOOL BOARD
AGENDA
Monday, April 19, 2010
7:00 PM Milford High School – Lecture Hall Room # 182**

1. Call to Order
2. Board Member Comments
3. Public Comments
4. Reports and Presentations
 - a. Superintendent's Report
 - b. MHS Basketball Team Recognition
5. New Business
 - a. Hearing to Receive and Expend Unanticipated Funds RSA 198:20-b **EXHIBIT**
 - b. Financial Forecast
 - c. Policy Proposals **EXHIBIT**
 1. Policy # 5096 Freedom of Assembly/Freedom of Religion (1st Reading) **EXHIBIT**
 2. Policy # 5097 Non-School Sponsored Trip (1st Reading) **EXHIBIT**
 3. Policy # 7070 Appropriate Decorum Among Students and Staff Members(1st Reading) **EXHIBIT**
6. Old Business
 - a. Kindergarten Addition Bonding
 - b. School Board Goals
 - c. Early Drop Off Program
7. Housekeeping Items
 - a. Nomination
 - b. Approval of Minutes 04/05/10
 - c. Approval of Manifests
Vouchers # 21,26,1166,1167,1168,1169,1170,1171,1172,1173
8. Public Comment
9. Non Public Session RSA 91-A :3II (c)
 - a. Personnel
10. Adjournment

MILFORD POLICY PROPOSAL OVERVIEW – April 19, 2010

POLICY TITLE	PROPOSED CODE	CURRENT CODE	PROPOSAL STATUS	REASON FOR CHANGE / SUBSTANCE OF CHANGE	NHSBA POLICY REFERENCE
Freedom of Assembly/Freedom of Religion	5096	7035	1 st Reading	Revision	ACD
Non-School Sponsored Trip	5097	7060	1 st Reading	Revision	N/A
Appropriate Decorum Among Students and Staff Members	N/A	7070	1 st Reading	Deletion	GBEBB GBEBD JICDAA

7035 — FREEDOM OF ASSEMBLY/FREEDOM OF RELIGION — 7035

~~Immediately following morning announcements, a period of time not to exceed one (1) minute (60 seconds) of silent meditation shall be available to those who wish to exercise their right to freedom of assembly and participate voluntarily in the free exercise of religion.~~

~~Ref: RSA 189:1-6~~

~~Adopted — August 1978~~

5096 FREEDOM OF ASSEMBLY/FREEDOM OF RELIGION 5096

The Board recognizes that the United States Constitution's First Amendment imposes two equally important obligations on public schools.

First, schools shall not forbid students acting on their own from expressing their personal religious views or beliefs. Second, schools may not endorse religious activity or doctrine and students may not coerce participation in religious activity.

~~On each school day, before classes of instruction officially convene in the public schools of this sovereign state, a period of not more than 5 minutes shall be available to those who may wish to exercise their right to freedom of assembly and participate voluntarily in the free exercise of religion. There shall be no teacher supervision of this free exercise of religion, nor shall there be any prescribed or proscribed form or content of prayer.~~

Students shall have the same right to engage in religious activities and discussion as they have to engage in other comparable activities. In general, this means that students may pray in a non-disruptive manner during the school day when they are not engaged in school activities and instruction, subject to the same rules as apply to other speech rights.

A period of silent meditation may be made available, as deemed appropriate, by the Building Principal.

Ref: RSA 189:1-b

ACD- COMMITMENT TO RELIGIOUS NEUTRALITY

(Download policy)

Category O

The Board understands that administration and staff must recognize students' First Amendment religious rights, subject to reasonable rules and regulations. The Board further recognizes that the United States Constitution's First Amendment imposes two equally important obligations on public schools.

First, schools must not forbid students acting on their own from expressing their personal religious views or beliefs. Second, schools may not endorse religious activity or doctrine and students may not coerce participation in religious activity.

The Board will act to give students the same rights to engage in religious activity and discussion, as they have to engage in other comparable activity. Generally, this means that students may pray in a non-disruptive manner during the school day when they are not engaged in school activity and instruction, subject to the same rules as apply to other speech.

Legal References:

New Hampshire Constitution, Part I, Art. 5

20 U.S.C. 7904 (No Child Left Behind Act of 2001)

RSA 189:1-b, Freedom of Assembly, Freedom of Religion

New Policy: May 2006

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with student expulsions. *Vail v. Board of Ed. of Portsmouth School Dist.*, 1973, 354 F.Supp. 592, vacated and remanded 502 F.2d 1159. Schools ⇨ 177

7. Residence

That a minor child resides on a federal military installation does not mean that he or she is not a resident of New Hampshire at least for purpose of determining whether public education must be provided. *Opinion of the Justices* (1978) 118 N.H. 347, 387 A.2d 333. Schools ⇨ 153

Minor children residing on a federal military installation must be treated by New Hampshire as residents of school district in which military installation is located. *Opinion of the Justices* (1978) 118 N.H. 347, 387 A.2d 333. Schools ⇨ 153

Proposed bill excusing a school board from its duty to provide education to residents of military installations attempted to exclude certain residents from those to whom a school board had a duty to provide an education and, absent a reasonable basis for such denial, was violative of the New Hampshire and possibly also the United States Constitutions. *Opinion of the Justices* (1978) 118 N.H. 347, 387 A.2d 333. Constitutional Law ⇨ 3669; Schools ⇨ 153; Constitutional Law ⇨ 3361

The Department of Education's position that a school district must educate a student who is actually living within the district, (that is, eating and sleeping), regardless of whether the student is living with a parent, is legally sound. *NH Op. Atty. Gen. Opinion No. 90-010*, (April 10, 1991) 1991 WL 529512.

8. School boards

School board is managing board of school district. *Ashley v. Rye School Dist.* (1971) 111 N.H. 54, 274 A.2d 795. Schools ⇨ 55

School boards have only such authority as is expressly or impliedly granted by statute. *Ashley v. Rye School Dist.* (1971) 111 N.H. 54, 274 A.2d 795. Schools ⇨ 55

189:1-b Freedom of Assembly; Freedom of Religion.

I. On each school day, before classes of instruction officially convene in the public schools of this sovereign state, a period of not more than 5 minutes shall be available to those who may wish to exercise their right to freedom of assembly and participate voluntarily in the free exercise of religion.

II. There shall be no teacher supervision of this free exercise of religion, nor shall there be any prescribed or proscribed form or content of prayer.

HISTORY

Source. 1977, 182:1, eff. Aug. 13, 1977.

CROSS REFERENCES

Lord's prayer in public elementary schools, see RSA 194:15-a.

LIBRARY REFERENCES

ALR

Constitutionality of regulation or policy governing prayer, meditation, or "moment of silence" in public schools. 110 ALR Fed. 211.

189:1-c Student Member. In addition to the school board members authorized in RSA 671:4, the members of the school board may choose by a simple

board may rotate the student member representation as determined by the board.

HISTORY

Source. 1983, 111:2, eff. July 24, 1983. 2009, 5:1, eff. June 16, 2009.

Amendments—2009. Substituted "or more nonvoting student members" for "nonvoting student member" in the first sentence; substituted "The powers and duties of a student member" for "If the members of the school board vote to add the nonvoting student member, the powers and duties of the student" in the second sentence; and deleted "Representation" preceding "In districts" and substituted ", the school board may rotate the student member representation as" for "shall rotate on an annual basis, the order to be" in the third sentence.

189:1-d Definitions. In this chapter:

I. "Attendance" means full-time participation in a program of instruction under the direction of a teacher employed by the school district. Educationally disabled home educated pupils educated at school district expense under the direction of a teacher employed by the school district shall be included.

II. "Membership" means pupils of whom attendance is expected, whether a pupil is present or absent on any given day.

III. "Average daily membership in attendance" means the aggregate half-day membership of pupils attending schools operated by a school district divided by the number of half-days of instruction offered. The average daily membership in attendance for preschool and kindergarten pupils shall be divided by the number of instructional days offered to higher-level elementary grades.

IV. "Average daily membership in residence" means the average daily membership in attendance of pupils who are legal residents of the school district pursuant to RSA 193:12 or RSA 193:27, IV and attend a state-approved public or nonpublic school as assigned by the school district in which the pupil resides, or by the state, or attend an approved chartered public school.

HISTORY

Source. 1993, 322:5. 2003, 241:9, eff. July 1, 2003. 2008, 354:1, eff. Sept. 5, 2008. 2009, 297:1, eff. Sept. 29, 2009.

Amendments—2009. Paragraph IV: Substituted "attend a state-approved public or nonpublic school as assigned by the school district in which the pupil resides, or by the state, or attend an approved chartered public school" for "are attending any public school, or who are attending any chartered public school or private school program approved by the department of education at the expense of the school district".

200:19, which amends

Chartered public
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~~A non-school-sponsored trip is defined as an experience **that involves students** for students involving traveling outside of the community that is arranged within the school environment but is not **sponsored by the school**. ~~essential to the educational program of the school. Since such travel is organized within the school by staff members, the individual staff member will need to conform to the following policy. Since a non-school-sponsored trip is not essential to the educational program, the Milford school Board has no obligation to ensure that such trips will not infringe upon the normal attendance and education of its students.~~~~

All non-school sponsored trips must be clearly identified as such at all student and parent meetings and on all trip related literature. Use of school facilities for the organization of such trips shall be in accordance with District policy. The District shall have no obligation to ensure that such trips will not infringe upon the regular attendance and education of its students. If such a trip results in the need for students to be absent from school, make-up work will be in accordance with school procedures. The District assumes no liability for non-school sponsored trips.

~~Before a non-school-sponsored trip can be organized in a school, the employee desiring to organize the trip must obtain the recommendation for use of the facilities from the building principal and the Superintendent of Schools. Applications for such approval are available in the main office of each school. The deadline for submitting applications to the building principal is two months prior to the dates of the trip.~~

~~The application seeks to clarify the following issues for review by the administration and school board.~~

Sponsoring Agency	Costs/Payment Schedule	Accident Insurance
Destination	Dates of Activity	Refund/Cancellation Policy
Itinerary	Supervision	District/Employee Liability
Educational Objectives	Orientation Pan	Early Return Policy
Transportation Provider	Health Insurance	Employee Renumeration

~~If such a trip results in the need to be absent from school, make-up work is the responsibility of the student. It is the student's privilege to make up the work and his/her responsibility to do the work within a reasonable amount of time. This time period for make-up to be completed will be determined by the individual teacher.~~

~~All posters, flyers, etc. which are distributed and / or displayed within the District will have the following disclaimer prominently displayed: "The function noted below is NOT an official school-sponsored function. As such, the School Board and Milford School District hereby give notice that they assume no liability for the trip, its purpose, the arrangements for travel, the conduct of the participants, or any other matter that relates to the same. Participants in this function do so at their own risk and by the execution of this document acknowledge that they have been so informed on their own behalf and on behalf of this children."~~

~~Organizers of the non-school sponsored activities will use no District supplies or services to advertise their activity.~~

~~If this time is approved, each participant should complete and return a parent's consent form, a copy of which is attached to this application. Additional forms are available in the main office. The sponsoring staff member shall not allow a student to participate in a non-school-sponsored trip unless a completed parent's consent form has been returned.~~

Adopted December 1972
Revised June 1986
Revised September 13, 1999

MILFORD SCHOOL DISTRICT

Application

Non-School-Sponsored Trip

Submitted by: _____ Date: _____

Sponsoring Agency: _____

Dates of Activities: Leaving _____ Returning _____

Destination: _____

Transportation Provider: _____

Briefly describe the program below:

Additional Information is requested on the next page.

Recommendation for use of facilities

Yes No _____
Principal Date

Yes No _____
Superintendent of Schools Date

Please respond to each of the following concerns:

1. ~~Does the program ensure the pursuit of appropriate learning objectives?
If so, how?~~

2. ~~How will you provide adequate care and supervision for participants throughout the travel experience? Please explain, indicating the student/ supervisor ratio and number of District staff members who are participating.~~

3. ~~How will the participants be protected with health insurance? Please describe the coverage.~~

4. ~~How will the participants be protected with accident insurance? Please describe the coverage.~~

5. ~~Does the program provide for the return of the participant to his/her home in the event of serious illness, accident, or death?~~

6. ~~Does the program provide for the return of the participants to his/her home in the event of uncooperative or undesirable behavior?~~

7. ~~Does the program provide for a refund if the trip is cancelled? What provisions exist?~~

8. ~~How will you provide information and orientation to participants and their parents?~~

9. ~~Does the program provide a written statement which indicates the District and its employees will be held harmless for any financial liabilities or obligation or injury or damage to the person or property of others that a participant may incur?~~

10. ~~Does the program remunerate teachers or other staff members by cash or travel benefits for participant recruitment? If so, please describe.~~

11. ~~Does the program provide parents with an informational booklet or brochure which addresses the issues raised in questions 1–10? If so, please include those materials with this application.~~

12. ~~Does the program involve any loss of school time? If so, to what extent?~~

**PARENT'S CONSENT FOR A
NON-SCHOOL-SPONSORED TRIP**

~~**Disclaimer:** "The function noted below is NOT an official school sponsored function. As such, the School Board and Milford School District hereby give notice that they assume no liability for the trip, its purpose, the arrangements for travel, the conduct of the participants, or any other matter that relates to the same. Participants in this function do so at their own risk and by the execution of this document acknowledge that they have been so informed on their own behalf and on behalf of this children."~~

I hereby consent to allow my son/daughter _____

to be taken on a non-school-sponsored trip to _____

on _____ with the following teacher _____.

They will be leaving approximately _____ and returning

approximately _____.

~~THIS PERMISSION IS GIVEN ON THE UNDERSTANDING THAT, ALTHOUGH THE TRIP WAS ORGANIZED WITHIN THE SCHOOL SETTING, THE MILFORD SCHOOL DISTRICT IS NOT SPONSORING THE TRIP AND IS IN NO WAY RESPONSIBLE FOR THE PARTICIPANTS OR ACTIVITIES.~~

Date Parent or Guardian's Signature

Revised September 13, 1999

**APPROPRIATE DECORUM
AMONG STUDENTS AND STAFF MEMBERS**

- ~~1. All students will address all faculty or staff by their proper surnames and titles; i.e. Dr., Mr., Mrs., Miss, etc. at all times.~~
- ~~2. When in the presence of students, faculty and staff will also follow this decorum.~~

Approved September 12, 1999