

## 5000

## Student Treatment Policies

Suspension and Expulsion of Students	5005	Revised 12/2015
Hearing Procedure: Suspension /Expulsion of Students	5006	Revised 11/2008
Discipline and Due Process	5007	Revised 10/2008
Weapons on School Property	5008	Revised 01/2017
Pupil Safety and Violence Prevention – Bullying	5009	Revised 11/2010
Use of Video Surveillance on School Property	5010	Adopted 6/2011
Searches of Students, Student’s Property & School Owned Property	5011	Revised 11/200
Behavior Management	5012	Revised 9/2010
Use of Physical Restraint	5013	Revised 1/2015
Hazing	5014	Adopted 6/2011
Co-Curricular Activities	5015	Revised 12/2008
Programs Involving Candidates For Political Office	5016	Revised 11/2009
Student Records and Access	5020	Revised 12/2008
Notification of Disclosure of Directory Information	5025	Revised 3/2009
Student Records	5030	Revised 3/2009
Lost Books and Materials	5045	Revised 3/2009
Student Release Precautions	5050	Adopted 3/2009
Guidelines on Nonresident Students	5055	Revised 10/2012
Regulations for Admitting Students from Other States and Countries	5060	Reviewed 4/2009
Early Admission to Kindergarten or Grade One	5065	Revised 4/2013
Manifest Educational Hardship	5070	Revised 4/2009
Distribution of Printed Materials	5075	Revised 4/2009
Fund Raising Activities	5080	Revised 4/2009
Public Solicitations in the Schools	5085	Revised 4/2009
Child Abuse Reporting	5090	Revised 4/2009
Memorandum of Understanding by and Between the MPD And the Milford School District	5095	Revised 4/2009
Freedom of Assembly/Freedom of Religion	5096	Revised 4/2015
Non-School Sponsored Trips	5097	Revised 5/2010
National Competition Donation Guidelines	5100	Adopted 9/2010
Availability and Distribution of Healthy Foods to Students	5110	Adopted 5/2015
Non-Educational Questionnaires, Surveys, and Research	5115	Adopted 12/2015
Pregnant Students	5120	Adopted 08/2016

The Milford School Board establishes the following policy to ensure compliance with constitutional due process, State and Federal statutes, and New Hampshire Board of Education regulations regarding student discipline.

1. Short-Term Suspensions. The Superintendent, or a representative designated in writing by the Superintendent is authorized to suspend students from school for a period not to exceed ten (10) school days for gross misconduct, or for neglect or refusal to conform to the reasonable rules of the school.

The Superintendent/designee shall insure that due process is fully administered and that the student's parent(s)/guardian(s) are notified in writing of the reasons for the disciplinary action.

2. Long-Term Suspension (in excess of ten (10) school days, but less than (21) twenty one school days). The Superintendent or another individual designated in writing by the School Board may, after a hearing, continue any suspension up to ten (10) additional school days, for a total not to exceed twenty (20) school days.
  - a. This person may not be the individual who suspended the student for the first ten (10) days.
  - b. The Superintendent/designee shall conduct a due process hearing prior to the imposition of a long-term suspension.
  - c. Any suspension in excess of ten (10) school days is appealable to the Milford School Board, provided the Superintendent received such appeal in writing within 10 days after the issuance of the decision being appealed. The School Board shall hold a hearing on the appeal, but may decide to either hear testimony from witnesses or rely on the record of the hearing conducted by the Superintendent (or designated individual). In the event that the School Board decides to rely on the record, it will permit both sides, or their counsel, to address the Board relative to the issues in the case. The suspension being appealed shall be enforced while the appeal is pending, unless the School Board stays the suspension while the appeal is pending.
3. Long-term Suspension in Excess of Twenty Days and Discretionary Expulsion The Milford School Board may impose a long-term suspension or expel any student from school for gross misconduct; neglect or refusal to conform to the reasonable rules of the school, an act of theft, destruction, or violence as defined in RSA 193-D:1 or for possession of a weapon and/or an item that is intended to be used as a weapon.
  - a. The School Board shall conduct a due process hearing (as described in Section 5 below) prior to imposing a long term suspension or expulsion.
  - b. Any student who has been expelled shall not attend school until restored by the School Board.
  - c. Any expulsion shall be subject to review by the School Board if requested prior to the start of each school year.
  - d. Parent(s)/guardian(s) have the right to appeal any such long-term suspension or expulsion to the State Board of Education.

- e. Any expulsion shall be valid throughout the school districts of New Hampshire.
4. Mandatory Expulsion. Any student who brings or possesses a firearm as defined In Section 921 of Title 18 of the United States Code in a safe school zone as defined in New Hampshire Revised Statutes Annotated 193-D:1 without written authorization from the Superintendent of Schools or the Superintendent's designee shall be expelled from school by the Milford School Board for a period of not less than twelve (12) months.
- a. The School Board shall conduct a hearing with formal due process (as described in Section 5 below) prior to imposing the expulsion.
  - b. The parent(s)/guardian(s) has the right to appeal any such expulsion to the State Board of Education.
  - c. Any student so expelled, for violation of the Federal Gun-Free Schools Act of 1994, shall not be eligible to enroll in another school district in New Hampshire for the period of such expulsion.
  - d. The school district that expelled the student may provide educational services to the student in an alternative setting.
5. Due Process for Expulsions and Long-Term Suspensions. The following due process shall apply to any hearing under Section 2 (regarding long-term suspensions), Section 3 (regarding long-term suspensions imposed by the school board and discretionary expulsions) and Section 4 (regarding mandatory expulsions).
- a. A letter shall be sent to the student and to the parent(s)/guardian(s) of the student, providing written notice of the charges against the student; an explanation of the evidence against the accused student; the purpose of the hearing; the consequences that may result from the hearing; who will conduct the hearing; and the date, time and place of the hearing. The letter shall be accompanied by a copy of this policy.
    - 1. This letter shall not be written by an individual who will conduct the upcoming hearing. In long-term suspension hearings, this letter shall ordinarily be written by the principal or assistant principal recommending a long-term suspension. In expulsion hearings, this letter shall ordinarily be written by the Superintendent of Schools.
    - 2. This letter must be delivered to the student (if student is 18 years of age or older), and parent(s)/guardian(s), in hand or by certified mail at their last known address, a reasonable time in advance of the hearing, so that the student and parent(s)/guardian(s) have sufficient time prior to the hearing to prepare a defense or reply. In a long-term suspension case, this letter should be delivered at least seventy-two (72) hours prior to the hearing. In an expulsion case, this letter shall be delivered to the student and at least one parent or guardian at least five (5) days prior to the hearing.
  - b. The School Board shall conduct a fair and impartial hearing, allowing reasonable arguments and testimony from both parties.
  - c. The Board shall base its decision on fair consideration of evidence introduced at the hearing. The Board shall not suspend or expel the student unless there is substantial evidence that the

accused student committed the acts, and that such acts are in fact a proper reason for a long-term suspension or an expulsion.

- d. No later than five (5) business days after the close of the hearing, the Board shall render a written decision and shall furnish a copy of that decision to the student and the parent(s)/guardian(s) in hand or by certified mail directed to their last known address. The written decision shall:
  1. Detail disciplinary consequences.
  2. Explain the grounds for the suspension or expulsion, including a citation to any specific statute or school rule prohibiting the act which the student committed.
  3. Recite findings of fact identifying the offense which the student committed, explaining why the Board concluded that the student committed that offense, and explaining why the Board decided to suspend or expel the student for that offense.
  4. Include a copy of Policy 5005.
  5. In cases of suspensions in excess of twenty days or expulsion, the student, parent(s)/guardian(s) has a right to appeal the Milford School Board's decision to the State Board of Education by filing an appeal within twenty (20) calendar days of receipt of the Milford School Board's decision and by filing the appeal in accordance with N. H. Revised Statutes Annotated 541-A and N. H. Code of Administrative Rules Ed 200.
- e. The School District shall not be required to record the hearing or provide a written transcript of the hearing. However, the School District may, and at the request of the student or parent(s)/guardian(s) shall, electronically record the hearing. Either party may, at its own expense, record the hearing.
- f. The meeting shall be held in non-public session pursuant to RSA 91:A unless otherwise requested. If the student is under 18, the student's parent(s)/guardian(s) shall determine whether the hearing is public or non-public. If the parents can not agree with one another about the status of the hearing for whatever reason, the hearing shall be non-public. Students over 18 have the right to choose whether the hearing shall be public or non-public.
- g. If the student is under age eighteen (18), the student together with a parent(s)/guardian(s), may waive the right to a hearing and admit to the charges. If the student is eighteen (18) years of age or older, the concurrence of the parent(s)/guardian(s) shall be unnecessary unless the student is subject to a guardianship which would prevent the student from waiving the right to a hearing.
- h. The records of the hearing, including but not limited to any notices, decisions, minutes, electronic tapes, or exhibits, shall be kept by the administration on file for a period of at least three (3) years after the student graduates or leaves school.
- i. If the student's suspension or expulsion is reversed on appeal, no record of the reversed suspension or expulsion shall be made a part of the student's permanent record.

6. Power of Superintendent to Modify Expulsions and Suspensions. The Superintendent of Schools is authorized to modify the expulsion or suspension requirements of Sections 3 and 4 above on a case-by-case basis.
7. Exceptions for 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.
  - a. The suspension of any disabled student for more than ten (10) consecutive days in a school year is a change in placement which cannot occur if the suspendable behavior is a result of the disability unless the parents consent to the change in placement. In some situations, a disabled student may be suspended for more than ten (10) days cumulatively without a change in placement if there is not a pattern of exclusion.
  - b. A removal of more than ten (10) days which amounts to a change in placement may be imposed on disabled student if the suspendable behavior is not a manifestation of the student's disability as determined by an IDEA or Section 504/ADA Team.
  - c. A student disabled under the IDEA may be removed to a forty-five (45) day interim alternative placement by a special education team for offenses involving weapons or drugs or for inflicting serious bodily injury upon another person at school, on school premises or at a school function or by an impartial due process hearing officer based on dangerousness.
  - d. Special education and disciplinary records must be provided for consideration to the person or persons making the final determination regarding the disciplinary action.

References:

RSA 193-D	Safe School Zones
Section 921, Title 18 of US Code	Safe School Zone
RSA 193-D:1	Definition Federal Gun-Free Schools Act
RSA 541-A: Administrative Procedure Act	
N. H. Code of Administrative Rules Ed 200	Rules of Practice and Procedures for Hearings, etc.
Individuals with Disabilities Act (IDEA)	
RSA 186-C	Special Education
Section 504 of the Rehabilitation Act of 1973	
American Disabilities Act	

Adopted: 6/1975

Revised: 6/1994, 6/1995, 10/2000, 11/2008, 12/2015

**HEARING PROCEDURES  
SUSPENSION AND EXPULSION OF STUDENTS**

(In accordance with Milford School District Policy of Suspension and Expulsion of Students: Policy 5005)

It is the express purpose of this procedure to provide guidelines for a full and fair hearing before the Milford School Board when hearings are required in accordance with the School District Policy of Suspension and Expulsion of Students 5005.

**1. Pre-Hearing Procedures**

In all suspensions beyond ten (10) school days and in all expulsions, procedural due process shall be followed prior to the suspension or expulsion except as noted below. Procedural due process shall include a hearing and a written notice of the charge and, if desired, the opportunity to secure counsel, the opportunity to confront and cross-examine witnesses supporting the charge, or the opportunity to call his/her own witnesses to verify the version of the incident or clarify circumstances which initiated the suspension or expulsion proceedings. Students eighteen years of age or older or parent(s)/guardian(s) shall be so notified in writing of their rights for procedural due process and the time, date, and place set for a hearing at least seventy-two (72) hours prior to the hearing.

A notice and hearing do not have to precede the suspension in the following situations:

- a. when a student(s) presence poses a continuing danger to persons or property,
- b. when a student(s) presence poses an on-going threat of disrupting the academic process.

However, in no event should the hearing for these situations be scheduled more than three (3) school days from the time the disciplinarian receives sufficient evidence of the student(s) participation in the offense.

Steps to be followed in initiating all suspensions beyond ten (10) school days and expulsions:

- a. A certified letter is sent to parent(s)/guardian(s) or student(s) eighteen years of age or older, return receipt requested, setting forth the charge and the time, date, and place of hearing. A copy of this hearing procedure shall be enclosed. In no event should the hearing be scheduled for more than three (3) school days from the time the suspending authority receives sufficient evidence of the student(s) participation in the offense.

**2. Hearing Procedures**

All hearings afforded in accordance with RSA 193 and Milford School Board Policy shall be held in nonpublic session pursuant to RSA 91:A unless otherwise requested. If the student is under 18, the student's parent(s)/guardian(s) shall determine whether the hearing is public or non-public. If the parents can not agree with one another for whatever reason, the hearing shall be non-public. Students over 18 have the right to choose whether the hearing shall be public or non-public.

- a. The Superintendent/designee, shall preside at the hearing for suspensions beyond ten (10) school days.

The School Board, in accordance with RSA 193:13, must approve all suspensions beyond twenty (20) days, and shall preside at all hearings for suspensions beyond twenty (20) days when it is the recommendation of the Building Principal and the Superintendent of Schools. The School Board, in accordance with RSA 193:13, may expel a student(s) and shall preside at all hearings for expulsions when it is the recommendation of the Building Principal and the Superintendent of Schools.

- b. The time, date, and place of the hearing shall be set by the person presiding over the hearing.
- c. The parent(s)/guardian(s), or student eighteen years of age or older, may request that the proceedings be recorded, and the School Board shall provide for the same.
- d. The School Board shall ensure that appropriate due process procedures are implemented, including the ability of both parties to have legal representation, witness testimony, and the ability of either party to dispute allegations.

### 3. **Post-Hearing Procedures**

- a. No later than five (5) school days after the close of the hearing and after deliberation with the suspending authority, the School Board, as presiding officer, shall render its decision based upon the evidence presented at the hearing and promptly notify the parties of the decision by certified mail, return receipt requested.
- b. If the suspension/expulsion of the student(s) is upheld, the student and/or parent(s)/guardian(s) shall be notified in writing that they have the right to appeal the School Board's decision to the State Board of Education.
- c. If the suspension of the student(s) is not upheld, written notice shall be provided to the appropriate parties.
- d. The statements, minutes, or tapes of the hearing shall be kept by the School Board as sealed minutes if held in a non-public session.

Adopted: 9/1976

Revised: 11/200

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 behavior.

Students will conduct themselves in a manner appropriate 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 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 school 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, and/or 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.

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, 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 193:14, IV.

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*

Adopted: 5/1998

Revised: 10/2008



Guns and Firearms – Students:

Any pupil who brings or possesses a firearm as defined in section 921 of Title 18 of the United States Code in a safe school zone as defined in RSA 193-D:1 without written authorization from the Superintendent or designee shall be expelled from school by the local school board for a period of not less than 12 months. This expulsion may be modified by the Superintendent upon review of the specific case in accordance with other applicable law.

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

Weapons under control of law enforcement personnel are permitted.

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

Other Weapons:

For the purpose of this policy, “weapon” includes but is not limited to: slingshot, metallic knuckles, billies, knives, electric defense weapons (as defined in RSA 159:20), and martial arts weapons (as defined in RSA 159:24).

“Weapon” is further defined as any device, instrument, material or substance, which is used, attempted to be used or threatened to be used, and is readily capable of causing death or serious physical injury.

Weapons are not permitted in school buildings, on school property, in school vehicles or at school-sponsored activities. This policy applies to students and members of the public alike.

Student violations of this policy will result in both school disciplinary action and notification of local law enforcement authorities.

Members of the public who violate this policy may be reported to local law enforcement authorities, if possession of the weapon is used in a threatening, harassing or intimidation manner.

Exceptions to this policy:

Students and staff who possess items that are course or job related. Examples include (but are not limited to) custodians possessing pocket knives and culinary teachers and students as well as kitchen staff possessing carving knives.

The Superintendent or other building administrator may exercise his/her best judgment in

determining the scope of this policy as it relates to inadvertent or unintentional violations of this policy by adults, provided such inadvertent or unintentional violation of this policy does not

affect the safety of students, school staff or the public.

Legal References:

18 U.S.C. § 921, Et seq., Firearms  
20 U.S.C. § 7151, Gun-Free Schools Act  
RSA 193:11, Disturbance

Approved: 9/1994

Revised: 6/1995, 11/2008, 01/2017

## I. Definitions of Bullying:

1. Bullying. Bullying is defined as a single significant incident or a pattern of incidents involving a written, verbal, or electronic communication, or a physical act or gesture, or any combination thereof, directed at another pupil which:
  - (a) Physically harms a pupil or damages the pupil's property;
  - (b) Causes emotional distress to a pupil;
  - (c) Interferes with a pupil's educational opportunities;
  - (d) Creates a hostile educational environment; or
  - (e) Substantially disrupts the orderly operation of the school.

Bullying shall also include actions motivated by an imbalance of power based on a pupil's actual or perceived personal characteristics, behaviors, or beliefs, or motivated by the pupil's association with another person and based on the other person's characteristics, behaviors, or beliefs.

2. Cyberbullying. Cyberbullying is defined as any conduct defined as "bullying" in this policy that is undertaken through the use of electronic devices. For purposes of this policy, any references to the term bullying shall include cyberbullying. Electronic devices include, but are not limited to telephones; cellular phones; computers; and pagers that are able to transmit instant messages, text messages, and websites.

## II. Statement Prohibiting Bullying or Cyberbullying of a Pupil:

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

The District reserves the right to address bullying and, if necessary, impose discipline for bullying that:

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

### **III. Statement of False Accusations and/or Prohibiting Retaliation:**

#### False Accusations:

A student found to have wrongfully and intentionally accused another of bullying shall be subject to disciplinary consequences and/or interventions designed to address the behavior.

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

#### Reprisal or Retaliation:

The District shall discipline and take appropriate action against any student, volunteer, or employee who retaliates against any person who makes a good faith report of alleged bullying or against any person who participates in a proceeding relating to such bullying. The District shall take appropriate action for any individual who engages in reprisal and/or retaliation in accordance with applicable law, Board policy, and applicable collective bargaining agreements. Students who engage in this act may be subject to discipline up to and including expulsion. Employees who engage in this act may be subject to discipline up to and including termination of employment. Volunteers may be subject to exclusion from school grounds.

#### Process To Protect Pupils From Retaliation:

If the alleged victim or any witness expresses to the Principal/designee or other staff member that he/she believes he/she may be retaliated against, the Principal/designee shall develop a process or plan to protect that student from possible retaliation. Such plans may include warnings, rearranging of class schedules, and eliminating privileges, and other similar strategies.

### **IV. Protection of all Pupils:**

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

### **V. Disciplinary/Intervention Consequences for Violations of This Policy:**

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

### **VI. Distribution and Notice of This Policy:**

#### Staff and Regular Volunteers:

All staff and contracted school bus drivers shall be provided with a copy of this policy annually through staff handbooks. The Superintendent shall ensure that all school employees and regular volunteers receive annual training on bullying and related District policies.

### Students and Parents:

All students and parents shall be provided with a copy of this policy annually through student/parent handbooks.

Students shall participate in education programs which describe expectations for student behavior and emphasize an understanding of harassment, intimidation, and bullying of students, the District's prohibition of such conduct, and the reasons why the conduct is unacceptable. Students shall also be informed of the consequences of bullying conduct toward their peers.

The District shall also provide educational programs for parents and guardians for the purpose of preventing, identifying, responding to, and reporting incidents of bullying.

### **VII. Procedure for Reporting Bullying:**

The Principal/designee shall be responsible for receiving complaints of alleged violations of this policy.

#### Student, Parent, Volunteer, and Visitor Reporting:

1. Any student who believes he or she has been the victim of bullying should report the alleged acts immediately to the Principal/designee. If the student is more comfortable reporting the alleged act to a person other than the Principal/designee, the student may tell any school district employee or volunteer about the alleged bullying.
2. Although students, parents, volunteers and visitors may report anonymously, formal disciplinary action may not be based solely on an anonymous report. Independent verification of the anonymous report shall be necessary in order for any disciplinary action to be applied.
3. Upon receipt of a report of bullying, the Principal shall commence an investigation consistent with the provisions of Section XI of this policy.

#### Staff Reporting:

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

### **VIII. Procedure for Internal Reporting Requirements:**

In order to satisfy the reporting requirements of RSA 193-F:6, the Principal or designee shall be responsible for completing all New Hampshire Department of Education forms and reporting documents of substantiated incidents of bullying. Upon completion of such forms, the Principal or designee shall retain a copy for himself and shall forward one copy to the Superintendent. The Superintendent shall maintain said forms in a safe and secure location. The District shall annually report substantiated incidents of bullying and cyberbullying to the NH Department of Education.

#### **IX. Notifying Parents/Guardians of Alleged Bullying:**

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

#### **X. Waiver of Notification Requirement:**

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

#### **XI. Investigation Procedures:**

1. Upon receipt of a report of bullying, the Principal/designee shall, within 5 school days, initiate an investigation into the alleged act. If the Principal/designee is directly and personally involved with a complaint or is closely related to a party to the complaint, then the Superintendent shall direct another District employee to conduct the investigation.
2. The investigation may include documented interviews with the alleged victim, alleged perpetrator and any witnesses. All interviews shall be conducted privately, separately and shall be confidential. Each individual will be interviewed separately and at no time will the alleged victim and perpetrator be interviewed together during the investigation.
3. If the alleged bullying was in whole or in part cyberbullying, the Principal/designee may ask students and/or parents to provide the District with printed copies of e-mails, text messages, website pages, or other similar electronic communications. The District will conform to its policy number 5011, Searches of Students, Student's Property and School Owned Property.
4. A maximum of 10 school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.

5. Factors the Principal/designee or other investigator may consider during the course of the investigation include, but are not limited to:
  - Description of incident, including the nature of the behavior;
  - How often the conduct occurred;
  - Whether there were past incidents or past continuing patterns of behavior;
  - The characteristics of parties involved, (name, grade, age, etc.);
  - The identity and number of individuals who participated in bullying behavior;
  - Where the alleged incident(s) occurred;
  - Whether the conduct adversely affected the student's education or educational environment;
  - Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident; and
  - The date, time and method in which parents or legal guardians of all parties involved were contacted.
6. The Principal/designee shall complete the investigation within 10 school days of receiving the initial report. If the Principal/designee needs more than 10 school days to complete the investigation, the Superintendent may grant an extension of up to 7 school days. In the event such extension is granted, the Principal/designee shall notify in writing all parties involved of the granting of the extension.
7. Whether a particular action or incident constitutes a violation of this policy shall require a determination based on all facts and surrounding circumstances and shall include recommended remedial steps necessary to stop the bullying and a written final report to the Principal/designee.

## **XII. Response to Remediate Substantiated Instances of Bullying:**

Students and/or staff members facing discipline shall be afforded all due process required by law. Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of bullying or retaliation may range from interventions up to and including expulsion of students and dismissal from employment for staff members.

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

## **XIII. Reporting of Substantiated Incidents to the Superintendent:**

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

## **XIV. Communication with Parents upon Completion of Investigation:**

1. Within two school days of completing an investigation, the Principal/designee shall notify the students involved in person of the results of the investigation.
2. Within two school days, the Principal/designee shall notify by telephone the parents/guardians of the alleged victim and alleged perpetrator of the results of the investigation. Such notification shall be followed in writing within five school days.
3. In accordance with the Family Educational Rights and Privacy Act and other law concerning student privacy, the District will not disclose educational records of students including the discipline and remedial action assigned to those students and the parents of other students involved in a bullying incident.

#### **XVI. Use of Video and/or Audio Recordings in Student Disciplinary Matters:**

In accordance with RSA 570-A, Wiretapping and Eavesdropping, Section 570-A:2, and with Milford School Board Policy 2315, Student Transportation Management, Section 3, the District reserves the right to use such audio and/or video recordings on District property, including school buses, to ensure the safety and welfare of all, and to be used when applicable, as part of student discipline proceedings.

#### **XVII. School Officials:**

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

Reference: RSA 193-F  
RSA 570-A

Public Hearing relative to RSA 570-A:2, Video and Audio Recording on School Buses was held on November 1, 2010

Adopted: 06/2001

Revised: 11/2008, 11/2010



The School Board authorizes the use of video surveillance equipment on District property in order to ensure the safety and welfare of all students, staff, and visitors on District property and to safeguard District facilities, grounds, and equipment. The Superintendent/designee will approve appropriate locations for surveillance equipment, though such devices are not to be placed, under any circumstances, in bathrooms and locker rooms.

Signs shall be posted in school buildings to provide notice that cameras may be in use. Parents and students may also be notified through student/parent handbooks.

Students will be held responsible for violations of school rules should they be recorded on surveillance cameras. Recordings containing evidence of a violation of school rules and/or state or federal law shall be retained until the issue of the misconduct is no longer subject to review or appeal as determined by the Superintendent/designee. In cases where violations are being investigated, the following may review the recordings after being expressly authorized by the Superintendent/designee:

- Superintendent/designee
- Business Administrator
- Building Administrator
- Director of Buildings and Grounds
- Law Enforcement Officers
- Parents

In the event the recording is used as part of a disciplinary proceeding, such recording may become part of a student's educational record. Should the parents/guardians wish to view the recording as part of a subsequent disciplinary hearing, the Superintendent/designee shall take steps to ensure that the privacy rights of others, whether involved in the disciplinary incident or not, are protected.

In general, the District shall retain video recordings until they are erased either through routine deletion or by copying over with a new recording.

References:  
RSA 570-A:2  
Family Educational Rights and Privacy Act (FERPA)

Adopted: 6/2011

I. Searches of Students and Students' Property: A student is subject to search by District staff if reasonable grounds exist to suspect that evidence of a violation of the law or school rules will be uncovered. Except for emergency or unique situations, searches will be conducted by school administrators.

A. Establishing Reasonable Grounds: The following review of the basis for search should occur before conducting a search:

1. Identify a) the student's suspicious conduct, behavior, or activity; b) the source of the information; and c) the reliability of the source of the information;
2. If suspicion could be confirmed, would such conduct be a violation of the law or school rules?

B. Conducting Searches of Individuals. If the principal/designee determines that reasonable grounds exist to search a student's clothing, personal effects, desk, locker, assigned storage area or automobile, a search may be conducted. All searches will be conducted in as private a manner as possible by authorized school officials, and when appropriate in the presence of the accused students. All searches will be conducted by at least two school officials, one of which must be the same sex as the person to be searched.

1. School officials may search a student by asking the student to remove all items from his/her pocket(s), handbag, backpack, gym bag, and the like.
2. A pat-down search of a person may be conducted by a school official of the same sex on the basis of reasonable suspicion that such person may be in possession of contraband.
3. Strip searches are forbidden. No clothing except cold weather outer garments will be removed before or during a search.
4. If a student refuses to cooperate in a search, the student will be detained until the student's parents or guardians consent to a search. If the parent or guardian cannot be reached in a reasonable time, or if the parent/guardian refuses consent, the principal may contact the police department for assistance with the search.
5. Students will not be physically detained unless school officials deem them to be a danger to themselves or others.
6. If school officials suspect that a search or investigation will result in a serious criminal offense, then the school official will contact the police department for assistance.

## II. Locker and Other School Property Searches.

A. Lockers, desks, and storage areas are the property of the school district, not the student. The users of lockers, desks, and other storage and compartment areas have

no reasonable expectation of privacy from school employees as to the contents of those areas. Such areas may be subjected to searches at any time with or without reasonable suspicion. Students are not to use any school area or property to contain anything that should not be at school. When assigned a locker, desk, or storage area, a student shall be responsible for its proper care.

- B. Administrative inspections may be conducted at any time for the purpose of locating misplaced library books, textbooks or other school property or to ensure that all lockers, desks, or storage areas are being kept clean and free from potential health or safety hazards.
- C. School staff shall report a student's suspicious activity to the principal prior to initiating a search, except in emergency situations when the risk of harm to students or staff demands immediate action.
- D. During a search of student lockers, desks, etc., if the school official conducting the search discovers any container within the locker which may conceal contraband, the container may be searched according to the District's procedure governing searches of students and their property. A "container" for the purpose of this policy may include, but is not limited to, an article of clothing, a handbag, backpack, gym bag, or any other item within which contraband material may be concealed.
- E. The District may determine reasonable grounds for a search by using appropriately placed cameras that are duly noted to the public, metal detectors, and by the use of trained canines in cooperation with appropriate law enforcement agencies.

III. Search of Student Vehicles on School Property. Students recognize that parking their vehicles on school property is a privilege and not a right. As part of this privilege, school officials may search a student's vehicle while parked on school property if the official has reasonable suspicion that a violation of school rules or the law exists. Students consent to having their vehicles searched by parking in school parking lots.

In situations when student's vehicles are parked on public property and school officials have reasonable suspicion that a violation of law exists, those officials will notify law enforcement authorities.

Adopted: 11/2007

Revised: 11/2008

Disciplinary action will focus both on consequences and on improving inappropriate behavior. The Superintendent shall set forth procedures for the management of student behavior designed to maintain an environment conducive to learning. Student conduct that disrupts instruction or impacts the rights of others may be cause for disciplinary action, including suspension.

No teacher, administrator, student, or other person will subject a student to corporal punishment or condone the use of corporal punishment by any person under his or her supervision or control. Permission to administer corporal punishment will not be sought or accepted from any parent, guardian, or school official.

Physical restraint is authorized when needed to protect the safety of the individual student and/or other students and employees. Documentation of any incident requiring such restraint will be provided to the Principal.

Legal Reference:

*RSA 627:6, II, Physical Force by Persons With Special Responsibilities*

Adopted: 12/2008

Revised: 9/2010

## A. Definitions:

1. "Restraint" means bodily physical restriction, mechanical devices, or any device that immobilizes a person or restricts the freedom of movement of the torso, head, arms, or legs. It includes mechanical restraint, physical restraint, and medication restraint used to control behavior in an emergency or any involuntary medication. It is limited to actions taken by persons who are school or facility staff members, contractors, or otherwise under the control or direction of a school facility.
2. "Restraint" shall not include:
  - a. Brief touching or holding to calm, comfort, encourage, or guide a child, so long as limitation of freedom of movement of the child does not occur.
  - b. The temporary holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a child to stand, if necessary, and then walk to a safe location, so long as the child is in an upright position moving toward a safe location.
  - c. Physical devices, such as orthopedically prescribed appliances, surgical dressings and bandages, and supportive body bands, or other physical holding when necessary for routine physical examinations and tests or for orthopedic, surgical, and other similar medical treatment purposes, or when used to provide support for the achievement of functional body position or proper balance or to protect a person from falling out of bed, or to permit a child to participate in activities without the risk of physical harm.
  - d. The use of seat belts, safety belts, or similar passenger restraints during the transportation of a child in a motor vehicle.
  - e. The use of force by a person to defend himself or herself or a third person from what the actor reasonably believes to be the imminent use of unlawful force by a child, when the actor uses a degree of such force which he or she reasonably believes to be necessary for such purpose and the actor does not immobilize a child or restrict the freedom of movement of the torso, head, arms, or legs of any child.
3. "Medication restraint" occurs when a child is given medication involuntarily for the purpose of immediate control of the child's behavior.
4. "Mechanical restraint" occurs when a physical device or devices are used to restrict the movement of a child or the movement or normal function of a portion of his or her body.
5. "Physical restraint" occurs when a manual method is used to restrict a child's freedom of movement or normal access to his or her body.
6. "Seclusion" means the involuntary placement of a child alone in a place where no other person is present and from which the particular child is unable to exit, either due to

physical manipulation by a person, a lock, or other mechanical device or barrier. The term shall not include the voluntary separation of a child from a stressful environment for the purpose of allowing the child to regain self-control, when such separation is to an area which a child is able to leave. Seclusion does not include circumstances in which there is no physical barrier between the child and any other person or the child is physically able to leave the place. A circumstance may be considered seclusion even if a window or other device for visual observation is present, if the other elements of this definition are satisfied.

#### B. Procedures for Managing the Behavior of Students:

The Superintendent/designee is authorized to establish procedures for managing the behavior. Such procedures shall be consistent with this policy and all applicable laws. The Superintendent/designee is further authorized to establish any other procedures necessary to implement this policy and/or any other legal requirements.

#### C. Circumstances in Which Restraint May Be Used:

Restraint will only be used to ensure the immediate physical safety of any person when there is a substantial and imminent risk of serious bodily harm to the student or others.

Restraint will only be used by trained school staff. Trained staff are those individuals who successfully complete and stay current in a training program that results in acquisition of skills in preventing restraints, evaluating risk of harm in an individual situation, use of approved techniques, and monitoring the effect of the restraint. The District shall identify personnel to be trained in the use of prevention strategies and physical restraint procedures. Staff will receive ongoing training to maintain the requirements of the training program chosen by the District.

Restraint will not be used as punishment for the behavior of a student.

Restraint will not be imposed for longer than is necessary to protect the student or others from the substantial and imminent risk of serious bodily harm.

No period of restraint of a student may exceed 15 minutes without the approval of a supervisory employee designated by the director to provide such approval. No period of restraint of a student may exceed 30 minutes unless an assessment of the mental, emotional, and physical well-being of the student is conducted by a trained and authorized employee.

#### D. Circumstances in Which Seclusion May Be Used:

The School Board recognizes the statutorily imposed conditions of seclusions and hereby adopts those conditions as defined by RSA 126-U:5-b, Conditions of Seclusion.

##### I. Seclusion may only be imposed in rooms which:

- a) Are of a size which is appropriate for the chronological and developmental age, size, and behavior of the children placed in them.

- b) Have a ceiling height that is comparable to the ceiling height of the other rooms in the building in which they are located.
- c) Are equipped with heating, cooling, ventilation, and lighting systems that are comparable to the systems that are in use in the other rooms of the building in which they are located.
- d) Are free of any object that poses a danger to the children being placed in the rooms.
- e) Have doors which are either not equipped with locks, or are equipped with devices that automatically disengage the lock in case of an emergency. For the purposes of this subparagraph, an “emergency” includes, but is not limited to:
  - 1. The need to provide direct and immediate medical attention to a child.
  - 2. Fire.
  - 3. The need to remove a child to a safe location during a building lockdown.
  - 4. Other critical situations that may require immediate removal of a child from seclusion to a safe location.
- f) Are equipped with unbreakable observation windows or equivalent devices to allow the safe, direct, and uninterrupted observation of every part of the room.

II. Each use of seclusion shall be directly and continuously visually and auditorially monitored by a person trained in the safe use of seclusion.

Seclusion may only be used when a student’s behavior poses a substantial and imminent risk of physical harm to the student or others.

Seclusion will be used only by trained school staff.

Seclusion will not be used as a form of punishment for the behavior of a student.

#### E. Prohibition of Dangerous Restraint Techniques:

The School Board recognizes and hereby prohibits the user of “dangerous restraint techniques” as defined in RSA 126-U:4, Prohibition of Dangerous Restraint techniques. No school or facility shall use or threaten to use any of the following restraint and behavior control techniques:

##### I. Any physical restraint or containment technique that:

- a) Obstructs a child’s respiratory airway or impairs the child’s breathing or respiratory capacity or restricts the movement required for normal breathing;
- b) Places pressure or weight on, or causes the compression of the chest, lungs, sternum, diaphragm, back, or abdomen of a child;
- c) Obstructs the circulation of blood;

- d) Involves pushing on or into the child's mouth, nose, eyes, or any part of the face or involves covering the face or body with anything, including soft objects such as pillows, blankets, or washcloths; or
- e) Endangers a child's life or significantly exacerbates a child's medical condition.

II. the intentional infliction of pain, including the use of pain inducement to obtain compliance.

III. the intentional release of noxious, toxic, caustic, or otherwise unpleasant substances near a child for the purpose of controlling or modifying the behavior of or punishing the child.

IV. Any technique that unnecessarily subjects the child to ridicule, humiliation, or emotional trauma.

#### F. Reporting Requirements and Parental Notification:

I. In the event restraint or seclusion is used on a student, the building principal/designee will, within 24 hours, verbally notify the student's parents/guardian of the occurrence.

The building principal/designee, will within 5 business days after the occurrence, submit a written notification/report to the Superintendent/designee. The notification shall contain all the requirements and information as mandated by RSA 126-U:7,II, Notice and Record-Keeping Requirements.

II. A facility employee or school employee who uses restraint, or if the facility employee or school employee is unavailable, a supervisor of such employee, shall, within 5 business days after the occurrence, submit a written notification containing the following information to the director or his or her designee:

- a) The date, time, and duration of the use of restraint.
- b) A description of the actions of the child before, during, and after the occurrence.
- c) A description of any other relevant events preceding the use of restraint including the justification for initiating the uses of restraint.
- d) The names of the persons involved in the occurrence.
- e) A description of the actions of the facility or school employees involved before, during, and after the occurrence.
- f) A description of any interventions used prior to the use of the restraint.
- g) A description of the restraint used, including any hold used and the reason the hold was necessary.
- h) A description of any injuries sustained by, and any medical care administered to, the child, employees, or others before, during and after the use of restraint.



- i) A description of any property damage associated with the occurrence.
- j) A description of actions taken to address the emotional needs of the child during and following the restraint incident.
- k) A description of future actions to be taken to control the child's problem behaviors.
- l) The name and position of the employee completing the notification.
- m) The anticipated date of the final report.

The Superintendent/designee may develop a reporting form or other documents necessary to satisfy these reporting requirements.

Unless prohibited by court order, the Superintendent/designee will, within 2 business days of receipt of the notification required in the above paragraph, send by first class mail to the child's parent/guardian the information contained in the notification/report. Each notification/report prepared under this section shall be retained by the school for review in accordance with state board of education rules and the department of health and human services rules.

If a school employee has intentional physical contact with a student in response to a student's aggressive misconduct or disruptive behavior, the building principal/designee will make reasonable efforts to inform the student's parent/guardian as soon as possible, but no later than the end of the school day or the time of the return of the child to the parent/guardian, whichever is earlier. The building principal/designee will also prepare a written report of the incident within five business days of the incident. The report will include information required under RSA 126-U:7,V, Notice and Record-Keeping Requirements.

In any case requiring notification under paragraph IV, the school or facility shall, within 5 business days of the occurrence, prepare a written description of the incident. Such description shall include at least the following information:

- a) The date and time of the incident.
- b) A brief description of the actions of the child before, during, and after the occurrence.
- c) The names of the persons involved in the occurrence.
- d) A brief description of the actions of the facility or school employees involved before, during, and after the occurrence.
- e) A description of any injuries sustained by, and any medical care administered to, the child, employees, or others before, during, or after the incident.

#### G. Transportation: (RSA 126-U:12)

The school district will not use mechanical restraints during the transportation of children unless case-specific circumstances dictate that such methods are necessary.

Whenever a student is transported to a location outside the school, the Superintendent/designee will ensure that all reasonable and appropriate measures consistent with public safety are made to transport or escort the student in a manner which:

1. Prevents physical and psychological trauma;
2. Respects the privacy of the child; and
3. Represents the least restrictive means necessary for the safety of the child.

Whenever a student is transported using mechanical restraints, the Superintendent/designee will document in writing the reasons for the use of the mechanical restraints.

Reference: RSA: 126-U, Limiting the Use of Child Restraint Practices

Adopted: 4/11

Revised: 1/15

No person associated with any organization sanctioned by the School District shall engage in or be associated with hazing, nor shall any such person participate in any secret fraternity or organization that is related to a District-sanctioned activity.

Student hazing means any act directed toward a student, or any coercion or intimidation of a student, to act or participate in, or submit to any act, when:

- 1) Such act is likely, or would be perceived by a reasonable person, as likely to cause physical or psychological injury to any person; and
- 2) Such act is a condition of initiation into, admission into, continued membership in, or association with any organization, even if the student willingly participates in the activity.

Hazing is further defined as an activity which recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation, admission, or affiliation with any organization sanctioned by the District.

“Endanger the physical health” shall include, but is not limited to, such physical acts as whipping, beating, branding, exposure to elements, forced consumption of food, alcohol, or drugs, or any forced physical activity, outside of that associated with acceptable athletic conditioning appropriate to the sport, that could adversely affect the physical health or safety of an individual.

“Endanger the mental health” shall include any activity which would subject the individual to mental stress such as sleep deprivation, exclusion from social contact, or any forced activity that would affect the dignity of the individual.

Students or employees who violate this policy will be subject to disciplinary action up to and including expulsion for students and termination for employees. All incidents of hazing should be reported to school authorities. The Superintendent/designee shall report to local law enforcement officials incidents of reported hazing to which he/she has knowledge.

References:

RSA 631:7  
NH Administrative Rules, Ed 306.04

Adopted: 6/2011

Co-Curricular activities are an important component of a comprehensive educational school program. As such, the Milford School Board supports the offering of co-curricular programming to students in as much as the District's budget will allow.

The Superintendent shall include co-curricular activities and positions within the budget development process. New activities shall be recommended to the Superintendent by building Principals on a trial, non-funded basis. Following that, the Superintendent shall provide a recommendation to the School Board for the funding of the activity as part of the District's budget, including a three year projection of costs.

Adopted: 8/1976  
Revised: 9/1985, 12/2008

**5016 PROGRAMS INVOLVING CANDIDATES FOR POLITICAL OFFICE 5016**

Candidates for political office who request an opportunity to address the student body and/or faculty will be allowed to do so at the discretion of the building Principal. The Principal shall consider the impact on instructional time and associated costs.

Adopted: 1/1972  
Revised: 11/2009

The Superintendent shall develop such procedures as are necessary to comply with the Federal Family Educational Rights and Privacy Act (FERPA), the Health Insurance Portability and Accountability Act (HIPAA), and other applicable statutes governing student records.

The Principal of each school will be the custodian of all student records for that school. Students and parents will have access to their school records. The school will notify parents and adult students annually of the following:

1. The type of records kept.
2. The procedure for inspecting and copying records.
3. The right for interpretation.
4. The right to challenge data thought to be erroneous, the procedures for correcting or expunging erroneous data or inserting a rebuttal statement.
5. The right to lodge a complaint with the U.S. Department of Education if mandates are not adequately implemented.

Additionally, the district will notify parents annually of the district's policy on the collection or use of personal information collected from students for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose, including arrangements to protect student privacy that are provided by the agency in the event of such collection, disclosure or use.

The education records or school records include all materials directly related to a student that a school maintains. Records and notes maintained by a teacher, administrator, school physician, therapist, or school psychologist for his/her own use, and which are not available to others are exempt from this definition.

The school will require a prior written consent before information other than directory information may be divulged to third parties. An exception to this rule exists for school district employees who have legitimate interests in viewing the records, as well as officials in other schools, which the student seeks to enroll. A school district in which a student is enrolled or is in the process of enrolling in may request the student's education records from any district in which the student was formally enrolled to ascertain safety issues in incoming students and ensure full disclosure. The records, including the student's disciplinary records, will be forwarded to the requesting district within three (3) business days. Disciplinary records shall include but not be limited to all information that relates to a student assaulting, carrying weapons, possessing illegal drugs, including alcohol, and any incident that poses a potential dangerous threat to students or school personnel. Disciplinary records shall ensure appropriate confidentiality of all individuals.

When the schools transfer records to new educational institutions, the schools must notify parents of the transfer and of their right to review and contest the material. An exception exists for material under court order. Parents must be notified of such order prior to release

The district may disclose, without the consent or knowledge of the eligible student or parent, personally identifiable information in the educational records of a student to the Attorney General of the United States or his/her designee in response to an ex parte order in the

connection with the investigation or prosecution of terrorism crimes. The district is not required to record such disclosure of information and is protected from liability for disclosing such information in good faith.

*Requests for Student Records From the School Board.*

Requests for access to student records must come from the Board Chair and must have been voted upon by the entire Board. Requests from individual board members to view student records will be denied. Such requests should be in writing. Any request from the Board to view or access student records must state and include a legitimate educational interest. "Legitimate educational interest" refers to any authorized interest or activity undertaken in the name of the school district. Board access to student records must be necessary or appropriate to the operation of the school district or to the proper performance of the educational mission of the Board.

*Military Recruiters/Institutions of Higher Learning.*

Military recruiters or institutions of higher learning shall have access to approved directory information, unless a secondary student or the parent of the student requests that such information not be released without prior written parental consent. The district shall notify parents of the option to make such a request and shall comply with any requests received. The school administrator may make the determination of when the recruitment meetings are to take place and reserves the right to deny such meeting where the holding of such meeting will materially and substantially interfere with the proper and orderly operation of the school.

*Legal References:*

*RSA 91-A:5, Access to Public Records*

*Public Law 90-247, Family Educational Right to Privacy Act of 1974*

*Public Law 104-191, Health Insurance Portability and Accountability Act of 1996*

*No Child Left Behind Act, §9528*

Adopted: 3/1976

Revised: 12/2008

**NOTIFICATION OF DISCLOSURE  
OF DIRECTORY INFORMATION**

In accordance with the Family Educational Rights and Privacy Act (FERPA), directory information is defined as follows: a student's name, address, telephone number, date of birth, and grade level; a student's parent's and/or guardians' names and address; a student's participation in school activities; a student's diploma, certificate, and awards; the height and weight of members of athletic teams.

The Milford School District will comply with all state and federal laws regarding the disclosure of student information as described in Policy 5020. Specifically, this information will be released to organizations that will not profit from it and/or will bring value to our students. This includes such organizations as the Parent-Teacher Organizations and school Booster Clubs. Directory information will also be released, unless parents/guardians notify the school otherwise, to newspapers and media, school yearbooks and school newspapers, activity programs, and the District or school's website. Parents will have the opportunity at the beginning of the school year to notify the schools of their desire not to have directory information released.

No directory information shall be released to individuals, organizations, and companies for the purpose of commercial profit.

Ref: RSA 189:29-a

Adopted: 9/1980

Revised: 11/1982, 1/1986, 6/1995, 3/2009



Complete and accurate records of student's attendance and scholarship shall be permanently maintained by the District in paper copy in fire resistant files, vaults, or safes, and/or stored electronically. A schedule for the retention and disposition of original records and information shall be established. Access to all students' records and information shall be governed by written procedures designed to protect individual rights and to preserve the confidential nature of various types of records.

Examples of records to be maintained include:

1. Birth Certificate: A birth certificate or other legal evidence of birth is required of all children not previously enrolled in the public schools.
2. Record from previous school: Pupils entering from other schools should present evidence of attendance, grade placement, and academic achievement in the previous school.
3. Attendance Records: Daily attendance records are kept in the register provided.
4. Individual Pupil File: Individual files for each pupil are maintained and are kept confidential.
5. Withdrawal or Transfer Records: Withdrawal or transfer of any pupil is recorded in the register.

All other information contained in students' records shall be considered confidential and shall be released only to parents and students eighteen years of age or older. Data may also be released to authorized individuals, organizations and agencies provided the data is collected in a way that prevents the disclosure of personally identifiable information.

The rights of parents and students who are eighteen years of age or older regarding access to student records are defined in the Family Educational Rights and Privacy Act (FERPA).

Ref: RSA 91-A:5, III

Adopted: 2/1973

Revised: 6/1975, 6/1995, 5/1998, 3/2009

The School Principal/designee will develop and implement collection procedures from students and others responsible for lost or damaged school books and materials. Except for unique circumstances, it is expected that full replacement value of the book will be received. Such collected funds will be processed through the Business Administrator's office for accountability purposes.

Adopted: 6/1975

Revised: 3/2009

All school personnel are to be instructed to refuse requests for students to leave the school grounds once they have come to the school or have been deposited there from the school buses or other vehicles. Students shall not leave the school grounds from the time they arrive until the time of their departure for home except as follows:

- a. Permission for schools or grade levels has been granted by the Superintendent/designee.
- b. Permission has been granted by the parents/guardians and approved by the Principal/designee, unless the student is eighteen years or older.

Any student being released during the school day must be released through the school office when he/she leaves and must report to the office when he/she returns, except that students who are ill may also be released through the Nurse's office.

Students traveling on school buses to school-sponsored activities will return from the activity on the bus unless released to their parents/guardians, or authorized in writing by their parents or guardians to travel home with someone else.

Adopted: 9/1971

Revised: 3/2009

**A. General**

Persons who do not legally qualify as residents of Milford may be admitted to Milford's schools only upon the approval of the Superintendent of Schools. Such approval may be withdrawn by the Superintendent at any time. The decision on whether to enroll or withdraw an enrollment of a non-resident student shall not be based on whether that student has a disability as defined by applicable state or federal law and shall be in accordance with RSA 193:13.

**B. Costs**

If the Superintendent agrees to enroll a non-resident student, the District will either charge full tuition to the parent or, alternatively, the superintendent may enter an agreement for the payment of tuition with the school district in which the student resides.

The Superintendent acknowledges the provisions of RSA 193:3 which states the district in which the student resides shall retain all responsibility for the provision of special education and related services pursuant to RSA 186-C, and any non-resident student shall be charged full tuition plus the cost of any specific programs or special services, unless one of the following applies:

- The Superintendent or Board has waived or reduced the tuition and/or other costs in accordance with section C of this policy
- The student is an exchange student whose admission has been approved by the Superintendent under Policy 5060, in which case the tuition shall be waived.
- The student is enrolled through a Board-approved agreement with another school district or agency, in which case the terms of that agreement shall determine the costs, if any.

Upon the admission of a non-resident student to the District, the Superintendent shall immediately notify the student's school district of residence of the student's name, date of birth, address, and grade assignment. This same notification shall be made at the beginning of each school year for which the child is enrolled.

Notwithstanding the above, in no case shall the District be liable for the cost of a non-resident student's out-of-district placement.

**C. Waiver of Costs**

The Superintendent may reduce or waive tuition costs in accordance with the following:

1. Children of non-resident parents who will be moving into the District within forty-five (45) school days of the start of the school year may enroll prior to actual establishment of residency, provided a written request and verification of the anticipated date of

residency are submitted. Such request shall be supported by appropriate documentation (lease, purchase agreement, etc.).

2. Children of non-resident parents entrusted to the permanent custody and support of residents of the District. The Milford resident must establish bonafide custody of the child (guardianship or custody agreement are examples of documents that may be submitted) and must demonstrate to the satisfaction of the Superintendent that the child is living in the District for a reason other than obtaining an education in Milford.
3. Seniors and eighth grade students whose families move out-of-district during the final semester of their senior year or eighth grade year and who wish to continue through the conclusion of that school year.
4. Students who are not seniors or eighth graders whose families move out-of-district during the final forty-five (45) school days of the school year and who wish to continue through the end of the school year.
5. Children or dependents of non-resident District employees. If approved, the discount on tuition shall be seventy-five percent (75%) for those salaried or working thirty (30) or more hours per week; fifty percent (50%) for those working twenty (20) or more, but less than thirty (30) hours per week; and twenty-five percent (25%) for all others.
6. Children of a non-resident parent who are defined as homeless in accordance with federal and state regulations. To the extent feasible, these children will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in which attendance area the student is actually living.

Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If a homeless student is living in another district but will attend his or her school of origin, both districts will make reasonable efforts to coordinate the transportation services necessary for the student.

Homeless students will be provided District services for which they are eligible, including but not limited to, pre-school, Title 1, special education, vocational and technical education programs, gifted and talented programs, and school nutrition programs.

All other requests for tuition waivers will be at the discretion of the Board.

#### Legal References:

RSA 193:12, Legal Residence Required

NH Code of Administrative Rules, Section Ed 306.04(a)(17), Homeless Students

No Child Left Behind Act, 2002

McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, et seq.

Adopted: 9/1972

Revised: 7/1978, 6/1986, 7/1989, 5/1994, 10/1995, 4/1996, 5/2000, 11/2001, 9/2005, 12/2010, 10/2012.

## 5060 REGULATIONS FOR ADMITTING EXCHANGE STUDENTS 5060 FROM OTHER STATES AND COUNTRIES

### **Rationale:**

Our students can greatly benefit from opportunities to work with, learn from, and come to understand students from diverse ethnic and cultural backgrounds.

Exchange programs in conjunction both with foreign countries and with other areas of the United States are positive means for expanding the multi-cultural awareness for our students.

### **Criteria for Accepting Students:**

1. The background and circumstances of the exchange student will be uniquely different from those of the Milford area. As such the student will be able to provide a different ethnic or cultural perspective to the Milford community.
2. The exchange student in turn will significantly benefit from the educational opportunities available at Milford High School, beyond what could be provided at their serving school.
3. The exchange program, organization or individual that acts as the sending agent must be of good reputation and be able to act as a support base for providing records, documentation, travel arrangements, and family releases as needed by Milford High School.
4. The student's records must reflect sufficient academic achievement to ensure a reasonable probability of success at Milford High School.
5. Parents or Guardians of these students must be willing to grant both permission and power of attorney to host families.
6. Host families must be identified prior to acceptance of exchange students and must be willing to act as custodial parents for these students for the full period of the exchange.
7. All exchange programs must be authorized 30 days prior to the proposed entrance of the student(s). No more than four (4) exchange students will be in attendance at Milford High School at any given time.
8. Only students willing to matriculate from the beginning of the school year to the completion of a school year will be considered to be part of the Exchange Program.

Revised: 6/1995, 3/1999

Reviewed: 4/2009

## **5065 EARLY ADMISSION TO KINDERGARTEN OR GRADE ONE 5065**

RSA 193:1, requires children who are six years old on or before September 30, to attend school. Any child, however, whose sixth birthday falls on or between October 1<sup>st</sup> and December 31<sup>st</sup> may be eligible for first grade entrance. Similarly, a child whose fifth birthday falls on or between October 1<sup>st</sup> and December 31<sup>st</sup> may be eligible for early admission to kindergarten.

In order to determine eligibility, the parent(s) or guardian(s) shall provide a written request for early admission for a child to the School Principal by May 1<sup>st</sup> of the preceding school year. Said request shall describe reasons for the benefits of early admission. A response to each request will be provided by the School Principal advising the parent(s) or guardian(s) of the time, date, and place of testing. Parents applying after May 1<sup>st</sup> shall first direct their request to the Superintendent of Schools who will act upon the request.

Each child will be administered a school readiness assessment by Milford School District personnel. Cost of this assessment will be paid by the parent(s) or guardian(s).

In addition to the school readiness assessment, the evaluation may include but not be limited to: preschool/kindergarten observation conducted by school personnel, speech/ language screening, preschool/kindergarten teacher's recommendation, an academic assessment, and input from parent(s) or guardian(s). The final decision as to whether or not these students will be admitted as early entrants will rest with the Superintendent of Schools following a recommendation from the School Principal.

Any child who has been enrolled in the requested grade, who resided outside of Milford prior to the start of school, is eligible for early admission if the parent(s) or guardian(s) submits a written request to the Superintendent of Schools. The request must be supplemented by any written evidence available attesting to the child's developmental and academic readiness and be supported by recommendations from the kindergarten/ first grade attended by the child. If the transfer occurs in January or thereafter, the child will continue in the same grade.

Children who complete Kindergarten as early admission students need not apply for early admission to first grade the following year.

Any placements are tentative and subject to reassignment by the Superintendent/ designee.

Adopted: 5/2000

Revised: 2/2005, 4/2009, 1/2013

Resident pupils of the Milford School District shall be assigned to a public school within the District by the Superintendent/designee.

The Board recognizes that in unusual and extraordinary circumstances, parent(s) or guardian(s) may wish to request a change of assignment to another public school within the District, or a public school in another district. When the parent(s) or guardian(s) believe that the assignment that has been made will result in a manifest educational hardship to the pupil, the Board will consider these requests, according to the procedure outlined below.

#### **PROCEDURE FOR CONSIDERATION OF A MANIFEST EDUCATIONAL HARDSHIP REQUEST**

The following procedures will be utilized where a parent(s) or guardian(s) seeks a change of assignment within the District, or a waiver of assignment from attending any school in the District, based on an assertion that the current assignment constitutes a manifest educational hardship:

1. The parent(s) or guardian(s) shall make a written request, through the Superintendent's office, detailing the specific reasons why they believe that the current assignment constitutes a manifest educational hardship.
2. The Board will schedule a time at a regular Board meeting, held within thirty (30) days of receipt of the written request of the parent(s) or guardian(s), to hear the parent(s) or guardian(s) request. At such time, the parent(s) or guardian(s) may address the Board. The Board will hear the parent(s) or guardian(s) request in non-public session, subject to the right of the parent(s) or guardian(s) to have the matter heard in public session under RSA 91-A:3 II. (c).
3. The parent(s) or guardian(s) of the pupil may use whatever information which they deem is appropriate to support their request. At a minimum, however, the parent(s) or guardians(s) must submit information demonstrating to the School Board that the current assignment is detrimental or has a negative effect on the pupil.
4. In determining whether the current assignment of the pupil constitutes a manifest educational hardship, and what the corresponding appropriate action should be (which may include, but not be limited to, assignment to a public school in another district) the Board shall consider all information given it by the parent(s) or guardian(s), the recommendations of the Superintendent, and any other information which the Board deems relevant and useful.
5. The Board reserves the legal right to make a determination on whether a given request constitutes a manifest educational hardship, and what the corresponding action should be, on a case by case basis.



6. The Board will render its decision in writing within fifteen (15) days after the Board meeting in which the parent(s) or guardian(s) addressed the Board, and will forward its written decision to the parents or guardians via US mail.
7. If a parent or guardian is aggrieved by the decision of the Board, he/she may appeal to the State Board of Education in accordance with the provisions of Ed 200.

*Statutory/Regulatory References*

RSA 193:3, which requires each school district to establish a policy on change of assignment due to manifest educational hardship

RSA 193:14-a

RSA 91-A:3 II. (c)

Ed 320, which are the State Board of Education Rules concerning manifest educational hardship

Ed 200 et seq.

Lisbon Regional School District V. Landaff School District, 114 NH 674 (1974)

Adopted: 1/2005

Revised: 4/2009

One of the strongest links of communications between the District and the public is the pupil in the classroom.

The school administration shall take reasonable steps to ensure that the use of students as couriers is limited to carrying information about the school system, or a particular school, except as specifically provided in the following paragraph. School information may include publications, newsletters, notices, or other printed matter published under the name of the District, the individual school, or the recognized parent/teacher group.

Students may serve as couriers for information generated by non-school organizations, subject to the following conditions: (1) the information clearly states that it is not school-sponsored, (2) the information/activity is student-related, (3) the School Board, or the Superintendent, reserves the right to refuse any request for distribution of such information, on a case-by-case basis, and (4) the distribution of such information is subject to prior approval by the Superintendent or his/her designee.

Information published by the District, individual school, employee organizations or unions, recognized parent/teacher groups, or non-school groups which advocates a particular position on bond issues, political matters, labor relations issues, or District budgets will not be distributed through the use of students as couriers.

Adopted: 11/1968

Revised: 4/1971, 9/1978, 6/1994, 4/2009

**5080**

**FUND RAISING ACTIVITIES**

**5080**

All fund raising activities involving the student body and/or teaching staff must be approved by the Principal.

Contributions shall be on a voluntary basis.

Adopted: 3/1976

Revised: 4/2009

As a general policy there will be no solicitation within the schools for any purpose whatsoever. No commercial enterprise may be represented in the schools and there will be no sale of goods or services on the premises.

Requests for the exceptions to this rule must be submitted to the Superintendent/designee prior to implementation of the requested activity.

The Superintendent/designee reserves the right to grant exceptions. Examples of these exceptions include the following:

- A. Activities conducted by Dollars for Scholars for the purpose of raising funds for scholarships for graduating seniors.
- B. Parent-teacher organization membership activities.
- C. Private music lessons given on school property.
- D. Class insignia jewelry.

The purpose of this policy is to ensure maximum instruction time for teachers and students, and in no way reflects a negative attitude toward many of the very worthwhile civic and charitable activities sponsored within the community, either on a strictly local basis or as part of a regional, state, or national activity. The above does not apply when buildings are rented by an organization.

No funds will be solicited from school district employees on school property by organizations or individuals not employed by the school district or without prior approval.

Adopted: 6/1994

Revised: 4/2009

It is the policy of the Milford School District that any teacher or other school employee who suspects that a child's physical or mental welfare may be adversely affected by abuse or neglect shall report to the Division of Children and Youth Services and give the following information:

1. Name, address, age, and sex of student
2. Name and address of parent or caretaker
3. Name and address of the person allegedly responsible for abuse and neglect, if known
4. The name of siblings who may be in danger, if known
5. The nature and extent of injuries or description of neglect

It is not the responsibility of the school employee to prove that the child has been abused or neglected or to determine whether the child is in need of protection.

An abused child is a child under the age of eighteen (18) who has been sexually molested or exploited, been psychologically injured so that said child exhibits symptoms of emotional problems generally recognized to result from consistent maltreatment or neglect, or been physically injured by other than accidental means.

Neglect means the failure to provide necessary food, care, clothing, shelter, or medical attention for a child's physical, mental, and emotional health.

School personnel, who in good faith make a report of suspected child abuse or neglect, have immunity for any liabilities, civil or criminal. The good faith of the reporter is presumed.

The Division of Children and Youth Services Bureau of Child and Family Services is the State agency mandated to receive and investigate reports of suspected child abuse to determine whether or not abuse is occurring. This responsibility DOES NOT lie with the school.

All citizens of New Hampshire are mandated to make an oral report of any suspected child abuse immediately to the Bureau of Child and Family Services, New Hampshire Division for Children and Youth Services, a branch of the Department of Health and Human Services. School Personnel are specifically identified as mandated reporters.

Such an oral report is to be followed within forty-eight (48) hours by a written report, if requested, to the Bureau.

Schools must allow trained Bureau caseworkers and law enforcement personnel to enter school facilities, interview students, and audio or video tape the interview without the consent or notification of the parent or parents of a child if there is suspicion that the child has been abused or neglected.

Schools must allow the investigating caseworker from the Bureau to take, or cause to be taken, photographs and/or x-rays of children's injuries who are subjects of a child abuse report. Such photographs or x-rays may be taken without the consent of the child's parents or guardians.

The Bureau may request and shall receive any assistance and information from schools that will enable it to fulfill its obligations to complete an investigation into alleged child abuse.

Persons willfully failing to report are guilty of a misdemeanor, which, under New Hampshire law, can mean a sentence of up to a year in jail and a \$1,000 fine.

Under State “right to know” laws, parents maintain the right of access to information compiled in their child’s school records. However, it is also the school’s right to withhold certain information which identified either the person who made the report or those who cooperated in a subsequent investigation, if the school believes the release of this information would be detrimental to the safety and interest of the reporting person.

Ref: RSA 169C – Child Protect Act

Adopted: 5/1978

Revised: 7/1985, 6/1994, 4/2009

**5095 MEMORANDUM OF UNDERSTANDING BY AND BETWEEN 5095  
THE MILFORD POLICE DEPARTMENT AND MILFORD SCHOOL DISTRICT**

It is the intention of the Milford Police Department and the Milford School District to work in a joint cooperative effort to provide a safe school environment for student, staff and visitors. We intend to do this in compliance with New Hampshire RSA 193-D, Safe School Zone, and RSA 193-B, Drug-Free School Zone.

Communication and sharing of information is the importance to any cooperative effort. As required by law, it is agreed that every school employee who has witnessed, or who has information from the victim of or a witness to an act of theft, destruction, or violence in a safe school zone shall immediately report such act immediately to a supervisor. A supervisor receiving such report shall immediately forward such information to the school principal who shall file it with the Milford Police Department. Such report shall be made by the Principal to the Milford Police Department immediately, by telephone or otherwise, and shall be followed within 48 hours by completion of Ed Form 317.

Ed Form 317, required above, 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.

It is further agreed that simple assault involving students in kindergarten through grade 12 need not be reported to the police. In these circumstances, parents of all students directly involved will be notified by telephone and confirmed by letter. The letter shall describe the incident and the school district's response to the incident.

New Hampshire RSA 193-D:7 relieves school employees of concerns regarding confidentiality and reads:

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 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.

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.

The Police Department and the School District agree to provide their employees with copies of this memorandum of understanding. The parties further agree to maintain regular and open communication to evaluate the effect of this memorandum and to suggest improvements and adjustments that may be necessary.

\_\_\_\_\_  
Superintendent of Schools

\_\_\_\_\_  
Chief of Police

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

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.

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.

On each school day, before classes of instruction officially convene, 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.

Ref: RSA 189:1-b

Adopted: 8/1978  
Revised: 5/2010, 4/2015



**5097**

**NON-SCHOOL SPONSORED TRIP**

**5097**

A non-school-sponsored trip is defined as an experience that involves students traveling outside of the community that is arranged within the school environment but is not sponsored by the school.

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.

Adopted: 12/1972

Revised: 6/1986, 9/1999, 5/2010

**1. Introduction**

The Milford School Board encourages individual students and school sponsored student groups to enter state competitions, and to then enter national competitions when eligible based on the results of the state competitions. The Board may authorize partial funding by the District for the expenses associated with national competitions according to the following guidelines. The remaining costs to attend the national competition need to come from team fund-raising or through personal funding. The Board specifically reserves the right to fund more or less than the amounts indicated by the guidelines depending on budgetary constraints or other factors that may be considered at the time of request. The Board reserves the right to provide no funding at its sole discretion.

**2. General Guidelines**

The Board will authorize District funding of \$500 per team or group, or 10% of the total eligible costs needed to be raised, not to exceed \$1500.00, whichever is higher. In no case shall the donation exceed the total expected cost of the trip.

**3. Eligible Expenses**

Expenses that are eligible for consideration include transportation costs, meals expense, over-night accommodations, competition entrance fees, and other related expenses. Costs for reasonable and educational side trips may be included. For example, if the national competition is being held in Washington D.C., then costs for additional day(s) to visit the Smithsonian would be eligible, while costs for an extra day to go to an amusement park would not be eligible.

Eligible costs are only those that are associated with team or group members, their coaches or leaders, and a reasonable number of chaperones. The appropriate number of chaperones may vary depending on the type of the trip, the location of the trip, and the age group of the student participants. Costs for parents, siblings, relatives, or friends who also choose to go on the trip are not eligible for consideration.

**4. Request Format**

Requests for donations towards trip expenses shall be submitted in writing to the Superintendent, who will then present it to the Board. The request shall provide a brief overview of the trip listing the itinerary, including any side trips. There shall be a trip budget that details the expected costs for the various categories of expense. The names of the eligible people and their roles shall be included.

## 5110 Availability and Distribution of Healthy Foods to Students 5110

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

The school day, in accordance with the Competitive Foods Standards, is defined as midnight prior to the start of school until thirty minutes following the conclusion of the school day\*.

Reimbursable meals are defined as food and/or beverages that are distributed/sold to students through the USDA school meals programs for breakfast and lunch.

Competitive foods are defined as ready to eat foods found in vending machines, snack bars, a la carte, fundraisers, school parties, and any other food and/or beverage distributed/sold to students on the school campus during the school day.

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

Exceptions to the Standards:

1. In accordance with the NH Department of Education waiver, Principals may designate a total of nine days throughout the school year in which bake sales may be held during the school day in which foods that are sold are outside the nutrition standards.
2. Principals and teachers will promote the celebrations of holidays and birthdays with foods that meet the nutritional standards through school handbook information, newsletters, and distributions to parents and students.

The Superintendent/designee is responsible for implementing developmentally appropriate opportunities to learn food preparation skills that support nationally recognized research-based nutrition standards. The Superintendent/designee will provide information annually about the policy to the school community.

\*Conclusion of School Day for Each School:

High School:	2:12PM
Sage School:	2:00PM
Middle School:	2:10PM
Heron Pond:	3:00PM
Jacques School:	2:45PM

References:

7CFR 210.10, Nutrition Standards and Menu Planning Approaches for Lunches  
And Requirements For Afterschool Snacks.

Ed 306.04(a)(23), Availability and Distribution of Healthy Foods.

Ed 306.11(g)(h), Food and Nutrition Services.

Adopted: 5/2015

## **5115 NON-EDUCATIONAL QUESTIONNAIRES, SURVEYS AND RESEARCH 5115**

This policy will apply to all non-academic and non-educational surveys and questionnaires implemented, used and conducted by the District. For the purposes of this policy “non-academic survey or non-educational questionnaire” means “surveys, questionnaires or other documents designed to elicit information about a student’s social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student’s academics” or as otherwise may be defined by applicable state law or Department of Education regulation.

Parents and/or guardians will be notified at least ten (10) days prior to the District administering a non-academic or non-educational survey to students.

The surveys or questionnaire will be available at the school and on the school/school district’s website so that parents and/or guardians can review the survey or questionnaire prior to it being administered.

Parents and/or guardians may opt-out their child from the survey or questionnaire; and must opt out either by notifying the District in writing or electronically.

Parents who do not opt out their children will be deemed to have consented to the survey or questionnaire.

Legal Reference:

RSA 186:11, IX-d, Non-Academic Surveys and Questionnaires

Adopted: 12/2015

Maternal or paternal status shall not affect the rights and privileges of students to receive a public education. Pregnant students shall be permitted to continue in school in all instances when continued attendance has the sanction of the expectant mother's physician. The Board may require a physician's statement of activity limitations.

In the event a student informs a staff member that the student is pregnant, the following general guidelines will apply.

School staff members are reminded that they do not have the same relationship with students that the student would have in a medical setting.

Any staff member who learns that a student is pregnant or is informed of such by the pregnant student will immediately inform the building principal, school nurse and school/guidance counselor who may provide the pregnant student with information relative to medical health facilities, mental health resources, and counseling resources.

Staff members cannot promise that information told to the staff member by the student will remain confidential. Staff members should inform the student that pertinent laws may require the staff member to share the information if the student's health, safety or welfare is at risk.

If a pregnant student is a minor, the school building principal may need to contact state social service agencies. This determination should be made after consultation with the student nurse, school nurse, school/guidance counselor, and other employees whose input is needed.

Any other school district action or response will be made by the building principal, on a case-by-case basis, after consideration of all pertinent information.

Adopted: 8/2016