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WELLNESS POLICY (BPS Policy ILCF)*

APPENDIX

(*= Please refer to the school website, www.sau3.org, for the specific policy.)

Berlin Public Schools (BPS)
BOARD OF EDUCATION
Ann Nolin, Chairperson
Scott Losier
Jeanne Charest
Matthew Buteau
Nathan Morin

ADMINISTRATION
Julie King        Superintendent of Schools
Martha Miller    Director of Special Education
Tammy Fauteux    Principal
Sandy Pouliot    Assistant Principal

SCHOOL DISTRICT DIRECTORY

BERLIN PUBLIC SCHOOLS
Berlin Elementary School  200 State Street  752-5328
Berlin Middle High School  550 Willard Street  752-4122
Special Ed. Office        193 Pine Street  752-5068
Central Office            183 Hillside Avenue  752-6500
Bus Garage                170 Perry Street  752-3719
**ADMINISTRATORS:**

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Phone Extension</th>
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<tbody>
<tr>
<td>Tammy Fauteux</td>
<td>Principal</td>
<td>1007</td>
</tr>
<tr>
<td>Sandy Pouliot</td>
<td>Assistant Principal</td>
<td>1008</td>
</tr>
<tr>
<td>Martha Miller</td>
<td>Director – Special Education</td>
<td>1172</td>
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<td>Tom Sutton</td>
<td>Director – Transportation</td>
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<tr>
<td>Julie King</td>
<td>Superintendent of Schools</td>
<td>1108</td>
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**VISION AND MISSION**

**VISION:** Climbing to achieve academic excellence for college and career readiness for all students

**MISSION:** Berlin Public Schools will foster active, lifelong learners to participate constructively in community and global affairs through:

- Rigorous Standards
- Personalized Learning
- Community and Family Engagement
- Communication and Collaboration
- Problem Solving and Critical Thinking
- Creativity and Innovation
- Ethical Use of Information
- Be respectful! Be responsible! Be safe!

*Approved 3/03/16*
PRINCIPAL AND ASSISTANT PRINCIPAL MESSAGE

On behalf of the administration and staff, we would like to welcome you and your child to the Berlin Elementary School. During the 2021-2022 school year, we will strive to create an enjoyable, safe, and productive academic environment for your child. In order to do this effectively, we need guidelines. The following pages review the rules and policies of the Berlin Elementary School. With your cooperation, we can make this a rewarding and memorable school year.

Please note that the most up-to-date versions of the school board policies referenced in this manual may be found on our website at www.sau3.org.

Tammy Fauteux  Sandy Pouliot
Principal      Assistant Principal
HOW TO EFFECTIVELY COMMUNICATE WITH SCHOOL OFFICIALS

Student contacts Teacher or Parent contacts Teacher (via phone or email) if not resolved:

Parent requests a meeting with classroom teacher and student (if appropriate)

Parent contacts Principal via phone or email if not resolved:

Parent requests a meeting with Principal, Teacher, (student, if appropriate) if not resolved:

Parent contacts Superintendent via phone or email If not resolved:

Parent requests a meeting with Superintendent, Principal and Teacher (if appropriate)

Any disruptive behavior, use of inappropriate language, disrespect in any school building, event, or directed towards any staff member or school official, as determined by an administrator, shall constitute a "no trespass" letter, copied to the Berlin Police Department.

N.H. RSA 193:11 Disturbance. Any person not a pupil who shall wilfully interrupt or disturb any school shall be guilty of a misdemeanor.
ACTIVITY PARTICIPATION

Any student not coming to school prior to 11:30 A.M. or dismissed from school due to illness or suspension will not be allowed to participate and/or practice in any school sponsored activity that afternoon or evening. At the elementary level, this includes the After School Program.

ADMISSION OF HOMELESS STUDENTS (BPS Policy JFABD)*

The district will work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable preschool programs, Title I, similar state programs, special education, vocational and technical education programs, gifted and talented programs, and school nutrition programs. Homeless students are defined as (per NCLB definitions) lacking a fixed, regular, and adequate nighttime residence.

ADMISSION OF RESIDENT STUDENTS (BPS Policy JFAA)*

At the time of registration, for new students to attend Berlin Public Schools, parents or legal guardians must provide proof of age with an official birth certificate, immunization records, social security card, and proof of residency.

ADMISSION OF TUITION AND NON-RESIDENT STUDENTS (BPS Policy JFAB)*

“No person shall attend school, or send a pupil to the school in any district of which he is not an inhabitant, without the consent of the district or of the school board.” (RSA 193-12)

AED AUTOMATED EXTERNAL DEFIBRILLATOR

Berlin Elementary School is equipped with two AED machines. One is housed in the cafeteria and the other in the new gym. These machines save lives, in conjunction with cardiopulmonary resuscitation (CPR), in cardiac emergencies.

AFTER SCHOOL PROGRAM

Project Youth is a Nita M. Lowey 21st Century Community Learning Center Program (21st CCLC) that exists at Berlin Elementary School. The program begins at the end of the regular school day and runs until 6:00 p.m., Monday through Friday. Students receive help with homework, participate in enrichment-based activities, and hands-on projects. At the end of the program, transportation is available. There is no fee to attend this program. Registration forms are available in the office. Questions may be directed to the Program Director at 723-5222.
APPROVAL STATUS

NH Department of Education Commissioner’s Public School Approval Designation Report

Berlin Elementary School                  School ID          SAU: 3
200 State Street                       27035
Berlin, NH 03570

School Level: Elementary
Grades: K-5
Approval Status: APPROVED

ASBESTOS HAZARD EMERGENCY RESPONSE ACT (A.H.E.R.A.)

The Asbestos Hazard Emergency Response Act (AHERA) requires school districts to inspect their buildings for asbestos-containing building materials and develop, maintain, and update an asbestos management plan. The asbestos management plans are housed at the Superintendent’s Office. The school district must annually notify parents, teachers, and employee organizations in writing of the availability of the management plan and planned or in progress inspections, re-inspections, response actions, and post-response actions, including periodic re-inspection and surveillance activities. 40 C.F.R. – 763.94 (g) (4).

Download the U.S. Environment Protection Agency’s Model AHERA Yearly Notification Form at http://www.epa.gov/region2/ahera/notiform.htm

PUBLIC NOTICE ASBESTOS HAZARD EMERGENCY RESPONSE ACT (AHERA)

In compliance with Asbestos Hazard Emergency Response Act regulations 40 CFR 763, Subpart E (AHERA), the Berlin School District is required to notify parents, teachers, and all other building occupants that an Asbestos Management Plan (AMP) is available to them in either the office of each school or in the SAU office. The AMP details the location of asbestos in each building and provides a record of inspections, re-inspections, periodic surveillance, and removal of asbestos.

Periodic surveillance of Asbestos Containing Building Material (ACBM) is conducted by district personnel every six months and a thorough re-inspection of ACBM is conducted once every three years by the District’s environmental consultant.

If you require more detailed information, please call the Superintendent of Schools at 752-6500.

ASSIGNMENT OF STUDENTS

Classroom assignments for September are generally determined prior to June closing. Decisions are made by a school team and based on your child’s learning style, ability level, personality, educational/social needs. Any requests for specific teachers will not be considered in the process. Parents are advised to speak directly with their child’s teacher about their child’s specific needs in order to best place their child for future success.
For Kindergarten classes, we will be reassessing, observing social skills and making decisions about your child’s placement within the first six weeks. We will keep the class lists flexible in the event that students need to be moved. We will always keep the students best interest in mind.

**ATHLETICS**

Our school provides an interscholastic and intramural athletic program for grades three through five. In our intramural athletic program any eligible student who wishes to participate is encouraged to sign up for the various sports. All students who complete the necessary registration form on time will be placed on a team. The student athletes in our intramural programs must remain in good academic standing. Any student who is not making academic progress at report card time will be removed from their athletic team for the rest of the intramural season. The decision to continue in the program will remain with the building principal, the athletic directors, and the classroom teachers.

All participants in our intramural program must complete a “RESPECT, RESPONSIBILITY, AND COOPERATION” contract as well as a physical information form. All intramural sports are on campus activities or at a school designated field.

Sign-up for all Intramural Sports (field hockey, soccer, basketball) will be limited to a designated time. **NO SIGN-UPS WILL BE ACCEPTED BEYOND THE SIGN-UP DEADLINE.** For both intramural and interscholastic programs, uniforms are the athlete’s financial responsibility and should only be worn for games. They are not to be used for school attire, practices, or personal use.

All school rules and expectations apply to BES Intramural Sports and BES Interscholastic Basketball. Smoking is prohibited at all BES athletic competitions, including fields and off campus events.

**BACKPACKS**

Students are encouraged to have backpacks to transport school papers from home to school and vice-versa. Students will empty backpacks upon entry and repack them at dismissal. Students may be denied access to backpacks during the school day.

**BAND**

The fourth and fifth grade instrumental students will meet each week, during the school day. Work in this group includes beginning studies in ensemble playing, scales, intonation, sight-reading, and various types of music.

**BELL SCHEDULE**

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BICYCLES

Students are expected NOT to ride bicycles, roller blades, scooters or skateboards to school. There is nowhere for students to keep them locked up safe and out of the way.

BULLYING (BPS Policy JICK)

I. DEFINITIONS (RSA 193-F:3)
   1. Bullying. Bullying is hereby defined as a single significant incident or a pattern of incidents involving a written, verbal, or electronic communication, or a physical act or gesture, or any combination thereof, directed at another pupil which:
      1. Physically harms a pupil or damages the pupil’s property;
      2. Causes emotional distress to a pupil;
      3. Interferes with a pupil’s educational opportunities;
      4. Creates a hostile educational environment;
      5. Substantially disrupts the orderly operation of the school.

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

   2. Cyberbullying. Cyberbullying is defined as “bullying” in this policy, that is undertaken through the use of electronic devices. For purposes of this policy, any references to the term bullying shall include cyberbullying.

   3. Electronic devices. Electronic devices include, but are not limited to, telephones, cellular phones, computers, pagers, electronic mail, instant messaging, text messaging, and websites.

   4. School property. School property means all real property and all physical plant and equipment used for school purposes, including public or private school buses or vans.

II. STATEMENT PROHIBITING BULLYING OR CYBERBULLYING OF A PUPIL (RSA 193-F:4,II(a))

   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 hereby prohibited.

   Further, in accordance with RSA 193-F:4, the district reserves the right to address bullying and, if necessary, impose discipline for bullying that:

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

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

III. STATEMENT PROHIBITING RETALIATION OR FALSE ACCUSATIONS (RSA 193-F:4,II(b))

   False Reporting
A student found to have wrongfully and intentionally accused another of bullying may face discipline or other consequences, ranging from positive behavioral interventions up to and including suspension or expulsion.

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

Reprisal or Retaliation

The District will discipline and take appropriate action against any student, teacher, administrator, volunteer, or other employee who retaliates against any person who makes a good faith report of alleged bullying or against any person who testifies, assists, or participates in a proceeding or hearing relating to such bullying.

1. The consequences and appropriate remedial action for a student, teacher, school administrator or school volunteer who engages in reprisal or retaliation shall be determined by the Principal after consideration of the nature, severity and circumstances of the act, in accordance with law, Board policies and any applicable collective bargaining agreements.

2. Any student found to have engaged in reprisal or retaliation in violation of this policy shall be subject to measures up to, and including, suspension and expulsion.

3. Any teacher or school administrator found to have engaged in reprisal or retaliation in violation of this policy shall be subject to discipline up to, and including, termination of employment.

4. Any school volunteer found to have engaged in reprisal or retaliation in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds.

PROCESS TO PROTECT PUPILS FROM RETALIATION

If the alleged victim or any witness expresses to the Principal or other staff member that he/she believes he/she may be retaliated against, the Principal shall develop a process or plan to protect that student from possible retaliation.

Each process or plan may be developed on a case-by-case basis. Suggestions include, but are not limited to, re-arranging student class schedules to minimize their contact, stern warnings to alleged perpetrators, temporary removal of privileges, or other means necessary to protect against possible retaliation.

IV. PROTECTION OF ALL PUPILS (RSA 193-F:4,II(c))

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

V. DISCIPLINARY CONSEQUENCES FOR VIOLATIONS OF THIS POLICY (RSA 193-F:4,II(d))

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

In addition to imposing discipline under such circumstances, the board encourages the administration and school district staff to consider alternatives to traditional discipline, including but not limited to, early intervention measures, alternative dispute resolution, conflict resolution and other similar measures as appropriate to the situation.
VI. DISTRIBUTION AND NOTICE OF THIS POLICY (RSA 193-F;4,II(e))

Staff and Volunteers

All staff will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (employee handbook, hard copy, etc.).

The superintendent will ensure that all school employees and volunteers receive annual training on bullying and related district’s policies.

Students

All students will be provided with a copy of this policy annually. The Superintendent will determine the method of providing the policy (student handbook, mailing, hard copy, etc.).

Students will participate in an annual education program which sets out expectations for student behavior and emphasizes an understanding of harassment, intimidation, and bullying of students, the District’s prohibition of such conduct and the reasons why the conduct is destructive, unacceptable, and will lead to discipline. Students shall also be informed of the consequences of bullying conduct toward their peers.

Parents

All parents will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (parent handbook, mailing, etc.). Parents will be informed of the policy and the means for students to report bullying acts toward them or other students. They will also be told that to help prevent bullying at school they should encourage their children to:

1. Report bullying when it occurs;
2. Take advantage of opportunities to talk to their children about bullying;
3. Inform the school immediately if they think their child is being bullied or is bullying other students;
4. Cooperate fully with school personnel in identifying and resolving incidents.

Additional Notice and School District Programs

The Board may, from time to time, host or schedule public forums in which it will address the anti-bullying policy, discuss bullying in the schools, and consult with a variety of individuals including teachers, administrators, guidance counselors, school psychologists and other interested persons.

VII. PROCEDURE FOR REPORTING BULLYING (RSA 193-F;4,II(f))

At each school, the Principal shall be responsible for receiving complaints of alleged violations of this policy.

Student Reporting

1. Any student who believes he/she has been the victim of bullying should report the alleged acts immediately to the Principal or designee. If the student is more comfortable reporting the alleged act to a person other than the Principal, the student may tell any school district employee or volunteer about the alleged bullying.
2. 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 or designee as soon as possible.
3. The Principal may develop a system or method for receiving anonymous reports of bullying. Although students, parents, volunteers and visitors may report anonymously, formal disciplinary action may not be based solely on an anonymous report. Independent verification of the anonymous report shall be necessary in order for any disciplinary action to be applied.

4. The administration may develop student reporting forms to assist students and staff in filing such reports. An investigation shall still proceed even if a student is reluctant to fill out the designated form and chooses not to do so.

5. Upon receipt of a report of bullying, the Principal or designee shall commence an investigation consistent with the provisions of Section XIV of this policy.

Staff Reporting

1. An important duty of the staff is to report acts or behavior that they witness that appears to constitute bullying.

2. All district employees and volunteers shall encourage students to tell them about acts that may constitute bullying. For young students, staff members may provide direct assistance to the student.

3. Any school employee or volunteer who witnesses, receives a report of, or has knowledge or belief that bullying may have occurred shall inform the Principal or designee as soon as possible, but no later than the end of the school day.

4. Upon receipt of a report of bullying, the Principal or designee shall commence an investigation consistent with the provisions of Section XIV of this policy.

VIII. PROCEDURE FOR INTERNAL REPORTING REQUIREMENTS (RSA 193-F:4,II(g))
In order to satisfy the reporting requirements of RSA 193-F:6, the Principal or designee shall be responsible for completing all New Hampshire Department of Education forms and reporting documents of substantiated incidents of bullying. Said forms shall be completed within 10 school days of any substantial incident. Upon completion of such forms, the Principal or designee shall retain a copy for school records and shall forward one copy to the Superintendent. The Superintendent shall maintain said forms in a safe and secure location.

IX. NOTIFYING PARENTS OF ALLEGED BULLYING (RSA-F:4,II(h))
The Principal or designee shall report to the parents of a student who has been reported as a victim of bullying and to the parents of a student who has been reported as a perpetrator of bullying within 48 hours of receiving the report. Such notification may be made by telephone, writing or personal conference. The date, time, method, and location (if applicable) of such notification and communication shall be noted in the report. All notifications shall be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

X. WAIVER OF NOTIFICATION REQUIREMENT (RSA 193-F:4,II(i)).
The Superintendent may, within a 48-hour time period, grant the Principal or designee a waiver from the requirement that the parents of the alleged victim and the alleged perpetrator be notified of the filing of a report. A waiver may only be granted if the Superintendent deems such a waiver to be in the best interest of the victim or perpetrator. Any waiver granted shall be in writing.

XI. INVESTIGATIVE PROCEDURES (RSA 193-F:4,II(j))
1. Upon receipt of a report of bullying, the Principal shall, within 5 school days initiate an investigation into the alleged act. If the Principal is directly and personally involved with a complaint or is closely related to a party to the complaint, then the Superintendent shall direct another district employee to conduct the investigation.
2. The investigation may include documented interviews with the alleged victim, alleged perpetrator and any witnesses. All interviews shall be conducted privately, separately and shall be confidential. Each individual will be interviewed separately and at no time will the alleged victim and perpetrator be interviewed together during the investigation.

3. If the alleged bullying was in whole or in part cyberbullying, the Principal may ask students and/or parents to provide the District with printed copies of emails, text messages, website pages, or other similar electronic communications.

4. A maximum of 10 school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.

5. Factors the Principal or other investigator may consider during the course of the investigation, including but not limited to:
   ● Description of incident, including the nature of the behavior
   ● How often the conduct occurred
   ● Whether there were past incidents or past continuing patterns of behavior
   ● The characteristics of parties involved, (name, grade, age, etc.)
   ● The identity and number of individuals who participated in bullying behavior
   ● Where the alleged incident(s) occurred
   ● Whether the conduct adversely affected the student’s education or educational environment
   ● Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident, and
   ● The date, time, and method in which parents or legal guardians of all parties involved were contacted

6. The Principal shall complete the investigation within 10 school days of receiving the initial report. If the Principal needs more than 10 school days to complete the investigation, the Superintendent may grant an extension of up to 7 school days. In the event such extension is granted, the Principal shall notify in writing all parties involved of the granting of the extension.

7. Whether a particular action or incident constitutes a violation of this policy shall require a determination based on all facts and surrounding circumstances and shall include recommended remedial steps necessary to stop the bullying and a written final report to the Principal.

8. Students who are found to have violated this policy may face discipline in accordance with other applicable board policies, up to and including suspension. Students facing discipline will be afforded all due process required by law.

9. Consistent with applicable law, the District will not require or request that a student disclose or provide to the District the student’s username, password, or other authenticating information to a student’s personal social media account. However, the District may request to a student or student’s parent/guardian that the student voluntarily share printed copies of specific information from a student’s personal social media account if such information is relevant to an ongoing District investigation.

XII. RESPONSE TO REMEDIATE SUBSTANTIATED INSTANCES OF BULLYING (RSA 193-F:4,II(k))

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of bullying or retaliation may range from positive behavioral interventions up to and including suspension or expulsion of students, dismissal from employment of staff members.

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

Examples of consequences may include, but are not limited to:

- Admonishment
- Temporary removal from classroom
- Deprivation of privileges
- Classroom or administrative detention
- Referral to disciplinarian
- In-school suspension
- Out-of-school suspension
- Expulsion

Examples of remedial measures may include, but are not limited to:

- Restitution
- Mediation
- Peer support group
- Corrective instruction or other relevant learning experience
- Behavior assessment
- Student counseling
- Parent conferences

In support of this policy, the Board promotes preventative educational measures to create greater awareness of aggressive behavior, including bullying. The Board encourages the Superintendent to work collaboratively with all staff members to develop responses other than traditional discipline as a way to remediate substantiated instances of bullying.

XIII. REPORTING OF SUBSTANTIATED INCIDENTS TO THE SUPERINTENDENT (RSA 193-F:4,II(l))
The Principal shall forward all substantiated reports of bullying to the Superintendent upon completion of the Principal’s investigation.

XIV. COMMUNICATION WITH PARENTS UPON COMPLETION OF INVESTIGATION (RSA 193-F:4II(m))

1. Within two school days of completing an investigation, the Principal will notify the students involved in person of his/her findings and the result of the investigation.
2. The Principal will notify via telephone the parents of the alleged victim and alleged perpetrator of the results of the investigation. The Principal will also send a letter to the parents within 24 hours again notifying them of the results of the investigation.
3. If the parents request, the Principal shall schedule a meeting with them to further explain his/her findings and reasons for his/her actions.
4. In accordance with the Family Educational Rights and Privacy Act and other laws concerning student privacy, the District will not disclose educational records of students including the discipline and remedial action assigned to those students and the parents of other students involved in a bullying incident.

XV. APPEALS
A parent or guardian who is aggrieved by the investigative determination letter of the principal or his/her designee may appeal the determination to the Superintendent for review. The appeal shall be in writing
addressed to the Superintendent, shall state the reason(s) why the appealing party is aggrieved, and
the nature of the relief they seek. The Superintendent shall not be required to re-investigate the matter
and shall conduct such review as he/she deems appropriate under the circumstances.

It is in the best interests of students, families, and the District that these matters be promptly resolved. Therefore, any such appeal to the Superintendent shall be made within ten (10) calendar days of the
parent/guardian’s receipt of the investigative determination letter of the principal or his/her designee. The Superintendent shall issue his/her decision in writing.

If the parent or guardian is aggrieved by the decision of the Superintendent, they may appeal the
decision to the school board within ten (10) calendar days of the date of the parent/guardian’s receipt of the Superintendent’s decision. An appeal to the Superintendent shall be a prerequisite to any appeal to the School Board. The appeal to the School Board shall be in writing, addressed to the School Board Chair in care of the Superintendent, shall state the reason(s) why the appealing party is aggrieved, and
the nature of the relief they seek.

An aggrieved parent/guardian has the right to appeal the final decision of the local School Board to the State Board within thirty (30) calendar days of receipt of the written decision of the local School Board in accordance with RSA 541-A and the State of New Hampshire Department of Education Regulations set forth in ED 200. The State Board may waive the thirty-day requirement for good cause shown, including, but not limited to, illness, accident, or death of a family member.

XVI. SCHOOL OFFICIALS (RSA 193-F;4,II(n))

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

XVII. CAPTURE OF AUDIO RECORDINGS ON SCHOOL BUSES

Pursuant to RSA 570-A:2, notice is hereby given that the Board authorizes audio recordings to be made in conjunction with video recordings on the interior of the school buses while students are being transported to and from school or school activities. The Superintendent shall ensure that there is a sign informing the occupants of school buses that such recordings are occurring.

XVIII. USE OF VIDEO OR AUDIO RECORDINGS IN STUDENT DISCIPLINE MATTERS

In order to facilitate the implementation of this policy, the District reserves the right to use audio and/or video recording devices on district property (including school buses) to ensure the health, safety and welfare of all staff, students and visitors, pursuant to RSA 570-A2. Placement and location of such devices will be established in accordance with the provisions of Policies EEAA, EEAE, ECAF.

In the event an audio or video recording is used as part of a student discipline proceeding, such video may become part of a student’s education record. If an audio or video recording does become part of a student’s education record, the provisions of Policy JRA (FERPA) shall apply.

**BUS CONDUCT- (BPS JICC and JICC-R 11/5/2015)**

Full Policies are in the appendix at the back of this manual.

The School Board and staff members are very concerned about safety as we transport pupils. Cooperation from both parents/guardians and students is required as we attempt to keep the buses safe for all concerned.

Students using district transportation should understand that they are under the jurisdiction of
the school from the time they board the bus until they are deposited at school or are deposited at the stop nearest their home. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reason for a pupil to be denied the privilege of transportation in accordance with the regulations or the board.

Berlin School Buses are equipped with video and audio surveillance technology.

**CALL BACK**

To ensure the well-being of your child, we ask that you **CALL** the school when your child is absent or tardy. The school offices are open at 7:30 A.M. and also have a voicemail for earlier calls. If we do not hear from you, we will call you.

Students absent from school **MUST** bring a note to their teacher, even when called, signed by a parent or guardian, stating the cause of the absence, otherwise the absence is entered as unexcused. Make-up work should be completed as soon as possible. We encourage the parents to refrain from keeping a child out of school for reasons other than illness.

**CARE OF BOOKS & SCHOOL PROPERTY**

Students will be held responsible for proper care and return of all books or other school property issued to them. Textbooks **must** be covered. Books that are damaged and/or lost and school property deliberately damaged must be paid for. All textbooks are numbered and a record made of the child they are given to. Full book price as specified in the most recent catalog will be charged for lost books. Payment must be made before issuing another book. Damaged books will be charged a $5.00 fee for repair.

Library books are signed out on a weekly basis. Lost or damaged books will be billed at full replacement cost. A student who has not paid for a lost or damaged book will not be allowed to sign out any further books until such a bill is paid. Students who were the last to sign out books are held responsible for proper care and use. Final report cards may not be issued until all book bills are paid.

**CELL PHONES**

Cell phone use is prohibited during school hours.

**CHANGE OF ADDRESS/TELEPHONE**

It is very important for emergency and administrative reasons that every student maintain an up-to-date address and phone number record at the school office. **Notify the school immediately if you have a change of address or telephone number during the school year.** You may also make these edits in your PowerSchool Portal.
**CHEATING/ PLAGIARISM**

Students who use plagiarized papers/projects or are involved in any other form of cheating will be subject to reduction in grades and/or disciplinary action. Parents/guardians will be notified of any incident of cheating.

**COMMUNICABLE DISEASES (BPS Policy JLCC)***

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

**CRISIS PREVENTION AND RESPONSE- (BPS- Policy EBC 11/20/2014)***

The board recognizes that schools are subject to a number of potentially dangerous events, such as natural disasters, industrial accidents, acts of terrorism, and other violent events. No school is immune from these events no matter what size or locations. The board is committed to the prevention of these events, to the extent possible, in the schools and at school sponsored activities.

The superintendent shall establish an advisory committee to develop a Crisis Prevention and Response Plan. The committee will review school district programs and activities, assess the district’s security and safety needs, and review the board policies, administrative regulations, response plans and procedures.

Consistent with policy EBCA and RSA 189:64, the school board directs the superintendent to develop site-specific emergency response plans for each school building and further directs the superintendent to submit the emergency response plans to the Division of Homeland Security and Emergency Management, Department of Safety.

**DAILY PHYSICAL ACTIVITY**

The District has established a physical activity program that emphasizes the importance of daily physical activity and enables all students to participate. Physical education and health education promote activity and involvement by all members of our learning community.

No child shall be excused from regular physical education except on the written notice of a licensed physician or on the written request of the parents, subject to Board approval, in which case an alternative program shall be provided.

**DELIVERIES**

Students are **NOT** to receive floral and/or balloon bouquets at school.

**DETENTIONS**

Students in grades 3-5 may receive an after school detention if they have misbehaved in school or have repeated tardiness.

Detention is held on Tuesdays and Thursdays for 30 minutes after dismissal. **Detention assignments take precedence over all athletic practices, games, drama rehearsals, and club**
meetings.

Students that receive detention will receive a letter from the office stating the infraction and the date of the detention. These letters are given to the student. They are not mailed home.

Any student that does not report for an office detention will receive a double detention and the student will be given a letter to take home informing the parents of the situation. If the student skips one of the double detention assignments he/she may be suspended for one school day. Parents will be notified by phone of the suspension.

DIRECTORY INFORMATION

Part of your child’s education record is known as public directory information. Directory information includes personal information about a student that can be made public, according to FERPA (Family Educational Rights and Privacy Act), without parental consent. Directory information includes: student name, address, telephone listing, date and place of birth, electronic mail address, dates of attendance and grade level, names and pictures of participants in extracurricular activities and recipients of awards. **If you do not want directory information released on your child, please notify the school office in writing by the last Friday in September.**

DISMISSALS

Students in grades K-5 will not be released from school except in the custody of the parent or legal guardian, or authorized adult. Students will be released only when legally authorized by the parent or legal guardian. Students being dismissed for appointments during the school day should bring in a written note from the parents with specified time of dismissal. Parents should meet the student at the office at the specified time of dismissal.

DRESS CODE (BPS Policy JICA 1/3/2013)*

Students are expected to dress and appear in a manner that will not be detrimental to the safety, health and welfare of the students or school. The appearance should be such as not to create disturbances in the educational program. Shoes must be worn at all times. Students are not permitted to wear hats or bandanas in school. The school strongly encourages proper dress for cold temperatures, which would include hats, mittens, boots, ski pants and warm jacket. Students are expected to participate in outdoor recess unless temperatures fall below zero degrees.

Policy: The Board recognizes that student individual dress is primarily a parental responsibility that should reflect concern for health and safety of students, staff and others. When the dress or an individual student constitutes a health problem, is unsuitable for school wear, is a danger to any person, or causes a substantial and material disruption or substantial disturbance, the principal shall take appropriate action to correct the situation.

The following apparel is not be worn during the school day: caps, hats, and other headgear; tank tops with straps less than 2 inches; clothing with offensive, vulgar, or racist language or pictures; tops that do not completely cover the mid-section; indiscreet tattoos, inappropriate necklines, see through or mesh shirts, exposed undergarments, strapless shirts, short shorts, nylon/spandex athletic
wear; clothing sexually implicit or explicit that displays tobacco, alcohol or any drug related substance.

Students who violate this policy will be given an opportunity to correct the situation by either changing the clothing, removing the clothing (if appropriate), wearing it inside-out, or other means as determined by the principal so the student is in compliance with this policy. Students who repeatedly violate this policy may face more severe punishment, including detention, in school suspension, or out-of-school suspension.

**DRUG AND ALCOHOL USE BY STUDENTS (BPS Policy JICH 2/4/2016)**

The school board is concerned with the health, welfare, and safety of its students thus provides students with an environment that is free of the problems associated with alcohol and drug abuse. Therefore, the use, sale, transfer, distribution, possession or being under the influence of unauthorized prescription drugs, alcohol, narcotics, unauthorized inhalants, controlled substances, illegal drugs is prohibited on any school district property, in any district owned vehicle, or any other district approved vehicle used to transport students to and from school or district activities. This prohibition also applies to any district sponsored or district approved activity, event or function. The use, sale, transfer, or possession of drug-related paraphernalia is also prohibited.

For the purpose of this policy, a controlled substance shall include any controlled substance as defined in the Controlled Substance Act, 21 U.S.C.812 ©, or RSA 318-B, Controlled Drug Act.

Prescription and non-prescription drugs which a student has on prescription or through written parent authorization and are carried onto school property must be kept in the nurse’s office along with a copy of the prescription. The drug must be taken in the nurse’s office as well. The distribution and/or sale of prescription and/or non-prescription drugs to others is strictly forbidden, suspension and counseling will result. Other action may be taken.

Any student who is found by the administration to be in violation of this policy shall be referred for counseling sessions, rehabilitation programs, and subject to disciplinary action up to and including suspension, expulsion, or other discipline in accordance with the district’s disciplinary policy. Strict compliance is mandatory. The school principal shall immediately report all incidents involving controlled substance to the appropriate local law enforcement agency and the superintendent. All controlled substances shall be turned over to local law enforcement.

When a student is suspected of being under the influence of illegal substance he/she will be brought to the nurse’s office for assessment. This assessment may include taking vital signs and part or all of a screening measure. A student who fails to comply with the assessment requirement will be turned over to the local law enforcement. Parents/ legal guardians will be notified of the results of any assessment. Recommendations may include further assessment, testing or treatment before the student returns to school.

Students who enter into residential treatment will be encouraged to remain enrolled in school. The school district is not financially responsible for a student’s education while he/she is in treatment. The school guidance counselor will facilitate an educational plan upon written parental release of information. Release of information will also be encouraged between the facility and school to discuss aftercare plans and to support the student’s recovery.
Students with disabilities who violate this policy will be disciplined in accordance with the students individual education program (IEP).

**EMERGENCY CARE AND FIRST AID (BPS Policy EBBC)**

The school will obtain at the start of each school year emergency contact information of parents or legal guardians for each student and staff member.

Also, in the event of emergency care/first aid, opioid antagonists (narcan/naloxone) may be administered by trained staff.

**EMERGENCY CLOSINGS/Delayed Opening**

In the event that school must be dismissed earlier than the regularly scheduled time, parents must specify their child’s procedure for school emergency closings on the Cumulative Information Sheet sent home on the first day of school. This procedure should NOT include use of the school telephone. Buses will run regular routes home at the time of dismissal/closing. Notification of emergency closings or school delays will be broadcast on Radio Station WMOU 1230 AM and WMUR TV and on www.sau3.org. As of May 1, 2012 the district now has One Call Now through PowerSchool Student Information System. One Call Now’s Parent Broadcast solution enables the school to dial every parent immediately and relays accurate facts via voice messages directly from administrators.

If it becomes necessary to have a delayed school opening, students would arrive at school two hours later than regularly scheduled. For example, if school typically begins at 8:00am, then a two hour delay would have school opening at 10:00am. If school opening is delayed, there will be no breakfast at Berlin Elementary School.

**EMERGENCY RESPONSE DRILLS**

There will be ten emergency response drills during the year. Students will practice 8 different kinds of these drills, which include: Drop, Cover and Hold; Secure Campus; Shelter-In-Place; Lockdown; Clear Hallways; Evacuation; Reverse Evacuation and Scan. The practice of these drills will keep us all aware of how important the safety of our students is.

**EMERGENCY PLANS**

The board recognizes that State law requires the district to implement an Emergency Response Plan that conforms to the Incident Command System and the National Incident Management System.

The superintendent is responsible for ensuring the district conducts emergency response drills and will establish relations with local and state emergency law enforcement authorities. The superintendent or his/her designee will serve as a coordinator/ liaison with these authorities.

**EQUAL EDUCATIONAL OPPORTUNITIES**
Criteria and selection for the assignment or selection of students to programs, courses or classes are developed and applied without regard to bias, prejudice or discrimination. All courses are open to all students. However, a student may not be able to be enrolled in the specific course or section of his/her choice, due to scheduling and/or budget constraints. All programs, courses, classes are conducted without discrimination in assignment, materials and services.

**EVERY STUDENT SUCCEEDS ACT**

On December 10, 2015, President Barack Obama signed the Every Student Succeeds Act (ESSA) into law as Public Law Number 114-95. ESSA reauthorizes the Elementary and Secondary Education Act of 1965 “to ensure that every child achieves.”

ESSA is the nation’s general education law and, as such, has been revised by Congress many times over the years. The last reauthorization took place in 2001 and was called the No Child Left Behind Act (NCLB).

The ESSA is divided into 8 different titles, each emphasizing a different aspect of strengthening and supporting the educational systems of states and local educational agencies (LEAs). The titles of the law are:

- **Title I**—Improving Basic Programs Operated by State and Local Educational Agencies
- **Title II**—Preparing, Training, and Recruiting High-Quality Teachers, Principals, or Other School Leaders
- **Title III**—Language Instruction for English Learners and Immigrant Students
- **Title IV**—21st Century Schools
- **Title V**—State Innovation and Local Flexibility
- **Title VI**—Indian, Native Hawaiian, and Alaska Native Education
- **Title VII**—Impact Aid
- **Title VIII**—General Provisions

An “accountable” education system involves several critical steps:
- New Hampshire has adopted the Common Core State Standards (CCSS) for what a child should know and learn for all grades.
- With standards in place, New Hampshire must test every student’s progress toward those standards by using tests that are aligned with standards.
- Each student will be expected to make progress.
- School and district performance will be publicly reported by state and district report cards. Individual school results will be reported on the district report cards.
- All staff must meet Highly Qualified requirements.

**EXCLUSION OF STUDENTS FROM SCHOOL FOR ILLNESS (BPS Policy JLCG)**

A student may be excluded from the classroom when he/she exhibits symptoms of a contagious or communicable illness. The school nurse is responsible for determining whether a student should be excluded from school for such an illness and provided with criteria for readmission. Criteria for excluding students from school under this policy are found in Appendix JLCG-R.
FAMILY VACATIONS

If your family is fortunate enough to be planning an extended vacation that will occur while school is in session, you should understand the following: Classroom instruction from the teacher will be missed and teachers cannot teach lessons over again upon the child’s return.

Materials will not be sent with you on your vacation if they are not yet prepared for the students who will be here. Students should plan on making up work when they return within a set time frame.

The teachers will save materials for you to complete upon your return, but the responsibility for getting and completing these assignments will rest with you and your child, not the teachers.

The faculty does understand the value of family vacation, but cannot help wishing that they could occur when school is not in session. There is no substitute for in-class instruction.

F.E.R.P.A.- ACCESS TO STUDENT RECORDS (BPS Policy JRA)*

It is the policy of the School Board that all school district personnel will follow the procedures outlined herein as they pertain to the maintenance of student records. Furthermore, it is the policy of the School Board that all school district personnel will follow the provisions of the Family Educational Rights Privacy Act (FERPA) and its corresponding regulations.

Education Record. For the purposes of this policy and in accordance with FERPA, the term “educational record” is defined as all records, files, documents and other material containing information directly related to a student; and maintained by the school district; or such other agents as may be acting for the school district. Such records include, but are not limited to, handwriting, videotape, audiotape, electronic or computer files, film, print, microfilm and/or microfiche, completed forms, printed documents. Educational records do not include records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute.

Directory Information. For the purpose of this policy and in accordance with the provisions of FERPA and New Hampshire RSA 189:1-e, the term “directory information” means: Students’ name(s), address(es), telephone number(s), and dates of enrollment Parents'/guardians’ name(s) and address(es) Students’ grade levels, enrollment status and dates of attendance Students’ photographs Students’ participation in recognized school activities and sports Weight and height of members of athletic teams Post-high school plans Students’ diplomas, certificates, awards and honors received Except for elements of a student’s directory information which the student’s parents or an eligible student has notified the District not to disclose, the District may release or disclose student directory information without prior consent of the student’s parents/eligible students. Within the first three weeks of each school year, the District will provide notice to parents/eligible students of their rights under FERPA and that the District may publish directory information without their prior consent. Parents/eligible students will be given until the third Monday following the opening of a new school year to notify the District in writing of any or all directory information items that they refuse to permit the District to release or disclose, including disclosure to military recruiters. Notice from a parent/eligible student that any or all directory information shall not be released will only be valid for that school year and must be re-issued each school year.

Personally Identifiable Information. “Personally identifiable information” is defined as data or information which makes the individual who is the subject of a record known, including a student’s name, the student’s or student’s family’s address; the name of the student’s parent or other family members; a personal identifier such as a student’s Social Security number; the student’s date of birth, place of birth, or mother’s maiden name. “Personally identifiable information” also includes other information that, alone or in combination, is linked or linkable to a specific student that would allow a
reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with a reasonable certainty or other information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

Annual Notification/Rights of Parents and Eligible Students. Within the first four weeks of each school year, the District will publish notice to parents and eligible students of their rights under State and Federal law and this policy. The District will send home with each student a notice listing these rights. The notice will include:

1) The rights of parents or eligible students to inspect and review the student’s education records;
2) The intent of the District to limit the disclosure of information in a student’s record, except: (a) by the prior written consent of the parent or eligible student; (b) as directory information; or (c) under certain, limited circumstance, as permitted by law;
3) The right of a student’s parents or an eligible student to seek to correct parts of the student’s educational records which he/she believes to be inaccurate, misleading, or in violation of student rights; this includes a hearing to present evidence that the records should be changed if the District decides not to alter them according to the parent’s or eligible student’s request;
4) The right of any person to file a complaint with the United States Department of Education if the District violates FERPA; and
5) The procedure that a student’s parents or an eligible student should follow to obtain copies of this policy.

Procedure to Inspect Education Records. Parents or eligible students may inspect and review education records which they are entitled to. In some circumstances, it may be more convenient for the record custodian to provide copies of records. Since a student’s records may be maintained in several locations, the school principal may offer to collect copies of records or the records themselves from locations other than a student’s school, so that they may be inspected at one site. If parents and eligible students wish to inspect records where they are maintained, school principals will determine if a review at that site is reasonable. Although not specifically required, in order that a request is handled in a timely manner, parents/eligible students should submit to the school principal a written request that identifies as precisely as possible the record or records that he/she wishes to inspect. The principal will contact the parents or the eligible student to discuss how access is best arranged for their inspection or review of the records (copies, records brought to a single site, etc.). The principal will make the needed arrangements as soon as possible and notify the parent or eligible student of the time and place where the records may be inspected. This procedure must be completed within 14 days or earlier after the principal’s receipt of the request for access is first made. If for any valid reason such as working hours, distance between record location sites or health, a parent or eligible student cannot personally inspect and review a student’s education records, the principal may arrange for the parent or eligible student to obtain copies of the records. When records contain information about students other than a parent’s child or the eligible student, the parent or eligible student may not inspect and review the records of the other students. If such records do contain the names of other students, the principal will seek consultation with the Superintendent and/or the District’s attorney to determine how best to proceed. Where practicable, it may be necessary to prepare a copy of the record which has all personally identifiable information on other students redacted, with the parent or eligible student being allowed to review or receive only a copy of the redacted record. Both the original and redacted copy should be retained by the District.

Procedures to Seek to Correction of Education Records. Parents of students or eligible students have a right to seek to change any part of the student’s records which they believe is inaccurate, misleading or in violation of student rights. FERPA and its regulations use both “correct/ion” and “amend”. For the purposes of this policy, the two words (in all of their respective forms) shall mean...
the same thing unless the context suggests otherwise. To establish an orderly process to review and correct (amend) the education records for a requester, following processes are established. 1. First-level decision. When a parent or eligible student finds an item in the student’s education records that he/she believes is inaccurate, misleading or in violation of student rights, he/she should submit a written request asking the building principal to correct it. If the records are incorrect because of clear error and it is a simple matter to make the change, the principal should make the correction. If the records are changed to the parent’s/eligible student’s satisfaction, both parties shall sign a document/form stating the date the records were changed and that the parent/eligible student is satisfied with the correction. If the principal believes that the record should not be changed, he/she shall: 1. Provide the requester a copy of the questioned records at no cost; 2. Ask the parent/eligible student to initiate a written appeal of the denial of the request for the change, which will be forwarded to the Superintendent; 3. Forward the written request to the Superintendent; and 4. Inform the parents/eligible student that the appeal has been forwarded to the Superintendent for a decision. 2. Second-level decision. If the parent/eligible student wishes to challenge the principal’s decision to not change the student record, he/she may appeal the matter to the Superintendent. The parent/eligible student shall submit a written request to the principal asking that the matter be appealed to the Superintendent. The principal will forward to the Superintendent the appeal. The Superintendent shall, within ten (10) business days after receiving notification of the request appeal: 1. Review the request; 2. Discuss the request with other school officials; 3. Make a decision whether or not to make the requested correction to the educational record; 4. Schedule a meeting with the parents/eligible student if the Superintendent believes such a meeting would be necessary; and 5. Notify the parent/eligible student of the Superintendent’s decision, on their request to correct the student’s educational record. If the Superintendent determines the records should be corrected, he/she will make the change and notify the parents/eligible student in writing that the change has been made. The letter stating the change has been made will include an invitation for the parent/eligible student to inspect and review the records to verify that the records have been corrected and the correction is satisfactory. If the records are changed to the parent’s/eligible student’s satisfaction, both parties shall sign a document/form stating the date the records were changed and that the parent/eligible students is satisfied with the correction. If the Superintendent determines the records will not be corrected, he/she will notify the parents/eligible student in writing of his/her decision. Such letter will also notify the parents/eligible student of their right to an appeal hearing before the School Board. 3. Third-level decision. If the parents or eligible student are not satisfied with the Superintendent’s decision, they may submit a written request for a hearing before the School Board. The parents/eligible student shall submit the request for a hearing with the Superintendent within ten (10) business days of the Superintendent’s written decision in level-two. The Superintendent will inform the School Board of the request for a hearing and will work with the School Board to schedule a hearing within 45 days of receipt of the request. Once the meeting is scheduled, the Superintendent will inform the parents in writing of the date, time and place of the hearing. The hearing will be held in non-public session consistent with the provisions of RSA 91-A:3, unless the parent/eligible student requests that the hearing be held in public session. The School Board will give the parent/eligible student a full and fair opportunity to present evidence relevant to the issues raised under their request. Parents/eligible students may be assisted or represented by one or more individuals of their own choice, including an attorney. The School Board will issue its final decision in writing within 30 days of the hearing, and will notify the parents/eligible student thereof via certified mail, return receipt requested. The School Board will base its decision solely on the evidence presented at the hearing. The School Board’s
written decision will include a summary of the evidence and the reasons for its decision. If the School Board determines that the student record should be corrected, it will direct the Superintendent to do so as soon as possible. The Superintendent will then contact the parents/eligible student for a meeting so they can review and inspect the records to verify that they have been corrected. At this meeting, both parties shall sign a document/form stating the date the records were changed and that the parent/eligible student is satisfied with the correction. The School Board’s decision will be final.

Parent/Eligible Student Explanation to be Included in Record. Notwithstanding the resolution of any request to correct a student’s record(s), in accordance with section (a)(2) of FERPA, a parent or eligible student may insert into that student’s educational record a written explanation respecting the content of the record. Disclosure of Student Records and Student Information. In addition to directory information, the District may disclose student records and student information without consent to the following parties on the condition that the recipient agrees not to permit any other party to have access to the released information without the written consent of the parents of the student, and under the conditions specified.

1. School officials with a legitimate educational interest. School officials with a legitimate educational interest may access student records. “Legitimate education interest” refers to school officials or employees who need to know information in a student’s education record in order to perform the employee’s employment responsibilities and duties.
2. Other schools into which a student is transferring or enrolling, upon condition that the student’s parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record. This exception continues after the date that a student has transferred.
3. Officials for audit or evaluation purposes.
5. Organizations conducting certain studies for, or on behalf of the school district. Student records or student information will only be provided pursuant to this paragraph if the study is for the purpose of: developing, validating or administering predictive tests; administering student aid programs; or improving instruction. The recipient organization must agree to limit access to the information and to destroy the information when no longer needed for the purpose for which it is released.
6. Accrediting organizations.
7. Judicial orders or lawfully issued subpoenas. upon condition that parents and the student are notified of all such orders or subpoenas in advance of compliance therewith by the District, except when a parent is a party to a court proceeding involving child abuse or neglect or dependency. The principal shall consult with the Superintendent and legal counsel as needed to ensure compliance with the judicial order and applicable law.
8. Health and safety emergencies. Maintenance of Student Records and Data. The principal of each building is responsible for record maintenance, access and destruction of all student records. All school district personnel having access to records shall place great emphasis upon privacy rights of students and parents. All entries into student records must be dated and signed by the person accessing such records. The principal will ensure that all records are maintained in accordance with applicable retention schedules as may be established by law.

Disclosures Made From Education Records. The District will maintain an accurate record of all requests for it to disclose information from, or to permit access to, a student’s education records and of information it discloses and access it permits, with some exceptions listed below. This record is kept with, but is not part of, each student’s cumulative school records. It is available only to the record custodian, the eligible student, the parent(s) of the student, or to federal, state or local officials for the purpose of auditing or enforcing federally supported educational programs. The record includes:
1. The name of the person who or agency which made the request; 
2. The interest which the person or agency has in the information; 
3. The date on which the person or agency made the request; 
4. Whether the request was granted and, if it was, the date access was permitted or the disclosure was made and 
5. In the event of a health and safety emergency, the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and the parties to whom the agency or institution disclosed the information.

The District will maintain this record as long as it maintains the student’s educational record. The records do not include requests for access or information relative to access which has been granted to parent(s) of the student or to an eligible student, requests for access or access granted to officials of the District who have a legitimate educational interest in the student; requests for, or disclosures of, information contained in the student’s education records if the request is accompanied by the prior written consent of a parent(s) or eligible student or if the disclosure is authorized by such prior consent or for requests for, or disclosures of, directory information designated for that student. The records of a request for the correction of an educational record, including any appeal of a denial of that request, if the educational record is ultimately corrected shall not be treated as part of the educational record of the student and shall be preserved separately.

**FIELD TRIPS**

Any student that has been suspended for ten school days is automatically prohibited from participating in all school field trips. Any student that has missed 20 days of school, may not participate in any field trip unless extenuating medical circumstances exist. Field trips are a privilege. Students may be excluded from participation based on lack of necessary academic performance, attendance and/or behavior. There will be a signed permission slip that will be needed in order for students to attend any field trip off of school grounds.

**FIRE ALARM**

Fire alarm equipment is provided throughout the school for the safety of all persons.

- Fire alarm boxes and equipment throughout the building are set so they cannot be accidentally set off or discharged.
- Any student who falsely trips a fire alarm box or equipment will:
  - Automatically be reported to the police.
  - Receive a ten day out of school suspension and letter sent to the superintendent advising of the incident.
  - Pay the associated financial fees.

**FUNDRAISING**

Berlin Elementary School has fundraisers during the course of the school year. Participation of the students is optional but strongly encouraged and the proceeds go towards student events.

**GRADING SYSTEM (BPS Policy IKA)**

Students are graded on competencies within each subject area by a rating scale, there are four performance levels.
4 Proficient with Distinction Extends knowledge and skills beyond essential content. Additional evidence may include: apply knowledge to an unfamiliar task, create a new prudent, embed connection across multiple courses and/or content are competencies.

3 Proficient Essential content knowledge and skills are demonstrated consistently using a developmentally appropriate level of independence. The student applies practiced content and skills to familiar taste using critical thinking.

2 Developing Proficiency Essential content knowledge and skills are not yet demonstrated consistently.

1 Insufficient Evidence Insufficient evidence to measure proficiency.

N/A Not Assessed Not assessed.

GUIDANCE/SCHOOL COUNSELING

The Elementary School Counseling Department is a comprehensive program that follows the American School Counseling Association Model and Standards (ASCA) to guide service implementation in prevention and intervention. The program supports student’s personal/social, academic and career related needs and development through a variety of services. Services include scheduled classroom guidance using an evidence-based Social Emotional Learning (SEL) curriculum called, Second Step, small group counseling and individual counseling for students with identified needs, as well as school- wide programming that focuses on Character Education. Our department includes a collaborative effort with school administrators, classroom teachers, school staff, parents/guardians, and community stakeholders to best meet the needs, development and learning of each student.

HAZING (BPS Policy JICFA)*
Full policy is in the appendix at the back of this manual.

It is the policy of the District that no student or employee of the District shall participate in or be members of any secret fraternity or secret organization that is in any degree related to the school or to a school activity. No student organization or any person associated with any organization sanctioned by the Board of Education shall engage or participate in hazing.

For the purpose of this policy, hazing is defined as any act directed toward a student, or any coercion or intimidation of a student to act or to participate in or submit to any act, when: 1) Such act is likely or would be perceived by a reasonable person as likely to cause physical or psychological injury to a person; and (2) Such act is a condition of initiation into, admission into, continued membership in or association with any organization. Hazing includes but is not limited to an activity which recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization sanctioned or authorized by the Board of Education.
HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

All student medical/health information is maintained in accordance with the Health Insurance Portability and Accountability Act (HIPAA). Written permission from the parent/guardian is required for the school to release protected medical/health information not covered under the FERPA regulations.

HOMEWORK

Homework is an integral part of the child’s learning experience. We have always seen the need for homework assignments, and recognize that younger students need to complete these tasks also. The teacher will determine the value of each individual assignment before homework is done. Homework teaches responsibility and allows practice of concepts taught. Parental support is most helpful.

Homework at BES looks like 15-30 minutes of reading at least twice a week. Math work would consist of Bridges Home Connection work and/or math fluency practice as assigned by the teacher at least twice per week.

HOT LUNCH/BREAKFAST/SNACK PROGRAM

Hot lunch is available in all of the schools. Students who bring cold lunch may purchase milk at lunch time. Students should not bring soda for lunch. Alternatives could be juices or flavored drinks.

Free/Reduced hot lunch is also available if you meet the income requirements set by the federal government. Forms are sent home on the first day of school or upon registration explaining eligibility and information may be obtained at the secretary’s office.

Berlin Elementary School offers a breakfast program to all 3rd, 4th and 5th graders for a fee from. Kindergarten, 1st, and 2nd grade students are offered breakfast for a fee from. Students eligible for free/reduced lunch are also eligible for free/reduced breakfast. Each family requesting free/reduced lunch MUST submit an application annually.

Payment to the student’s food service accounts may be made by cash or check to the Food Service Director or at the Point of Service (register), or on-line at http://www.sau3.org/ by registering through the link found in the Parent tab.

Free healthy snacks of Fruits and Vegetables are provided to all students as available. Parents need not send in snacks with their child when this is available.

Please note, any student who requires special meal preparation such as pureed foods or alternative food/drink choices such as Lactaid milk must request the provider fill out the Special Dietary Medical Form located on the SAU3 website or request the form from the school nurse. The provider must fill out the form accordingly and include the diagnosis, meal preparation recommendations and/or suggested alternatives on the form. The form must be on file with the nurse and the cafe in order for your child to receive special meals. The form must be renewed every school year.
INFORMATION COMMUNICATION TECHNOLOGY (ICT)

The local school board shall require an integrated approach to the use of 21st century tools, including, but not limited to digital technology and communication tools, within all curriculum areas through the adoption of information and communication technologies literacy (ICT) program in grades K-12 that provides opportunities at developmentally appropriate levels for students to:

1. Develop knowledge of ethical, responsible use of technology tools in a society that relies heavily on knowledge of information in its decision making:

2. Become proficient in the use of 21st century tools to access, manage, integrate, evaluate, and create information within the context of the core subjects of:
   a. Reading
   b. Mathematics
   c. English and language arts
   d. Science
   e. Social Studies
   f. Arts
   g. World languages

3. Use 21st century tools to develop cognitive proficiency in:
   a. Literacy
   b. Numeracy
   c. Problem solving
   d. Decision making
   e. Spatial/visual literacy

4. Use 21st century tools to develop technical proficiency at a foundational knowledge level in:
   a. Address the following components
      1. Basic operations and concepts
      2. Social, ethical, and human issues
      3. Technology productivity tools
      4. Technology communication tools
      5. Technology research tools
      6. Technology problem solving and decision making tools
   b. Represent proficient, ethical, responsible use of 21st century tools with in the context of the core subjects and:
   c. Include, at a minimum, such digital artifacts as:
      1. Standardized tests
      2. Observation
      3. Student work
      4. Comments describing a student’s reflection on his/her work that demonstrates ICT competency using assessment rubrics.

INSTRUCTIONAL APPROACH (BPS Policy IF 1/19/12)*

It is the policy of the Board that instruction will be aligned with the goals, objectives and mission of the School District, the state laws, and the rules of the N H Department of Education.

The educational program will be focused on meeting the instructional needs of students with different talents, interests, and development.

The instructional program will include:
1. Procedures for diagnosing learner needs and the utilization of diverse methods and strategies for teaching all learners.
2. Techniques for the evaluation of student outcomes.
3. The provision of remedial instruction as needed.

All instruction will reflect the acknowledgment of diversity and respect for differences.

Our schools engage and include all available community resources, including but not limited to organizations, businesses, talented individuals, natural resources, and technology to engage each student in achieving the necessary skills and knowledge.

**INSTRUCTIONAL TIME**

Public and Private schools are required to maintain a calendar with at least 945 hours of instruction for elementary schools and 990 hours of instruction for middle and high schools.

Schools are not required to make up time lost due to weather or other emergencies if they provided at least 3.5 hours of instructional time for elementary schools and 4 hours of instructional time for middle and high schools. On delayed entry days and early release days, there may not be any recess time allotted. Schools may request a waiver of the requirement to make up time lost due to weather and emergencies from the Commissioner.

Berlin Elementary School offers 991 hours of instructional time for K-2, and grades 3-5 offer 983 hours. Per Ed306.18 “The school district shall maintain in each elementary school, a school year of at least 945 hours of instructional time…” Berlin Elementary school exceeds that criteria.

**INSURANCE**

School insurance is available to all children on a school time or a twenty-four hour plan. Parents will be given the choice of taking or rejecting the insurance. The school has no direct connection with the insurance company and the parents handle all claims. The school does not provide insurance covering medical payments for student accidents. Although arranging for such insurance is the responsibility of the student and parents/guardians, the school board will name an insurance carrier each year to offer group rates.

**INTERNET POLICY (BPS Policy JICL-R 12/21/17)***

Access to telecommunications will enable students to explore thousands of libraries, databases and bulletin boards while exchanging messages with people throughout the world. The Berlin School Board believes that the benefits to students from access in the form of information resources and opportunities for collaboration, exceed the disadvantages. But ultimately, parents and guardians of minors are responsible for setting and conveying the standards that their children should follow when using media and information sources. It is the policy of the Berlin School Board to maintain an environment that promotes ethical and responsible conduct in all online network activities by staff and students. It shall be a violation of the policy for any employee or student to engage in any activity that does not conform to the established purpose and general rules and policies of the network.

All use of the Internet must be in support of education and research and consistent with the purposes of the Berlin School District. Playing games is prohibited unless authorized by a classroom
teacher for education purposes. Participation in any chat room is not allowed. E-mail by students, sending or receiving, is not permitted unless approved by the building principal.

All students at the elementary level, who access the Internet, are under the supervision of a staff member. However, to ensure safety, all accessible programming is filtered by a proxy server. Parental permission is also required. Complete Student Internet Policy is sent home annually on the first day of school.

**INTERROGATION AND PERSONAL SEARCH**

All students are entitled to a safe and healthy educational environment. Therefore, the school has the responsibility to protect students from anti-social behavior on the part of irresponsible classmates. Furthermore, school administrators must take preventative and disciplinary measures that are both swift and informal in order to be effective. School administrators have the authority to immediately, upon reasonable suspicion, to search students and students’ belongings.

The school district retains the right to inspect lockers and desks at all times.

The use of “sniffer” dogs trained for the search of drugs, will be permitted as a general facility search. This search will be conducted by a qualified law enforcement officer upon the request of the building principal and/ or superintendent of schools.

For more information see policies JIH and JIHD on sau3.org.

**INVITATIONS**

Students are **NOT** permitted to distribute invitations to private parties while at school, either before, during or after.

**L.E.P./E.L.L. (Limited English Proficiency/English Language Learner)**

(BPS Policy IHBBA 1/8/04)*

Students who are identified as “Limited English Proficient/English Language Learner (L.E.P./E.L.L.) and are in need of help to learn English, will be provided with assessments and programming to ensure academic success and English language proficiency.

**LOCKED DOORS**

To ensure the safety of your child the school's doors are locked throughout the school day. Security cameras have been installed. Entry to the building should be gained by door C in the courtyard for K-2 concerns and door G on State Street for grades 3-5 concerns. Office personnel will ask you your reason for entry and you will be asked to come directly to the office. Visitor passes are REQUIRED.

**LOCKERS**

A locker that requires a combination or key lock is issued to some students at the beginning of the school year. Students are expected to keep their lockers clean and not to abuse them in any way.

The school cannot be responsible for valuables left in lockers. Sometimes there may be
special circumstances which require a student to carry cash or valuables to school. Cash or valuables can be safeguarded by registering them and leaving them in the main office.

**LOST AND FOUND**

The Lost and Found is located across from the main offices. Please look for missing items and keep in mind that the Lost and Found will be emptied during school vacations.

**MAKE-UP POLICY**

Anytime a child is absent for an extended length of time (one week or more), please contact the child’s teacher and arrange a mutually agreeable make-up schedule.

When a student returns to school after being ill, the teacher will design an appropriate make-up time frame. No student should be “overwhelmed” with workload after being ill.

In the event that your child is ill, please call the school in advance to request make-up work. We ask that you see the teacher AFTER school hours so the teacher may take the necessary time to explain the work to you.

**MEDICAL EXCUSES**

In determining who shall have the authority to excuse absences, restrict activities, and otherwise make recommendations to the school nurse, faculty, or administration when it is in the patient’s best interests, the provisions of the Medical Practice Act (RSA:323) shall prevail. Persons who are permitted to examine and treat school children and then certify them as physically able to return to school, have authority to excuse absences, restrict activities (recess) and/or engage in physical education activities shall be limited, therefore, to those with an M.D. or D.O. or P.A. or A.R.N.P. degree who are licensed by the State of New Hampshire and are registered with the Board of Registration of Medicine. Practitioners who do not hold a valid New Hampshire license to practice medicine shall not have this authority. Minor injuries require a note from the parent/guardian to be excused from physical education.

**MID-TERM PROGRESS REPORTS**

In an effort to keep parents informed of their child’s academic and social development in school, we will issue a mid-term evaluation. A report will be sent home with students on the following dates:

- Friday, October 15, 2021
- Friday, January 21, 2022
- Friday, May 13, 2022

These reports will inform the parents of their child’s progress between regular report cards. Forms will be done in duplicate, signed by the parents and returned.

**MONTHLY NEWSLETTER/MENU/CALENDAR**

A monthly newsletter will be sent home before the first of each month and will provide information on upcoming events, as well as the monthly lunch menu and calendar.
MOVIES

There are times when teachers show educational movies that are connected to the curriculum. These movies are approved by the Administration and are G or PG rated. Parental permission is granted through signatures in online registration forms.

NH COLLEGE AND CAREER READY STANDARDS

The Berlin Elementary School curriculum is aligned to the NH College and Career Ready Standards (CCRS) which includes three components: skills, knowledge and work study practices. The Common Core State Standards are embedded within the CCRS as the standards for math and literacy. The CCRS:

- Are aligned with college and work expectations;
- Are clear, understandable and consistent;
- Include rigorous content and application of knowledge through high-order skills;
- Build on strengths and lessons of current state standards;
- Are informed by other top-performing countries, so that all students are prepared to succeed in a global economy and society; and
- Are evidence-based.

Source: http://www.corestandards.org/about-the-standards

What does it mean for the classroom?

According to its mission statement, the Common Core State Standards Initiative aims to “provide a consistent, clear understanding of what students are expected to learn, so teachers and parents know what they need to do to help them. The standards are designed to be robust and relevant to the real world, reflecting the knowledge and skills that our young people need for success in college and careers. With American students fully prepared for the future, our communities will be best positioned to compete successfully in the global economy.” (www.corestandards.org)

Students and parents will see an in-depth focus on fewer standards as well as an emphasis on inquiry based learning. In addition, the text complexity of grade level books will increase in some cases as much as two or three grade levels. Students will also be asked to apply their knowledge through higher-order thinking skills. You can also expect to see your children reading more informational texts rather than fictional works of literature. In addition math education will be focused more on real-life application. You can expect to see more emphasis being placed on students as the facilitators of their own learning rather than on teachers delivering all of the information directly to the students.

NOTICE OF NONDISCRIMINATION (BPS Policy AC Updated 1/21/21)*

NON-DISCRIMINATION, EQUAL OPPORTUNITY EMPLOYMENT and DISTRICT ANTI-DISCRIMINATION PLAN

A. Prohibition Against Discrimination of Students in Educational Programs and Activities.

Under New Hampshire law and Board policy, no person shall be excluded from, denied the benefits of, or subjected to discrimination in the District’s public schools because of their age, sex, gender identity,
sexual orientation, race, color, marital status, familial status, disability, religion or national origin. Discrimination, including harassment, against any student in the District’s education programs, on the basis of any of the above classes, or a student’s creed, is prohibited. Finally, there shall be no denial to any person of the benefits of educational programs or activities, on the basis of any of the above classes, or economic status.

Harassment of students other than on the basis of any of the classes or categories listed above is prohibited under Board policy JICK Pupil Safety and Violence Prevention.

B. **Equal Opportunity of Employment and Prohibition Against Discrimination in Employment.**

The School District is an Equal Opportunity Employer. The District ensures equal employment opportunities without regard to age, color, creed, disability, gender identity, marital status, national origin, pregnancy, race, religion, sex, or sexual orientation. The District will employ individuals who meet the physical and mental requirements, and who have the education, training, and experience established as necessary for the performance of the job as specified in the pertinent job description(s).

Discrimination against and harassment of school employees because of age, sex, race, creed, religion, color, marital status, familial status, physical or mental disability, genetic information, national origin, ancestry, sexual orientation, or gender identity are prohibited. Additionally, the District will not discriminate against any employee who is a victim of domestic violence, harassment, sexual assault, or stalking.

C. **Policy Application.**

This Policy is applicable to all persons employed or served by the District. It applies to all sites and activities the District supervises, controls, or where it has jurisdiction under the law, including where it (a) occurs on, or is delivered to, school property or a school-sponsored activity or event on or off school property; or (b) occurs off of school property or outside of a school-sponsored activity or event, if the conduct interferes with a student’s educational opportunities or substantially disrupts the orderly operations of the school or school-sponsored activity or event, as set forth in Board policy JICK Pupil Safety and Violence Prevention. Examples of sites and activities include all District buildings and grounds, school buses and other vehicles, field trips, and athletic competitions.

D. **District Anti-Discrimination Plan.**

No later than October 15, 2020, the Superintendent shall develop and provide to the Board for approval, a coordinated written District Anti-Discrimination Plan (the “Plan”) to include guidelines, protocols and procedures intended to prevent, assess the presence of, intervene in, and respond to incidents of discrimination.

Among other things, the Plan should include provisions, and recommendations with respect to resources, policies, complaint procedures, student education programs, Plan dissemination and training appropriate to carrying out the Plan objectives stated in the preceding paragraph.

In developing the Plan, the Superintendent is encouraged to seek input from appropriate groups of the school and local community and coordinate with the District’s Human Rights [Non-Discrimination] Officer and Title IX and 504 Coordinators.

No less than once every two years (off years from review of the District’s Suicide Prevention Plan per Policy JLDDB, the Superintendent shall update the District Anti-Discrimination Plan, and present the same to the Board for review. Such Plan updates should be submitted to the Board in time for appropriate budget consideration.
E. **Human Rights [or Non-Discrimination], Title IX, 504 and other Coordinators or Officers.**

The Superintendent shall assure that District and or building personnel are assigned to the positions listed below. Each year, the Superintendent shall prepare and disseminate as an Appendix AC-E to this Policy an updated list of the person or persons acting in those positions, along with their District contact information, including telephone number, email, postal and physical addresses.

- Human Rights [or Non-Discrimination] Officer
- Title IX Coordinator
- 504 Coordinator

The Appendix will also include current contact for relevant state and federal agencies including:

- U.S. Department of Education, Office of Civil Rights
- U.S. Department of Agriculture, Office of Civil Rights
- N.H. Human Rights Commission
- N.H. Department of Justice, Civil Rights Unit
- N.H. Department of Education, Commissioner of Education

F. **Complaint and Reporting Procedures.**

Any person who believes that he or she has been discriminated against, harassed, or bullied in violation of this policy by any student, employee, or other person under the supervision and control of the school system, or any third person who knows or suspects conduct that may constitute discrimination, harassment, or bullying, should contact the District Human Rights Officer, or otherwise as provided in the policies referenced below under this same heading.

Any employee who has witnessed, or who has reliable information that another person may have been subjected to discrimination, harassment, or bullying in violation of this policy has a duty to report such conduct to his/her immediate supervisor, the District Human Rights Officer, or as provided in one of the policies or administrative procedures referenced below under this same heading. Additionally, employees who observe an incident of harassment or bullying are expected to intervene to stop the conduct in situations in which they have supervisory control over the perpetrator and it is safe to do so. If an employee knows of an incident involving discrimination, harassment, or bullying and the employee fails to report the conduct or take proper action or knowingly provides false information in regard to the incident, the employee will be subject to disciplinary action up to, and including, dismissal.

Investigations and resolution of any complaints shall be according to the policies listed below and related administrative procedures or regulations. Complaints or reports regarding matters not covered in one or the other of those policies should be made to the District Human Rights Officer.

1. Reports or complaints of sexual harassment or sexual violence by employees or third party contractors should be made under Board policy GBAA.
2. Reports or complaints of sexual harassment or sexual violence by students should be made under Board policy JBAA.
3. Reports or complaints of discrimination on the basis of disability should be made under Board policy ACE, except for complaints regarding facilities accessibility by disabled non-students or employees, which should be made under Board policy KED and
4. Reports or complaints of bullying or other harassment of pupils should be made under Board policy JICK

G. Alternative Complaint Procedures and Legal Remedies.

At any time, whether or not an individual files a complaint or report under this Policy, an individual may file a complaint with the Office for Civil Rights ("OCR"), of the United States Department of Education, or with the New Hampshire Commissioner for Human Rights.

1. Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109-3921; Telephone number: (617) 289-0111; Fax number: (617) 289-0150; Email: OCR.Boston@ed.gov

   Note: Complaints to OCR must be filed in writing no later than 180 days after the alleged act(s) of discrimination. OCR may waive its 180 day time limit based on OCR policies and procedures.

2. New Hampshire Commission for Human Rights, 2 Industrial Park Drive, Concord, NH 03301; Telephone number: (603) 271-2767; Email: humanrights@nh.gov

Notwithstanding any other remedy, any person may contact the police or pursue a criminal prosecution under state or federal criminal law.

H. Retaliation Prohibited.

No reprisals or retaliation of any kind will be taken by the Board or by any District employee against the complainant or other individual on account of his or her filing a complaint or report or participating in an investigation of a complaint or report filed and decided pursuant to this policy, unless that person knew the complaint or report was false or knowingly provided false information.

I. Administrative Procedures and Regulations.

The Superintendent shall develop such other procedures and regulations as are necessary and appropriate to implement this Policy.

J. Notice of Compliance.

The Superintendent will provide notice of compliance with federal and state civil rights laws to all applicants for employment, employees, students, parents, and other interested persons, as appropriate.

**OUTDOOR SUPERVISION**

The playground is not supervised after school and students are expected to leave for home immediately following dismissal and not to arrive on school grounds before their assigned time. Bus students are supervised until a staff member walks them to board the bus. Parents MUST stand on the outside perimeter of school playgrounds for staff to effectively supervise students. The perimeter is outlined by our fencing and yellow barricades.

**ANNUAL NOTICE OF CONTACT INFORMATION FOR HUMAN RIGHTS OFFICER, TITLE IX COORDINATOR, 504 COORDINATOR AND CIVIL RIGHTS AGENCIES**

(BPS Policy AC-E Updated 1/21/21)
Current contact information within district:

Human Rights Officer:  Martha Miller, Marston School, 193 Pine St, Berlin, NH  
603-752-5068 ext 1172

Title IX Coordinator:      Shannon Taylor, 193 Pine St, Berlin, NH  
603-752-5068 ext 1173

504 Coordinator:           Shannon Taylor, 193 Pine St, Berlin, NH  
603-752-5068 ext 1173

Further resources are available in the policy listed above.

**NURSE**

The elementary school has two full-time school nurses (NHRSA200-29 School Nurse:  
(Registered professional nurse currently licensed in N.H.) *They are available only for injuries that occur at school and not those that happen at home. Please do not refer students to the school nurse for medical evaluations of illness and/or injuries that occur at home.*  The nurse is the manager of all health care plans.

The nurse is available to assess and triage student injuries and illnesses that occur at school only. Per emergency card information, parents will be contacted if they need to pick up their child. Referrals to the appropriate medical provider may be made to the parent when a problem is suspected. If a serious injury occurs at school, and the parent cannot be reached, the student will be taken to the local hospital’s emergency room and the parent will be notified to meet them there.

In the event of a medical emergency, as determined by the school nurse, Principal or designee, Emergency Medical Services/911 will be called and opioid antagonists (narcan/naloxone) may be administered by trained staff. This will be in addition to calling the Primary Caregivers/Parents and other contacts listed on the Medical Information Form or Emergency Card, if Parent/Guardian is unreachable. We are committed to ensuring the absolute health and safety of your child.

The school nurse will share your child’s medical information to the appropriate staff on a need to know basis. This is determined by the school nurse to ensure that appropriate measures are in place for your child’s health and safety.

The school nurse maintains health records on all students, does routine health screening as needed, and cares for minor injuries and contacts parents with any student health concerns. If your child has had a major illness or any type of fracture over summer vacation, please notify the school nurse so the information can be added to your child’s health record. The nurse also monitors the immunization status of all students. If immunizations are not compliant with NH State requirements (including medical &/or religious exemptions), the student will either be denied entrance into school, or will be granted conditional enrollment, depending on the grade level requirements. The school’s dental hygienist will provide all oral screenings during the school year.

Each child prior to or upon first entry into the public school system are required per NH RSA 200:32, to provide proof of a physical or acceptable exemption, before the first day of school. Physicals are to be done by a physician of the family’s choosing. Examinations by a chiropractor are
Students transferring into the Berlin School District must either provide proof of a pre-entry physical done within one calendar year or have a physical completed within 60 days of school entry. Acceptable medical or notarized religious exemptions from the State of N.H. must be provided within 60 days of transfer.

Students are reminded that when they are required to take a medication prescribed by a physician during the school day, the following State Board of Education regulations must be observed:

A. A written medication order from the prescribing physician detailing the dosage and the time schedule to be observed must be brought in to the school nurse.
B. With prescription medication, the parent or guardian must also give the school written permission to administer.
C. Prescribed medication must be brought into school by the parent/guardian in a pharmacy labeled container per NH Dept. of Ed. 311:02. The number of pills sent to school must also be reported to the school nurse by the parent/guardian with every refilled prescription. Students receiving daily meds must have the physician's written permission renewed annually, at the beginning of each school year.
D. The school nurse must be made aware of all prescribed medications, (ex. parents whose children try Ritalin but don’t want anyone at school to know.) in case of adverse effects.
E. Prescription medications that are ordered to be given at home prior to school (ex. Ritalin), can’t be given at school if forgotten. The school may only administer the medication at the times specified by the prescribing physician (ex. Lunchtime dose).

Any over the counter medication, including cough drops, require a dated permission note from the parents to give the school authority to administer them. Over the counter medication must be sent to school in its original container. These rules will be strictly observed, for your child’s safety, if a student is obliged to take any medication in school.

If the physician orders an antibiotic to be given three times daily, we recommend the medication be given as follows: 1 dose prior to school 1 dose after school 1 dose before bedtime

If medication needs to be taken with food, a small snack after school and before bedtime would be recommended. All medications are to be given to the school nurse upon entrance to school.

Children should not attend school if they are sick. Your child should remain at home if he/she has a fever above 100.4 degrees in the morning. Most temperature elevations related to illness tend to occur between 4 P.M. and 6 P.M. If your child’s temperature is normal in the morning, but their temperature was above 101 degrees F the day before, we request you to please keep them home one more day.

Students who return to school with casts, air casts, crutches, splints, arm slings, wheelchairs, walkers, canes, and/or immobilizers require a physician’s note that includes:

1. Student may return to/ attend school
2. Any restrictions from physical education and lunch/class recess
3. Elevator use.

PARENT/TEACHER COMMUNICATIONS

All teachers are required to keep parents well informed of classroom activities and maintain ongoing communication regarding their child’s academic and behavioral progress. Teachers will use phone calls, emails, or in person conversations. Should you wish to contact the teacher, you may do so by calling the school or emailing the teacher.

PARENT/TEACHER ORGANIZATION (PTO)

Berlin Elementary School PTO is an organization that will encourage the relationship between home, school and community so that parents/guardians and school staff may cooperate in the education of the children. The objective of the PTO is to enhance the educational facilities and opportunities for the students of Berlin Elementary School that are not otherwise provided for in the local budgets. All fundraising activities are voluntary. The PTO is open to all parents. The PTO hosts school events, such as: Parent Nights, Movie Nights, Book Fair and Open Houses.

PHYSICAL EXAMINATION OF STUDENTS (BPS Policy JLCA)*

N.H. state law requires that each child have a complete physical examination within a one-year period before entry to school. However, no medical examination shall be required of a child whose parent or guardian objects thereto in writing on the grounds such medical examination is contrary to his/her religious tenets and teachings.

Physical examinations will be required for all children in grade K (prior to entry) and in grades 4, 7, and 10. Parents of students transferring to the District must present proof of meeting the physical examination requirement within sixty days of entrance. Failure to comply with this provision may result in exclusion from school for the child.

Every child must meet all of the state statutes and state public health immunization requirements prior to enrolling in school. A child shall be exempted from the above immunization requirements if he/she presents evidence from his/her medical doctor that immunization will be detrimental to his/her health. A child shall be excused from immunization for religious reasons upon the signing of a notarized exemption form from the State of N.H., stating that the child has not been immunized because of religious beliefs.

POLICY DEVELOPMENT, ADOPTION AND REVIEW (BPS POLICY BGA, BGB, BGC)

The Board may adopt, amend, or repeal written policies at any meeting by a majority vote of Board members in attendance, provided that notice of the proposed action was given at a previous Board meeting and that each Board member was notified of the proposed action. For purposes of notification, the meeting agenda delivered to each Board member is deemed sufficient.

The Board will allow an opportunity for public comments on policy proposals.
Board action regarding the adoption, revision or repeal of policies will be included in the minutes of the meeting at which the official action is taken.

Policies and amendments will be effective immediately upon adoption, unless a specific effective date is provided in the adopted final policy.

All Board policies will be reviewed and evaluated by the school board on a regular and continuing basis. The Board’s policy manual will be updated due to actions taken as a result of this review and evaluation.

**PROCEDURE FOR RETENTION**

If a child is to be retained, the following procedures must be followed:

1. In February, Comprehensive Promotion/Retention packets will be issued to faculty to complete on students that are in danger of failing.
2. On the second trimester report card, the teacher will write, “There is a possibility that your child may repeat this grade level next year.”
3. The Light’s Retention Scale will be administered by the Teacher, as part of the packet and will be completed and turned in to the Administration by March 31st.
4. In April/May, the teacher, the guidance counselor, administration, and the parents will meet to discuss promotion/retention.
5. The administrative team, after reviewing all the data, will make the final decision on retention or promotion.
6. If the parents do not agree with the administrative decision, appeals may be directed to the Superintendent of Schools.

**PROMOTION AND RETENTION**

It is the policy of the Berlin Public Schools that promotion from grade to grade in the elementary schools shall be based on academic achievement and social and emotional development. It is our intent to offer a program of continuous progress designed to permit each child to progress at his/her own rate within the designs of the curriculum. Most children mature and acquire the basic skills of learning in a manner requiring a school year to a grade. In instances where a child has not shown sufficient maturity, social and emotional growth, and has failed to acquire sufficient mastery of basic skills, it may be best for the child to repeat the grade. This decision is made after –

- Careful consideration of the child’s growth in all areas of school work;
- Careful study of test results;
- Conferences with teachers and parents.

**PROTECTION OF PUPIL RIGHTS AMENDMENT (BPS Policy PPRA)**

The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. & 1232h, requires the Berlin Public School District to notify you and obtain consent or allow you to opt your child out of participating in certain activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas (“protected information surveys”):
1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or Ministers;
7. Religious practices, affiliations or beliefs of the student or parents; or
8. Income, other than as required by law, to determine program eligibility.

This requirement also applies to the collection, disclosure or use of student information for marketing purposes (“marketing surveys”), and certain physical exams and screenings.

PUBLIC CONDUCT ON SCHOOL PROPERTY/ ASSAULTS- (BPS-Policy KFA)*

Violence of any kind and to any degree will not be tolerated on school property. For the purpose of this policy, “school property” means any buildings, vehicles, property, land or facilities used for school purposes or school-sponsored events, whether public or private.

The school district expects mutual respect, civility, and orderly conduct among all individuals on school property or at a school event. No person on school property or at a school event shall:
1. Injure, threaten, harass or intimidate a staff member, a school board member, sports official or coach, or any other person inclusive of vulgar or inappropriate language.
2. Damage or threaten to damage another property;
3. Damage or deface school property;
4. Violate any New Hampshire law, or town or county ordinance;
5. Smoke or otherwise use tobacco products;
6. Consume, possess, distribute, or be under the influence of alcoholic beverages or illegal drugs, or possess dangerous devices or weapons;
7. Impede, delay, disrupt, or otherwise interfere with any school activity or function (including any electronic devices, cellular phones in a disruptive manner);
8. Enter upon any portion of school premises at any time for a purpose other than those that are lawful and authorized by the school board;
9. Operate a motor vehicle in violation of an authorized district employee’s directive or posted road signs;
10. Violate other district policies or regulations, or an authorized district employee directive. Any person who violates this policy or any other acceptable standard of behavior will be ordered to leave the school grounds or activity by a building administrator or designee. Law enforcement officials will be contacted at the discretion of the supervising district employee if such employee believes it necessary.

Additionally, the district reserves the right to issue “no trespass” letters to any person whose conduct violates this policy, acceptable standards of conduct, or creates a disruption to the school district’s educational purpose.

“School employee” is hereby defined to include any duly appointed person or employee of a firm contracting with a school system for any purpose, including personnel not directly related to the teaching process and including school board members during school board meetings.
RECESS GUIDELINES

Weather permitting, students are scheduled for at least one recess per day. Decisions to have outside recess during cold weather depend upon the temperature and the wind chill factor. If the wind chill or the temperature is below zero degrees, the students will stay inside. Students should always dress for outside recess. All students should be on the playground during outside recess. Only students with medical excuses will be allowed to remain in the building during scheduled outside breaks. Recess periods are an integral part of the elementary school day. No student K-3 should be denied both recesses during the school day. If extenuating circumstances exist, see your building principal.

There is a “HANDS-OFF” policy at recess. This means no wrestling, ninja games or tag games. Repeated recess infractions will be referred to the Student Support Center. If incidents continue, Administration and parents will be notified.

Any major incident or injury, the teacher will notify the administration on the day of the incident, and the parent(s) will be notified within 24 hours.

REPORT CARD SCHEDULE

Grades Close
Wednesday, November 24, 2021
Friday, March 11, 2022
Friday, June 10, 2022

Report Cards Issued
Friday, December 3, 2021
Friday, March 18, 2022
Friday, June 17, 2022

REPORTING CHILD ABUSE OR NEGLECT (BPS Policy JLF Updated 5/6/21)*

Any school employee having reason to suspect that a child is being or has been abused or neglected shall immediately report his/her suspicions to the building principal or other building supervisor. It is the school employee who suspects abuse and neglect who must make the report directly to DCYF Central Intake Unit, phone number: 1-800-894-5533, consistent with New Hampshire state law or 1-603-271-6562 if out of state.

REQUIRED LEGAL DOCUMENTS

In order to abide by any orders issued by the Court system, the school is required to have copies of said orders to keep in the students' records that they apply to. This could include but not limited to Court Orders regarding custody matters, guardianship, restraining orders and anything involving the student's well-being. This enables the school to assure that the child is protected while under the supervision of the school staff. Please be sure to keep these documents updated with our offices.

SCHOOL MEAL CHARGING AND PAYMENT (BPS Policy EFAA)*

Full policy is in the appendix at the back of this manual.

Payment to the student's food service accounts may be made by cash or check to the Food Service Director or at the Point of Service (register), or on-line at http://www.sau3.org/ by registering through the link found in the Parents Tab. It is the responsibility of each household to maintain a positive balance in their student's food service account.
SCHOOL SAFETY

In keeping with NH RSA:193, Safe Schools Zone Act, all reported incidents of violence or threat of violence at school, on school buses or directed at students and/or personnel will be subject to immediate disciplinary action. Examples: threat to kill someone or carry out bodily harm, threat to disrupt or destroy school and/or school bus. Violators will be suspended pending a meeting with the student, parent, Principal and Superintendent of Schools. In addition, further suspension or expulsion will be determined. All incidents must be reported to the Berlin Police Dept. in accordance with the law.

The administration has the responsibility of maintaining the security and safety in the school by implementing appropriate procedures, providing safe conditions, facilities, supervision of staff, and taking action against those who threaten the safety of the school.

For your child’s safety, we will implement the emergency response procedures that can be found on the inside of the back cover of this manual. They are:

1. Drop, Cover, and Hold
2. Secure Campus
3. Shelter-In-Place
4. Lockdown
5. Evacuation
6. Reverse Evacuation
7. Scan
8. Clear Hallways

Policies and procedures have been developed to address various emergencies such as: natural disasters, intruder, bomb threats, fire, and accidental death. Staff is trained and instructed to help provide a safe environment for students. Classrooms are equipped with safety emergency items. The School has an alternate location to relocate the students to if necessary.

The School Emergency Planner is available for review in the school office.

In keeping with Safe School Zones, all school doors remain locked from the outside and security cameras at the main entrances have been installed. For visitors, entry into the building may be gained by: State Street Door “G” for grades 3-5 and the courtyard door “C” for grades K-2. Office personnel will ask you to state your reason for entry and advise the visitor to report directly to the office if they have just cause to enter. Any visitors who fail to comply may be charged with trespassing.

SCHOOL SAFETY PLAN

The practice of safety shall also be considered a facet of the instructional plan of the district schools by incorporating educational programs in traffic and pedestrian safety, driver education, fire prevention, emergency procedures, and others, appropriately geared to students at different grade levels. Each principal shall be responsible for the supervision and implementation of a safety program for his/her school. General areas of emphasis shall include, but not limited to; in-service
training, accident recordkeeping, plant inspection; fire prevention; catastrophe planning; and emergency procedures and traffic safety problems relevant to students and employees. The principal shall be responsible for developing student safety procedures to be used on school buses, school grounds (including playgrounds), during authorized school activities (such as field trips), within the school building(s) (including classrooms and laboratories), off school grounds during school sanctioned activities (including, but not limited to, work-based learning and internships), and in the use of online resources. The safety plan will be on file in each district building and in the SAU office.

**TITLE IX SEXUAL HARASSMENT POLICY AND GRIEVANCE PROCESS (BPS Policy ACAC)*Updated 8/20/20**

I. **RESTATEMENT OF POLICY PROHIBITING DISCRIMINATION ON THE BASIS OF SEX.**

Per Board policy AC, Title IX of the Education Amendments Act of 1972 (“Title IX”), as well as RSA 193:38, among others, the District does not discriminate on the basis of sex in its educational programs and activities, including employment and admissions. All forms of sex-based discrimination, including sexual harassment are prohibited in the District.

II. **TITLE IX SEXUAL HARASSMENT POLICY.**

A. **Application of This Policy.**

While all forms of sex-based discrimination are prohibited in the district, the purpose of this policy is to address, and only to address, sexual harassment as defined in Title IX and Sec. II.B, below, that occurs within the educational programs and activities of the district, and to provide a grievance process for investigating and reaching a final determination of responsibility for a formal complaint of sexual harassment. The “Title IX Grievance Process” is set out in Sec. III below. While the District must respond to all “reports” it receives of sexual harassment, the Title IX Grievance Process is initiated only with the filing of a formal complaint.

The purpose of this Policy, however, is to address, and only to address, sexual harassment as defined in Title IX that occurs within the educational programs and activities of the district. For harassing conduct which does not meet the definition of sexual harassment under Title IX and this Policy, the District’s response will be governed under other applicable laws and policies per Board policy AC, and policies referenced therein.

This Policy shall apply to all students, employees, and any third party who contracts with the District to provide services to District students or employees, upon District property or during any school program or activity.

B. **Definitions.**

As used in this Policy and the Title IX Grievance Process, the terms below shall have the meaning ascribed.

“**Actual knowledge**” occurs when the District’s Title IX Coordinator or ANY employee of one of the District’s schools (other than a “respondent” or alleged harasser) receives a notice, report or information or becomes aware of sexual harassment or allegations of sexual harassment.
“Complainant” is an individual who is alleged to be the victim of conduct that could constitute sexual harassment, whether or not that person files a report or formal complaint.

“Days” shall mean calendar days, but shall exclude non-weekend days on which the SAU office is closed (e.g., holidays, office-wide vacations), or any weekday during the school year on which school is closed (e.g., snow days).

“Decision Maker” means persons tasked with: the responsibility of making initial determinations of responsibility (at times referred to as “initial decision maker”); or the responsibility to decide any appeal (at times “appeals decision maker”) with respect to formal complaints of sexual harassment in accordance with the Title IX Grievance Process.

“Determination of Responsibility” is the formal finding by the decision-maker on each allegation of Sexual Harassment contained in a Formal Complaint that the Respondent did or did not engage in conduct constituting Sexual Harassment Under Title IX.

“Formal Complaint” means a document filed by a complainant, the complainant’s parent/guardian, or the Title IX Coordinator, alleging sexual harassment against a respondent, and requesting that the district investigate the allegation of sexual harassment.

“Respondent” is an individual who is reported to be the individual accused of conduct that could constitute sexual harassment.

“Sexual harassment” prohibited under Title IX and by this policy is conduct on the basis of sex (including, without limitation, gender, sexual orientation, and/or gender identity), occurring in a school system education program or activity that satisfies one or more of the following:

1. A school district employee conditioning an aid, benefit, or service of an education program or activity on an individual’s participation or refusal to participate in sexual conduct irrespective of whether the conduct is welcomed by the student or other employee;

2. Unwelcome sex-based/related conduct determined by a reasonable person to be so severe, pervasive, AND objectively offensive that it effectively denies a person equal access to the education program or activity (this standard requires consideration of all the facts and circumstances, including, but not limited to, the ages and disability statuses of the harasser and victim and the number of individuals involved and their authority; OR

3. Sexual assault, dating violence, domestic violence, or stalking as defined in state or federal law.[3]

Behaviors that constitute sexual harassment may include, but are not limited to:

i. Sexually suggestive remarks or jokes;

ii. Verbal harassment or abuse;

iii. Displaying or distributing sexually suggestive pictures, in whatever form (e.g., drawings, photographs, videos, irrespective of format);

iv. Sexually suggestive gesturing, including touching oneself in a sexually suggestive manner in front of others;
v. Harassing or sexually suggestive or offensive messages that are written or electronic;

vi. Subtle or direct propositions for sexual favors or activities;

vii. Touching of a sexual nature or groping; and

viii. Teasing or name-calling related to sexual characteristics or the belief or perception that an individual is not conforming to expected gender roles or conduct.

**Note:** incidents of the above conduct would still need to satisfy one or more of the criteria in paragraphs 1-3 of this definition.

Sexual harassment may be directed against a particular person or persons, or a group, whether of the opposite sex or the same sex.

The context of behavior can make a difference between conduct falling within the technical definition of Sexual Harassment Under Title IX, and conduct of a sexual nature that is offensive or hostile in itself, but which does not arise to the level within that definition. **District policies prohibit both, but for purposes of its Title IX obligations the District must address reports or complaints of conduct which may constitute sexual harassment as defined above, under this specific, limited scope Policy and Title IX Grievance Process.**

Except as used in other laws (e.g., Title VII) or policies (e.g., Board policy JICK) pertaining to harassment, including of a sexual nature, other than Title IX sexual harassment, all references to “sexual harassment” in this policy mean sexual harassment that meets the above definition.

Conduct that satisfies this definition is not sexual harassment for purposes of this policy if the conduct occurred (1) outside the United States or (2) under circumstances in which the school system did not have substantial control over both the harasser/respondent and the context in which the harassment occurred.

**NOTE Regarding Concurrent Enrollment and Dual Enrollment, Extended Learning Opportunities, 3rd Party Distance Learning and Other Alternative Instructional Programs:** Under federal regulations, in order for the District to have jurisdiction over conduct that would otherwise meet the definition above of sexual harassment, the District must have substantial control over both the respondent and the context in which the harassment occurred. In general, this will mean that unless such learning program is occurring upon district property, conduct otherwise meeting the definition of sexual harassment within that program, may not be subject to this policy.

“**Supportive Measures**” are free, non-disciplinary, non-punitive, individualized services and shall be offered to the complainant, and may be offered to the respondent, as appropriate. These measures may include, but are not limited to, the following:

1. Counseling;
2. Course modifications;
3. Schedule changes; and
4. Increased monitoring or supervision
Such measures shall be designed to restore or preserve equal access to the District’s education programs and activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District’s educational environment and/or deter sexual harassment. Supportive measures shall remain confidential with exclusive exceptions stated required in Sec. II.E, below.

C. **Title IX Coordinator.**

Shannon Taylor- 193 Pine St, Berlin, NH , staylor@sau3.org, 603-752-5068 ext 1173

The Title IX Coordinator shall respond promptly to all general reports as well as formal complaints of sexual harassment. The Title IX Coordinator shall receive general and specific reports of sexual harassment, and coordinate the District’s responses to both reports and formal complaints of sexual harassment so that the same are prompt and equitable. In addition to any other specific responsibilities assigned under this Policy, or as assigned by the Superintendent, the Title IX Coordinator will be responsible for:

1. meeting with a complainant, and informing the parent/guardian once the Title IX Coordinator becomes aware of allegations of conduct that could constitute sexual harassment as defined in this Policy;

2. identification and implementation of supportive measures;

3. signing or receiving formal complaints of sexual harassment;

4. engaging with the parents/guardians of parties to any formal complaint of sexual harassment;

5. coordinating with District and school-level personnel to facilitate and assure implementation of investigations, and remedies, and helping to assure that the District otherwise meets its obligations associated with reports and complaints of sexual harassment;

6. coordinating with the Superintendent with respect to assignment of persons to fulfill the District’s obligations, both general and case specific, relative to this Policy (e.g., investigator, decision makers, etc.; this may involve the retention of third party personnel.);

7. coordinating with District and school-level personnel to assure appropriate training and professional development of employees and others in accordance with Sec. II.D of this Policy; and

8. helping to assure that appropriate systems are identified and maintained to centralize sexual harassment records and data.

In cases where the Title IX Coordinator is unavailable, including unavailability due to a conflict of interest or other disqualifying reason (see Sec. II.G, below), the Superintendent shall assure that another person with the appropriate training and qualifications is appointed as acting Title IX Coordinator for that case, in such instances “Title IX Coordinator” shall include the acting Title IX Coordinators.

D. **Training.**

All District employees shall receive regular training relative to mandatory reporting obligations, and any other responsibilities they may have relative to this Policy.
Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must receive training on the definition of sexual harassment, this Policy, the scope of the District’s education program or activity, and how to conduct an investigation (including the requirements of the reporting and the Title IX Grievance Process, including hearings, appeals, and information resolution processes). The training must also include avoiding prejudgment of the facts, conflicts of interest and bias.

Decision-makers must also receive training on issues of relevance of questions and evidence, including when questions about the complainant’s sexual predisposition or prior sexual behavior are not relevant.

Investigators must receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes, must promote impartial investigations and adjudications of formal complaints of sexual harassment, and must be made available to the public as provided in Sec. II.H of this Policy.

**E. Confidentiality.**

The District will respect the confidentiality of the complainant and the respondent as much as possible, however, some information may need to be disclosed to appropriate individuals or authorities. All disclosures shall be consistent with the District’s legal obligations and the necessity to investigate allegations of harassment and take disciplinary action. Examples of required disclosure include:

1. information to either party to the extent necessary to provide the parties due process during the Title IX Grievance Process;
2. information to individuals who are responsible for handling the District’s investigation and determination of responsibility to the extent necessary to complete the District’s grievance process;
3. mandatory reports of child abuse or neglect to DCYF or local law enforcement (per Board policy JLF);
4. information to the complainant’s and the respondent’s parent/guardian as required under this Policy and or the Family Educational Rights and Privacy Act (“FERPA”); and

Additionally, any supportive measures offered to the complainant or the respondent shall remain confidential to the extent that maintaining such confidentiality would not impair the ability of the school district to provide the supportive measures.

Except as specified above, the District shall keep confidential the identity of:

1. Any individual who has made a report or complaint of sex discrimination;
2. Any individual who has made a report or filed a formal complaint of sexual harassment;
3. Any complainant;
4. Any individual who has been reported to be the perpetrator of sex discrimination[4];

5. Any respondent; and

6. Any witness.

Any supportive measures provided to the complainant or respondent shall be kept confidential to the extent that maintaining such confidentiality does not impair the ability of the District to provide the supportive measures.

**F. Retaliation Prohibited.**

Retaliation against any person who makes a report or complaint, or against any person who assists, participates, or refuses to participate[5] in any investigation of an act alleged in this Policy is prohibited. Actions taken in response to materially false statements made in bad faith, or to submitting materially false information in bad faith, as part of a report or during the Title IX Grievance Process do not constitute retaliation. A finding of responsibility alone is insufficient to conclude that a person made a materially false statement in bad faith. Complaints of retaliation with respect to reports or formal complaints of sexual harassment shall be filed under the District’s general grievance process.

**G. Conflict of Interest.**

No person designated as a Title IX Coordinator, investigator, decision-maker, nor any person designated by the District to facilitate an informal resolution process, may have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

**H. Dissemination and Notice.**

The District shall include in all student and employee handbooks, and shall make publicly available on the district’s website the following information:

1. The District’s policy of non-discrimination on the basis of sex (included in Board policy AC);

2. the title, name, office address, email address, and telephone number of the Title IX Coordinator (to be provided pursuant to Board policy AC and its addendum, updated annually, ACE);

3. the complaint process;

4. how to file a complaint of sex discrimination or sexual harassment;

5. how the District will respond to such a complaint; and

6. a statement that Title IX inquiries may be referred to the Title IX Coordinator or to the Assistant Secretary for Civil Rights.

The same information shall be provided to all persons seeking employment with the District, or seeking to enroll or participate in the District’s educational programs or activities.

Additionally, the District will make this Policy, as well as any materials used to train personnel as required under Sec. II.D publicly available on the district’s website.

**I. Records and Record Keeping.**
1. For each report or formal complaint of sexual harassment, the District, through the Title IX Coordinator, must create, and maintain for seven (7) years, record of:

   a. Any actions, including any supportive measures,
   b. The basis for the District’s conclusion that its response was not deliberately indifferent; and
   c. Documentation which:
      § If supportive measures were provided to the complainant, a description of the supportive measures taken designed to restore or preserve equal access to the District’s education program or activity; or
      § If no supportive measures were provided to a complainant, explains the reasons why such a response was not clearly unreasonable in light of the known circumstances.

2. In addition, the District shall maintain the following records for a minimum of seven (7) years:

   a. Records for each formal complaint of sexual harassment, including:
      § Any determination regarding responsibility, including dismissals;
      § Any disciplinary sanctions imposed on the respondent;
      § Any remedies provided to the complainant designed to restore or preserve equal access to the District’s education program or activity;
      § Any appeal and the result therefrom;
      § Any informal resolution process and the result therefrom;
   b. All materials used to train Title IX Coordinators, investigators, and decision-makers.

J. Reports of Sexual Harassment, Formal Complaints and District Responses.


   NOTE: A report does not initiate the formal Title IX Grievance Process. That process is begun only upon the filing of a formal complaint under the procedures set out in II.J.3, and III.A, below.

   Any person may report sexual harassment whether relating to her/himself or another person. However, if any District employee – other than the employee harasser, or the Title IX Coordinator – receives information of conduct which may constitute sexual harassment under this Policy, s/he shall, without delay, inform the Title IX Coordinator[6] of the alleged sexual harassment. Failure to report will subject the employee to discipline up to and including dismissal.

   A report of sexual harassment may be made at any time, in person, by mail, by telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Additionally, while the District strongly encourages reports of sexual harassment to be made directly to the Title IX Coordinator, the report may be made to any District staff member, including, for instance, a counselor, teacher or principal.
If the Title IX Coordinator is the alleged respondent, the report or formal complaint may be made directly to the Superintendent, who shall thereafter fulfill the functions of the Title IX Coordinator regarding that report/complaint, or delegate the function to another person.

NOTE: For any allegation of sexual assault on a student under the age of 18, such conduct shall be reported immediately to the DCYF per Board policy JLF. If the alleged respondent (perpetrator) is a person holding a license or credential from the New Hampshire Department of Education (i.e., “credential holder”), then a report shall also be made pursuant to Board policy GBEAB.

2. **District Response to Report of Sexual Harassment.**

The district will promptly respond when there is actual knowledge of sexual harassment, even if a formal complaint has not been filed. The district shall treat complainants and respondents equitably by providing supportive measures to the complainant[7] and by following the Title IX Grievance Process prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

As soon as reasonably possible after receiving a report of alleged sexual harassment from another District employee or after receiving a report directly through any means, the Title IX Coordinator shall contact the complainant to:

i. discuss the availability of and offer supportive measures;

ii. consider the complainant’s wishes with respect to supportive measures;

iii. inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and

iv. explain to the complainant the process for filing a formal complaint.

3. **Formal Complaints.**

Pursuant to federal regulations, and this Policy, a formal complaint that contains an allegation of sexual harassment and a request that the District investigate the allegations is required before the District may conduct a formal investigation of sexual harassment or take any action (other than supportive measures) against a person accused of sexual harassment. **Once a formal complaint of sexual harassment is received by the Title IX Coordinator, s/he shall commence the Title IX Grievance Process set out in Sec. III below. The process for filing a formal complaint is set forth in Sec. III.A.**

4. **Limitation on Disciplinary Action.**

In no case shall the District impose disciplinary consequences or sanctions against a respondent who has been accused of conduct which may constitute sexual harassment, until the Title IX Grievance Process has been completed.

5. **Emergency Removal and Administrative Leave.**

At any point after receiving a report or formal complaint of sexual harassment, the Title IX Coordinator (or other District official charged with a specific function under this Policy or the Title IX Process: e.g., investigator, decision maker, etc.) may request the Superintendent to direct that an individualized safety and risk analysis be
performed to determine whether a respondent student is an immediate threat to the physical health or safety of any person. In the event that the safety and risk analysis determines that the respondent student does present an immediate threat to the physical health and safety of any person, the District may remove that student, provided that such removal is in full compliance with the IDEA, a student’s IEP and or 504 plan if applicable. Such emergency removal shall not be disciplinary. However, the District must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal, and shall continue to offer educational programming until a final determination is made pursuant to the Title IX Grievance Process.

The Title IX Coordinator shall keep the Superintendent of Schools informed of any employee respondents so that he/she can make any necessary reports to New Hampshire Department of Education in compliance with applicable administrative rules and the New Hampshire Code of Conduct for Educational Professionals. In appropriate cases, the Superintendent may place an employee respondent on non-disciplinary administrative leave pursuant to RSA 189:31.

III. **TITLE IX GRIEVANCE PROCESS.**

The Title IX Grievance Process is used only upon the filing of a formal complaint of sexual harassment as described in Sec. III.A, below. The provisions of Section I of the Policy are incorporated as part of the Title IX Grievance Process. Upon receipt of a formal complaint of sexual harassment, the Title IX Coordinator will coordinate the District’s efforts to comply with its responsibilities related to the Title IX Grievance Process.

A. **Process for Filing a Formal Complaint of Sexual Harassment.**

The Title IX Grievance Process is initiated by way of a formal complaint (“complaint” or “formal complaint”) filed by the complainant, the complainant’s parent/guardian, or the Title IX Coordinator. The complainant may file a complaint or choose not to file a complaint and simply receive the supportive measures. If the Complainant does not file a complaint, the Title IX Coordinator may sign a formal complaint, but only if initiating the grievance process against the respondent is not clearly unreasonable in light of the known circumstances, and in other cases where, in the exercise of good judgment and in consultation with the District’s attorney as appropriate, the Title IX Coordinator determines that a grievance process is necessary to comply with the obligation not to be deliberately indifferent to known allegations of sexual harassment (e.g., reports of sexual assault, employee on student harassment, repeat reports, or the conduct in the complainant’s report has not been adequately resolved through the provision of supportive measures). If the complaint is filed by the Title IX Coordinator, he/she is not a party to the action, and the District must comply with all of the provisions of the Title IX Grievance Process relative to respondents and complainants.

If no formal complaint is filed by the complainant or the Title IX Coordinator no disciplinary action may be taken against the respondent based upon conduct that would constitute sexual harassment under this policy.

Although there is no time limit per se to filing a formal complaint, for complaints initiated by the complainant or his/her parent/guardian, the complainant must be employed by the District or participating in or attempting to participate in the education program or activities of the District at the time of filing. Additionally, although the District will initiate the Title IX Grievance Process regardless of when the formal complaint is submitted, delays in reporting may significantly impair the ability of school officials to investigate and respond to the allegations.

At a minimum, a formal complaint must:
1. contain the name and address of the complainant and the student’s parent or guardian if the complainant is a minor student;

2. describe the alleged sexual harassment,

3. request an investigation of the matter, and

4. be signed by the complainant or otherwise indicate that the complainant is the person filing the complaint.

The complaint may be filed with the Title IX coordinator in person, by mail, or by email.[9] Complaint forms may be obtained from the Title IX Coordinator or on the District and school websites.

B. Initial Steps and Notice of Formal Complaint.

1. The Title IX Coordinator will provide notice to the complainant and the complainant’s parent/guardian (if the complainant is a non-eligible student under FERPA), and to the respondent (if known) and the respondent’s parent/guardian (if the respondent is a non-eligible student under FERPA), as well as to any other known parties, of the following:

   a. this Title IX Grievance Process, including any informal resolution process;

   b. the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview; “sufficient details” shall include to the extent known identities of persons involved, the conduct allegedly constituting sexual harassment, and the date and location of the incident;

   c. a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;

   d. that each party may have an advisor of their choice, who may be, but is not required to be, an attorney;

   e. that each party is entitled to inspect and review evidence; and

   f. a reference to any provision in the District’s code of conduct[10] that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

2. The Title IX Coordinator will contact the complainant to discuss and offer supportive measures.

3. The Title IX Coordinator may contact the respondent to discuss, and or impose, non-disciplinary supportive measures.

4. The Title IX Coordinator will examine the allegations in the formal complaint, to determine whether even if assumed true, the allegations are sufficient to sustain a finding of sexual harassment under this Policy. If the Title IX Coordinator was not involved with preparing the formal complaint, the Title IX Coordinator will contact the complainant to discuss the complaint and whether amendment is appropriate, in which case the process of Sec. III.C.4 will apply.

5. If the formal complaint fails to satisfy the definition of sexual harassment in this Policy, the complaint shall be dismissed as provided in Sec. III.G, below.
6. If the complaint is not dismissed, then Title IX Coordinator will consult with the Superintendent as to whether the Title IX Coordinator should act as the investigator or whether a different District or other employee shall act in that capacity. At the same time, the Title IX Coordinator and the Superintendent shall appoint the person who shall make the initial determination of responsibility (initial decision maker). In all cases, the investigator and the initial decision maker must be properly trained and otherwise qualified (see Sec. II.D “Training”, and Section II.G “Conflict of Interest”).

7. If the report alleges sexual harassment by the Superintendent, the Title IX Coordinator will inform the School Board Chair and the Business Manager the latter of whom shall have authority to seek guidance from the District’s general counsel, but shall not delay the District’s response to the report as outlined in this Policy.

C. General Provisions and Additional Definitions Relative to Title IX Grievance Process.

1. Copies and Notices. Except as specifically stated elsewhere in this Policy, for any document, information or material required to be delivered to a party or to a person assigned with responsibility under the Title IX Grievance Process, the manner of transmittal may be by electronic mail, regular mail or such other manner reasonably calculated to assure prompt delivery with evidence thereof (such as a commercial carrier or other receipted delivery). Hand delivery will only be permitted if made to the District official charged with the specific function under this Policy (e.g., Title IX Coordinator, Superintendent, investigator, decision maker(s), etc.). Any document required to be delivered to a minor or other non-eligible student, must also be delivered to the minor’s parent/guardian. Copies should also be sent to a party’s advisor if the information for the advisor has been previously communicated to the sending party. (Under federal regulations, copies of the investigative evidence, as well as the investigative report, must be forwarded to a party’s advisor. See Sections III.E.3, and III.E.4).

2. Risk Analysis and Emergency Removal. At any point during the Title IX Grievance Process, the Title IX Coordinator may arrange for an individualized safety and risk analysis as described in Sec. II.J.5, following which a student may be removed.

3. Administrative Leave. At any point during the Title IX Grievance Process, the Superintendent, and at his/her own discretion, and with or without consulting the Title IX Coordinator, may place an employee on administrative leave pursuant to RSA 189:31.

4. Additional Allegations. If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that were not included in the previous notice, the District shall simultaneously provide notice of the additional allegations to the parties whose identities are known.

5. No Interference with Legal Privileges. At no point in process will the Title IX Coordinator, the investigator, any decision maker, or any other person participating on behalf of the District, require, allow, rely upon, or otherwise use questions or evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege (e.g., doctor/patient, attorney/client, clergy, etc.), unless the person holding such privilege (parent/guardian for minor student) has waived the privilege in writing to use the information with respect to the Title IX Grievance Process.

6. Consolidation of Complaints. The District may consolidate formal complaints of allegations of sexual harassment where the allegations of sexual harassment arise out of the same facts or circumstances and the formal complaints are against more than one respondent; or by more than one complainant against one or more respondents; or by one party against the other party. When the District has consolidated formal complaints so that the grievance process involves more
than one complainant or more than one respondent, references to the singular “party”, “complainant”, or “respondent” include the plural, as applicable.


   a. “Disciplinary sanctions” are consequences imposed on a respondent when s/he is found responsible for sexual harassment under this Policy. Remedial actions are actions intended to restore or preserve a complainant’s equal access to the educational programs and activities of the District.

   b. “Disciplinary sanctions” against an employee respondent may include any available sanction available for the discipline of employees, up to and including dismissal or non-renewal for any other violation of Board policy, NH Code of Conduct for Educational Professionals, applicable individual or collective bargaining contract, or state or federal laws or regulations.

   c. “Disciplinary sanctions” against a student may include any available discipline or sanction, up to and including expulsion, under the policies, rules and procedures that establish the district’s comprehensive student code of conduct.

   d. “Remedial actions” as to a respondent after a final finding of responsibility, whether employee or student, may include the imposition upon a responsible respondent of any additional non-disciplinary measures appropriate to effecting a remedy for sexual harassment, and may include such measures as no-contact requirements, scheduling adjustments, removal or exclusion from extracurricular activities, class reassignments, limits on future class registrations, restrictions on access to various spaces in the school buildings, reassignment of attendance, and similar measures fine-tuned to respond appropriately to the circumstances surrounding a successful complainant’s right to access the district’s program and activity.

   Additional remedial actions may include recommendations that a school-wide or system-wide response is needed in order to respond to the sexual harassment in a way that is not clearly unreasonable under the circumstances. In such cases, the Superintendent shall provide additional staff training, harassment prevention programs, or such other measures as determined appropriate to protect the safety of the educational environment and/or to deter sexual harassment.

D. Timeframe of Grievance Process.

The District shall make a good faith effort to conduct a fair, impartial grievance process in a timely manner designed to provide all parties with a prompt and equitable resolution. It is expected that in most cases, the grievance process will be concluded through at least the determination of responsibility decision within 80 days after filing the formal complaint. In more complex cases, the time necessary to complete a fair and thorough investigation or other circumstances mean that a determination of responsibility cannot reasonably be made within that timeframe.

   b. Investigation 20 +/- days as the complexity of the case demands (Sec. III.E.1)
   c. 10 days for reviewing information prior to conclusion of investigation
   d. 10 days after receiving report to respond to report
   e. 10 days for decision maker to allow initial questions
   f. 10 days for responses to questions
g. 10 days for questions and responses to follow-up questions.

h. 10 days for determination of responsibility decision

i. 10 days for appeal (6 additional days for administrative steps)

j. 10 days for argument/statement challenging or supporting determination

k. 10 days for decision on appeal

1. Delays and Extensions of Time. At any stage of the grievance process, the District (through the Superintendent, or if the Superintendent is the respondent, the Title IX Coordinator or designee) may for good cause allow for temporary delays or extensions of time upon request of either party, or on his/her own initiative. Examples of good cause may include such things as availability of parties or witnesses, school or school administrative office holidays or vacations, referral back to an earlier stage of the grievance process, concurrent law enforcement or other agency activity, or need to obtain interpreters or accommodation of disabilities. For any such delay or extension of time, the Superintendent or the Title IX Coordinator will provide written notice to the parties of the delay/extension and the reason(s).

E. Investigation.

The Title IX Coordinator will coordinate the investigation. The investigator shall be as appointed pursuant to Sec. III.B.5.

1. The Title IX Coordinator may conduct the investigation, or, in consultation with the Superintendent, designate another qualified person to investigate. The investigation and investigator must:

   a. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence. (Evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such evidence about the complainant’s prior sexual behavior is offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the evidence concerns specific incidents of the complainant’s prior sexual behavior with respect to the respondent and is offered to prove consent.)

   b. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not on either of the parties;

   c. Provide an equal opportunity for the parties to present witnesses, and other inculpatory and exculpatory evidence;

   d. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;

   e. Provide the parties with the same opportunities to have others present during any interview or other part of the investigation, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The investigator may restrict any others from participating, as long as the restrictions apply equally to both parties;

   f. Provide, to a party (e.g., respondent or complainant – and parent/guardian as appropriate) whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate within the timeframes established in Sec. III.D, below.

   g. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint;
2. Prior to completion of the investigative report, the District, through the Title IX Coordinator, must send to each party and party’s advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report;

3. The investigator must prepare a written investigative report that fairly summarizes relevant evidence, including, without limitation, witness credibility, discrepancies, inculpatory and exculpatory information, and relevant District policies, rules and regulations, and the manner in which the same were made known to the pertinent school populations or specific parties. The investigative report shall include a description of the procedural steps taken, starting with the receipt of the formal complaint, and continuing through the preparation of the investigative report, including any notifications to the parties, interview with parties and witnesses, site visit, and methods used to gather evidence.

4. The investigator shall provide the investigative report in hard copy or electronic format to the Title IX Coordinator, to each party and each party’s advisor, if any. Each party will have 10 days from receipt to provide the Title IX Coordinator a written response to the investigative report.

5. It serves all parties when investigations proceed diligently and conclude within a reasonable time, which may vary case by case. In most cases, it is expected that the investigator will conclude the initial investigation, and provide the parties the evidence and other information required under Sec. III.E.2. Not more frequently than every other week, any party may request the Title IX Coordinator to obtain and provide the parties with a basic status report on the investigator’s progress toward completion. In most cases, the investigator should conclude the investigation within 10-20 days after receiving a Formal Complaint.

F. Determination of Responsibility and Initial Decision Maker.

The determination of responsibility of the respondent shall be made by the initial decision maker as appointed pursuant to Section III.B.5.

1. Prior to making a determination of responsibility, the initial decision maker will afford each party 10 days to submit written, relevant questions to the initial decision maker that the party wants asked of any party or witness.

2. The initial decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant. Questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the question and evidence concern specific incidents of the complainants prior sexual behavior with respect to the respondent and are offered to prove consent[12].

3. The initial decision maker will provide the questions to the party/witness, with copies to each party, and provide no less than 10 days for written responses, likewise to be provided to each party.

4. The initial decision maker will provide 5 days each for supplementary, limited follow-up questions and 5 days for answers, and may provide for additional rounds of follow-up questions, as long as the provision is extended to both parties equally.

5. The initial decision maker may not make any creditability determinations based on the person’s status as a complainant, respondent or witness.
6. The respondent must be deemed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

7. The initial decision maker may impose disciplinary sanctions and remedies as described in Section III.C7, above.

8. The standard to be used for formal complaints in determining whether a violation has occurred and/or that the respondent is responsible is the preponderance of the evidence standard,[13] which is only met when the party with the burden convinces the fact finder (the initial decision maker) that there is a greater than 50% chance that the claim is true (i.e., more likely than not).

9. The initial decision-maker must issue a written determination/decision within 10 days after the close of the period for responses to the last round of follow-up questions. The written “Initial Determination of Responsibility” must include:
   a. Identification of the allegations potentially constituting sexual harassment;
   b. A description of the procedural steps taken from the receipt of the formal complaint through the Initial Determination of Responsibility, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
   c. Findings of fact supporting the determination;
   d. Conclusions regarding the application of the District’s applicable codes of conduct, policies, administrative regulations or rules to the facts;
   e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility (i.e., whether or not the respondent is responsible for sexual harassment), and any disciplinary sanctions or remedies; and
   f. The District’s procedures and permissible bases for the complainant and respondent to appeal (as set forth in Section III.H, below).

10. The decision maker shall provide the Initial Determination of Responsibility to the Title IX Coordinator, the Superintendent and the parties simultaneously.

G. Dismissal of a Formal Complaint.

1. The District must dismiss a formal complaint with regard to Title IX sexual harassment if the alleged conduct:
   a. Would not constitute sexual harassment, even if proved;
   b. Did not occur in the District’s education program or activity; or
   c. Did not occur against a person in the United States.

2. The District may dismiss a formal complaint with regard to Title IX sexual harassment if at any time during the investigation or determination of responsibility stage(s):
   a. A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
b. The respondent is no longer enrolled or employed by the District; or

c. Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

3. Prior to dismissal of a complaint, the person responsible at that stage shall consult with the Superintendent.

4. Upon dismissal of a formal complaint, the District must promptly send written notice of the dismissal and the reason(s) therefore simultaneously to the parties.

The dismissal of a formal complaint under Title IX does not preclude the District from continuing any investigation or taking action under other District policies, code of conduct or administrative rules/regulations. In some cases, the District may have an obligation to continue an investigation and proceed under a different policy or mandated process.

H. Appeals Process.

1. Either party may appeal the Initial Determination of Responsibility or the dismissal of a formal complaint or any allegation in a formal complaint by notifying the Superintendent in writing (“written appeal”), with a copy to the Title IX Coordinator. If there are multiple determinations of responsibility, the written appeal shall specify which ones are included in the appeal. The written appeal must be received by the Superintendent within 10 days of the Initial Determination of Responsibility or written notice of dismissal being communicated to the parties.

2. An appeal under this Policy may only be based upon one or more of the following bases, which must be stated specifically in the party’s written appeal:

   i. Procedural irregularity that affected the outcome of the matter;

   ii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or

   iii. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Appeals for any other reason or upon any determination of responsibility not included in the written appeal will not be heard.

Appeals pertain only to the determination of responsibility and non-disciplinary remedies. Once a determination of responsibility is final per Sec. III.I, below, appeals of disciplinary sanctions may be made pursuant to the District’s ordinary review process for discipline, or, to the extent applicable, any statutory or other processes provided under collective bargaining agreements or individual contracts.

3. Within 3 days of receipt of the written appeal, the Superintendent shall appoint a decision maker for appeal (“appeals decision maker”),[14] who must have adequate training as provided in Section II.D, be free from conflict of interest as provided in Section II.G, and may not be the same person as the initial decision maker, the person who ordered dismissal, the investigator(s), or the Title IX Coordinator. Upon the appointment of the appeals decision maker, the Superintendent shall provide a Notice of Appeal to each party and to the Title IX Coordinator, with a copy of the written appeal. The Notice of Appeal must include information about all deadlines and timeframes in the appeal stage.
4. Each party shall have 10 days from the date the Notice of Appeal is delivered to the parties to submit to the appeals decision maker a written statement, with copies to the Superintendent, Title IX Coordinator, and other party a statement (“appeal statement”) in support of, or challenging, the determination of responsibility or dismissal.

5. Each party shall provide copies of the appeal statement to the other party, the Superintendent, and the Title IX Coordinator at the same time the appeal statement is given to the appeals decision maker. If the basis of the appeal is newly available evidence affecting the outcome, the party shall submit such evidence or a summary of such evidence along with the party’s appeal statement.

6. The appeals decision maker may refer an appealed issue back to a prior point in the grievance process, with written notice to the parties, the Superintendent and the Title IX Coordinator.

7. The appeals decision maker shall provide a written appeals decision after considering the record and the parties’ appeal statements. The appeals decision maker will only overturn the Initial Determination of Responsibility upon a conclusion that it was clearly erroneous (i.e., either made on unreasonable grounds, or without any proper consideration of the circumstances). If the basis or one of the bases for the appeal was new evidence, the appeals decision maker may either make a determination of responsibility regarding that evidence, or refer it back to the appropriate stage of the Title IX Grievance Process. The written appeals decision will describe the result(s) of the appeal and the rationale, with copies provided to the parties, Superintendent and Title IX Coordinator, no more than 10 days after receiving the last of the parties’ written statements per Section III.H.5.

1. Finality of Determination of Responsibility. The determination regarding responsibility becomes final either on the date that the recipient, through the Superintendent, provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal of the Initial Determination of Responsibility would no longer be considered timely. The final determination shall be identified as the Title IX Decision.

Once the Title IX Decision is final, the District may implement remedies and disciplinary sanctions. The Title IX Coordinator is responsible for effective implementation of any non-disciplinary remedies, with the assistance of building and District administrative personnel, while disciplinary sanctions will be imposed by persons charged with such responsibilities under other Board policies, regulations or administrative procedures. The District may also proceed against the respondent or complainant pursuant to the District’s applicable code of conduct or other Board policies, collective bargaining agreement, individual contract or administrative rules/regulations/procedures. The issue of responsibility for the conduct at issue shall not be subject to further review or appeal within the District.

J. Informal Resolution.

At any time prior to reaching a determination regarding responsibility (but only after the filing of a formal complaint), the District may offer an optional informal resolution process[15] (e.g., mediation, arbitration), provided that the District:

1. Provides written notice to the parties disclosing:
   a. The allegations of the formal complaint;
   b. The requirements of the information resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to an informal final resolution, any party has the right to
withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and

c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

2. Obtains the parties’ voluntary written consent to the informal resolution process; and

In no event may the District offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

STATE ASSESSMENTS

Each spring students in grades 3-5 are assessed using accountability assessments in ELA and Math. Grade 5 students are also assessed in science. These assessments, mandated by the NHDOE and aligned to the Common Core State Standards and the NH College and Career Ready Standards, will provide educators, parents, and students with the information they need to continuously improve teaching and learning. The assessments will serve all students, including English Language Learners and students with disabilities.

SPECTATOR DISORDER (BPS Policy IGDJA)*

The following policy will be in effect in regard to spectator disorder at all school-sponsored events and activities.

1. The board will fully support administration in whatever course of action it recommends in solving this problem. This involves enforcing the current policies by which Berlin students may be disciplined for improper conduct at school-sponsored activities up to and including dismissal from school. The board also urges the criminal prosecution of any individual involved in disorderly conduct.

2. The board will, if necessary, withdraw financial support from any activity that cannot be conducted without incidents of this kind. This is a serious stop and will not be taken without a great deal of thought; however, if it becomes clear that school-sponsored activities cannot exist without violent and disorderly behavior, then that activity will be suspended.

3. The board will support the Chain of Command for Berlin Athletics. When a problem arises within a sports program involving a student athlete the following steps must be taken:
   a. Student athlete to meet with coach
   b. Student athlete to meet with coach, parents, and athletic director
   c. Student athlete to meet with coach, parents, athletic director, and principal
   d. Student athlete to meet with coach, parents, athletic director, principal, superintendent
   e. Student athlete to meet with coach, parents, athletic director, principal, superintendent, school board

STUDENT ABSENCES AND EXCUSES (BPS Policy JH)*

The Board requires that school-aged children enrolled in the district attend school in accordance with all applicable state laws and board policies. The educational program offered by the District is predicated upon the presence of the student and requires continuity of instruction and
classroom participation in order for students to achieve academic standards and consistent educational progress. Students are required to maintain regular and punctual patterns of attendance. Each building principal is responsible for overseeing attendance procedures and for ensuring that:

1. Attendance is accurately checked, recorded, and reported to the school office each day for each class.
2. All student absences are recorded during the days and hours that school is in session unless the Principal excuses a student for temporary absences when receiving evidence of conditions or reasons that may reasonably cause the student’s absence.
3. When truancy and/or repeated tardies continue, the school administrator may bring forth a referral to law enforcement for a violation of RSA 193:1 Duty of the Parent and/or RSA 169-D:2 II,a Definitions. The Board considers the following to be excused absences:
   1. Illness
   2. Recovery from an accident
   3. Required court attendance
   4. Medical and dental appointments
   5. Death in the immediate family
   6. Observation or celebration of a bona fide religious holiday
   7. Such other good cause as may be acceptable to the Principal or permitted by law.

Any absence that has not been excused for any of these reasons will be considered an unexcused absence. Tardiness: Frequent or habitual tardiness is subject to corrective actions. In the event of any absence due to illness, parents must call the school and inform the School of the student's illness and absence. For all absences, parents must provide written notice or a written excuse that states one of these reasons for non-attendance.

The Principal may require parents to provide additional documentation in support of their written notice, including but not limited to doctor’s notes, court documents, obituaries, or other documents supporting the claimed reason for non-attendance. Any absence other than excused absence is considered truancy. Absences other than for illness during the school year are discouraged. Unauthorized absence from school is considered truancy and will be treated as such in accordance with the rules of the Parent/Student Manual.

Truant students may be subject to school disciplinary measures in line with applicable Board policies. Absent/Tardy students not having parent/guardian permission are considered as being truant. Students so identified, or parent/legal guardian, will be contacted by either a school official and/or a police officer. The school administration will send a letter to parents/guardians of the truant student. If the truancy problem continues, the school administrator will send by registered mail a letter to the parents of the truant student, indicating the nature and seriousness of the problem and enclose a copy of RSA 193:1.

Truancy

Truancy is defined as any unexcused absence from class or school. Any absence that has not been excused for any of the reasons listed above will be considered an unexcused absence. Ten half-days of unexcused absence during a school year constitutes habitual truancy. A half-day absence is defined as a student missing more than two hours of instructional time and less than three and one-half hours of instructional time. Any absence of more than three and one-half hours of instructional time shall be considered a full-day absence.

The Principal is hereby designated as the District employee responsible for overseeing truancy issues. Intervention Process to Address Truancy The Principal shall ensure that the administrative guidelines on attendance properly address the matter of truancy by including a process that identifies students who are habitually truant, as defined above. When the Principal identifies a student who is habitually truant or who is in danger of becoming habitually truant, he/she shall commence an
intervention with the student, the student’s parents/legal guardian, and other staff members as may be deemed necessary. The intervention shall include processes including, but not limited to:

1. Investigates the cause(s) of the student’s truant behavior
2. Considers, when appropriate, modification of his/her educational program to meet particular needs that may be causing the truancy
3. Involves the parents/legal guardian in the development of a plan designed to reduce the truancy
4. Seeks alternative disciplinary measures, but still retains the right to impose discipline in accordance with the district’s policies and administrative guidelines on student discipline.

Parental Involvement in Truancy Intervention when a student reaches the level of habitual truancy status or is in danger of reaching habitual truancy status, the Principal will send the student’s parents/legal guardian a letter which includes:

1. A statement that the student has become or is in danger of becoming habitually truant. Violations are punishable by a fine up to a maximum $1,240
2. A statement of the parents/legal guardian’s responsibility to ensure that the student attends school
3. A request for a meeting between the parents/legal guardian and the Principal to discuss the student’s truancy and to develop a plan for reducing the student’s truancy.

The Superintendent shall also ensure that this policy is made available annually to all parents/legal guardians and students via student/parent handbook and district website.

STUDENT CONDUCT (BPS Policy JIC Updated 6/17/21)

A. General Policy.

The School Board is committed to promoting a safe, healthy, orderly and supportive school and learning environment. To achieve that for all, it is important for students to conduct themselves in a manner fitting to their age level and maturity, and with respect and consideration other students, District personnel and other members of the community. Students are expected and required to maintain appropriate behavior that allows teachers and staff to perform their professional duties effectively and without disruption while on School District property or on property within the jurisdiction of the School District (including vehicles); and/or while attending or engaged in school activities.

Expectations for student conduct and standards of behavior shall be communicated through written Board policies, as well as District and/or school rules. Those policies and rules should be included in a Code of Conduct for each school.

Student conduct that causes material or substantial disruption to the school environment, interferes with the rights of others, presents a threat to the health and safety of students, employees, or visitors, and/or violates the Code of Conduct or classroom rules is prohibited. Response to violations of the Code of Conduct, however, should be designed to maximize student academic, emotional and social success, while at the same time assuring safety of all students, staff and school visitors. With this objective, the Board endorses adoption of a Multi-Tiered System of Support for Behavioral Health and Wellness (“MTSS-B”) as the framework for the Code of Conduct. District personnel who interact with students are expected to utilize progressive disciplinary measures, and to place emphasis on
educating students so they may grow in self-discipline. Suspensions and expulsions shall be administered consistent with the applicable Code of Conduct and Board policy JICD.

B. **Student Code of Conduct**

The School Board delegates to the Superintendent, in consultation with the appropriate building Principal and counselors, the responsibility of adopting and implementing a Student Code of Conduct with such age-appropriate rules and regulations for each school as he/she deems necessary to implement the objectives of this policy, and reflects the three-tiered support prevention of framework of MTSS-B: school-wide approaches; targeted supports for at-risk students; and individualized services for highest-needs students.

The Code of Conduct for each school shall be submitted to the School Board for review each year, either separately or with the applicable student handbook. Consistent with the Board's statutory authority, and other Board policies regarding review of administrative rules, regulations and procedures, the School Board retains the authority to modify, supersede, or suspend any provision of the Code of Conduct.

The Code of Conduct shall include:

1. A graduated and age-appropriate system of supports and intervention strategies, such as:
   - parent conferences,
   - counseling,
   - peer mediation,
   - instruction in conflict resolution and anger management,
   - parent counseling and training,
   - community service, and
   - rearranging class schedules.

2. Graduated and age-appropriate disciplinary consequences such as:
   - restriction from extra-curricular activities,
   - temporary (same day) removal from class or activity,
   - detention,
   - temporary reassignment/in-school suspension,
   - out-of-school suspension, and
   - expulsion.

3. Provisions describing how and when short term suspensions of up to 5 days, short term suspensions up to 10 days, long term suspensions up to 20 days, and/or expulsion should be imposed. These standards shall make reference to and reflect:
   - the nature and degree of disruption caused to the school environment;
• the threat to the health and safety of pupils and school personnel, volunteers or visitors;

• whether the conduct or behavior is isolated or repeated.

All temporary (same day) removal from classrooms or activities, restriction from activities, detentions, suspensions and expulsions shall comport with applicable laws, regulations and Board policy JICD.

4. Information regarding RSA 193:13, 193-D, this policy, Board policy JICD, and other Board policies or District/school rules regulating student conduct on and off-campus. Except where the complete text of a statute, regulation or policy is required, the Code of Conduct should include age appropriate language. E.g., summaries for elementary grade levels.

C. Implementation and Notice.

The Superintendent shall assure that the Code of Conduct, complete with the information set out in section B.4, above, shall be printed in full in each student handbook, made available to parents at the beginning of the school year, publicly available on the school, District and/or SAU district website [or in some other manner to assure parental notification if neither the school district nor SAU maintain a website].

Additionally, building Principal(s) shall assure student awareness of the Code of Conduct and other District policies and building rules through print, postings and periodic announcements.

The Superintendent should also designate personnel to explore the availability of and pursue any State or Federal grants, technical assistance and professional development opportunities available to facilitate implementation of MTSS-B per RSA 135-F:5, I(c) and (d).

D. Parental Notification of Simple Assaults.

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

E. Disciplinary Removal of Students with Disabilities.

If a student is disabled under the Individuals with Disabilities Act (IDEA), the New Hampshire RSA 186-C, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, or any other law providing special rights to disabled students, those laws shall govern and shall supersede these local policies to the extent these local policies are inconsistent with those laws. Accordingly, any class or activity removal, suspension or expulsion of a child with a disability as defined in Ed 1102.01(t) shall be in accordance with Ed 1124.01.
STUDENT DISCIPLINE AND DUE PROCESS (BPS Policy JICD Updated 6/17/21)*

A. Policy Statement.

This policy establishes the substantive parameters, procedures and due process that shall apply before a student may be subject to temporary (same day) removal from classrooms or activities, restriction from activities, detentions, suspensions and/or expulsion. Pursuant to Board policy JIC, response to misconduct, including disciplinary measures and consequences should be designed to maximize student academic, emotional and social success, while at the same time assuring safety of all students, staff and school visitors. Administration of any of the consequences described in this policy shall be consistent with the system of supports and graduated sanctions established pursuant to Policy JIC and the applicable Code of Conduct.

B. Standards and Procedures Relative to Disciplinary Consequences.

1. "Removal from the classroom" means a student is sent to the building Principal's office or other designated area during the same school day. It is within the discretion of the person in charge of the classroom or activity to remove the student.

   Students may be removed from the classroom at the classroom teacher's discretion if the student refuses to obey the teacher's directives, becomes disruptive, fails to abide by school or District rules, or the Code of Conduct, or otherwise impedes the educational purpose of the class. Under most situations, before ordering the removal, the staff member ordering the removal shall warn the student of the infraction and allow the student to respond.

   Detentions are not appealable.

2. "Restriction from school activities" means a student will attend school, classes, but will not participate in other school extra-curricular activities, including such things as competitions, field trips, and performances. A student who has been restricted from school activities may participate in practices at the discretion of the person imposing the restriction.

   Under most situations, before ordering the restriction, the supervising employee (e.g., teacher, coach, director, Principal, etc.) ordering the restriction shall warn the student of the infraction and allow the student to respond. If the restriction is immediate and outside of school hours, provision must be made to assure the student is not left unsupervised. The terms of the restriction shall be communicated to the Principal and the student’s parent/guardian.

   Restrictions under this policy are not appealable.

3. "Detention" means the student's presence is required for disciplinary purposes before or after the hours when the student is assigned to be in class, and may occur on one or more Saturdays.

   Students may be assigned classroom detention at the classroom teacher's discretion, and building detention at the building administrator’s discretion, if the student refuses to obey the teacher/employee's directives, becomes disruptive, fails to abide by printed classroom, school or District rules, or the Code of Conduct, or otherwise impedes the educational purpose of the class. Before ordering the detention, the staff member ordering the detention shall warn the student of the infraction and allow the student to respond. Parents/guardians shall be notified at least 24 hours prior to a student serving detention.

   Detentions before or after school shall not exceed one hour, and Saturday detentions shall not exceed three hours. The building administrators are authorized to establish, announce and post additional guidelines and rules regarding detention, supervision, building access, etc. The length and timing of the detention, is within
the discretion of the licensed employee disciplining the student or the building administrator, pursuant to the posted rules of the school.

Detentions are not appealable.

4. "Temporary Reassignment" or “in-school suspension” means the student will attend school but will be temporarily isolated from one or more classes while under supervision. A temporary reassignment should not exceed five consecutive school days. Parents/guardians shall be notified of a temporary reassignment.

The building administrators are authorized to issue reassignment, restrictions from activities, or place a student on probation for repeated failure to conform to the Code of Conduct classroom rules, or for any conduct that causes material or substantial disruption to the school/class environment, interferes with the rights of others, presents a threat to the health and safety of students, employees, and visitors, is otherwise inappropriate, or is prohibited by law.

5. “Probation” means a student is given a conditional suspension of a penalty for a definite period of time in addition to being reprimanded. The conditional suspension will mean the student must meet the conditions and terms for the suspension of the penalty. Failure of the student to meet these conditions and terms will result in reinstatement of the penalty. Notwithstanding the assignment of probation, no imposition of the suspended consequence may be administered unless and until all of the provisions of this policy applicable to the suspended consequence (i.e., long-term suspension, expulsion, etc.) are satisfied.

6. “Out-of-school suspension” means the temporary denial of a student’s attendance at school for a specific period of time. It includes short-term and long-term out of school suspensions.

a. Short-term suspension. A “short-term suspension” means an out-of-school suspension of ten (10) consecutive school days or less. RSA 193:13, I (a).¹

The Superintendent or his/her written designee² is authorized to suspend a student for ten (10) school days or less.

A short term suspension may be imposed only for:

i. Behavior that is detrimental to the health, safety, or welfare of pupils or school personnel (including, but not limited to, and act of theft, destruction or violence, as defined in RSA 193-D:1); or

ii. Repeated and willful disregard of the reasonable rules of the school that is not remediated through imposition of the district's graduated sanctions described in JIC and the Code of Conduct.

Pursuant to RSA 193:13, XI(b) and Board policy JIC, a short-suspension over 5 days must conform to the standards included in the Code of Conduct.

Before any short-term suspension may be imposed, a student is entitled to the minimum due process (notice before meeting of the charge and explanation of evidence, notice of the possibility of suspension, opportunity for the student to respond, and a written decision explaining the disciplinary taken). See New Hampshire Department of Education Rule Ed 317.04(f)(1).³

¹ The text of any state law (“RSA”) referenced in this policy may be located with the following link:
http://www.gencourt.state.nh.us/rsa/html/nhtoc.htm

² As of March 2021, Ed 317 has not been revised to reflect 2020 amendments to RSA 193:13. The text of any regulation of the NH Department of Education may be located with the following link:
b. **Long-term suspension.** A “long-term suspension” is the extension or continuation of a short-term suspension for a period **not to exceed an additional 10 days** beyond the duration of the short-term suspension.

The Superintendent is authorized to continue the suspension and issue a long-term suspension of a pupil for a period in excess of ten (10) school days, provided only that if the Superintendent issued the original short-term suspension, then the School Board may designate another person to continue the short-term suspension and issue the long-term suspension.

A long-term suspension may only be imposed for:

i. an act that constitutes an act of theft, destruction or violence, as defined in RSA 193-D;4

ii. bullying pursuant to Board policy JICK when the pupil has not responded to targeted interventions and poses an ongoing threat to the safety or welfare of another student; or

iii. possession of a firearm, BB gun, or paintball gun.

Prior to a long-term suspension, the student will be afforded a hearing on the matter. The informal hearing need not rise to the level and protocol of a formal hearing, but the process must comply with the requirements of Ed 317.04 (f)(2), and (f)(3)(g), including, without limitation, the requirements for advance notice and a written decision.

c. **Appeal of long-term suspension.** Any long-term suspension issued other than by the School Board under this policy, is appealable to the School Board, provided the Superintendent or School Board chair receives the appeal in writing within ten (10) days after the issuance of the Superintendent's hearing and written decision required under N.H. Dept. of Education Rule Ed. 317.04 (f)(2)c, and sub-paragraph B.6.b, above. The Board shall hold a hearing on the appeal, but will rely upon the record of the decision being appealed from.

Any suspension in excess of ten (10) school days shall remain in effect while this appeal is pending unless the School Board stays the suspension while the appeal is pending. Any request to stay a long-term suspension should be included in the original appeal.

d. **Educational Assignments.** As required by RSA 193:13, V, educational assignments shall be made available to students during both short and long term suspensions.

e. **Alternative Educational Services.** The school shall provide alternative educational services to a suspended pupil whenever the pupil is suspended in excess of 20 cumulative days within any school year. The alternative educational services shall be designed to enable the pupil to advance from grade to grade.

f. **Re-entry Meetings and Intervention Plans.** Prior to returning to regular classes, a suspended student, and parent/guardian (when available) shall meet with a building administrator to assist the student in smoothly returning to the school setting.

Any time a pupil is suspended more than 10 school days in any school year, upon the pupil's return to school the school district shall develop an intervention plan designed to proactively address the pupil's problematic behaviors by reviewing the problem behavior, re-teaching expectations, and identifying any necessary supports.

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4 [http://www.gencourt.state.nh.us/rsa/html/XV/193-D/193-D-1.htm](http://www.gencourt.state.nh.us/rsa/html/XV/193-D/193-D-1.htm) That list is subject to change. The statute should be reviewed prior to any long term suspension for an act of theft, destruction of violence.
g. **Attendance Safe Harbor.** A student may not be penalized academically solely by virtue of missing class due to a suspension.

7. **“Expulsion”** means the complete denial of a pupil's attendance at school for any of the reasons listed in RSA 193:13, II and IV. An expulsion may be for either a stated duration or permanent.

   a. **Grounds for Expulsion.** Any pupil may only be expelled by the School Board, and only for the following grounds:

   i. A repetition of an act that warranted long term suspension under section B.6.b, above;
   
   ii. Any act of physical or sexual assault that would be a felony if committed by an adult;
   
   iii. Any act of violence pursuant to RSA 651:5, XIII⁵;
   
   iv. Criminal threatening pursuant to RSA 631:4, II(a)⁶, or
   
   v. For bringing or possessing a firearm as defined in Section 921 U.S.C. Title 18 within a safe school zone as prohibited under RSA 193-D:1⁷, or under the Gun Free School Zones Act, unless such pupil has written authorization from the Superintendent.

Before expelling a pupil, the Board shall consider each of the following factors:

   (1) The pupil's age.
   
   (2) The pupil's disciplinary history.
   
   (3) Whether the pupil is a student with a disability.
   
   (4) The seriousness of the violation or behavior committed by the pupil.
   
   (5) Whether the school district or chartered public school has implemented positive behavioral interventions under paragraph V.
   
   (6) Whether a lesser intervention would properly address the violation or behavior committed by the pupil.

   b. **Due Process to Be Afforded Prior to Expulsion.** Prior to any expulsion, the District will ensure that the due process standards set forth in Ed 317.04(f)(3) through 317.04 (m)⁸ are followed.

   c. **Duration of Expulsion.** An expulsion will run for the duration stated in the written decision or until the School Board or Superintendent restores the student's permission to attend school as provided in this policy. An expulsion relating to a firearm in a safe school zone per B.7.a.v, shall be for a period of not less than 12 months.

   d. **Educational Services.** The Superintendent is authorized, but not required, to arrange for educational services to be provided to any student residing in the District who has been expelled by the District or by any other school.

C. **Modification or Reinstatement After Suspension or Expulsion.**

Expelled or suspended students may request a modification of, or reinstatement from, an expulsion or suspension as provided below. Except for students establishing residency from out-of-state, requests for modification or

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reinstatement from expulsion/suspension shall be submitted in writing to the Superintendent no later than August 15. The request should set forth the reasons for the request, and include additional information to establish that it is in the best interest of the student and school community to reinstate the student. Such additional information may include such things as work history, letters of reference, medical information, etc. All reinstatements shall include an Intervention Plan as described in paragraph B.6.f, above, including such conditions as the reinstating authority (Superintendent or Board) deem appropriate.

1. **Modification by Superintendent.** Subject to all other applicable laws, regulations and Board policies, and paragraph C.3, below (relating to firearms), the Superintendent is authorized to reinstate any student who has been suspended or expelled from a school in this District, and or enroll a student suspended or expelled from another school or district, on a case-by-case basis.

2. **Review and reinstatement by Board.** A student may request the School Board (of the district of attendance) to review an expulsion decision prior to the start of each school year by filing a written request with the Superintendent detailing the basis of the request. The Board will determine whether and in what manner it will consider any such request after consultation with the Superintendent.

3. **Modification of Expulsion for Firearms.** A student who has been expelled from this District or any other public or private school for bringing or possessing a firearm in a safe school zone as prohibited under RSA 193-D1, or under the Gun Free Schools Act, may only be reinstated or enrolled if the Superintendent first determines: possession of the firearm was inadvertent and unknowing; the firearm was for sporting purposes and the student did not intend to display the firearm to any other person while within the safe schools zone; the student is/was in the fifth or lower grade when the incident occurred; or the Superintendent determines that the firearm was not loaded; and that no ammunition was reasonably available; and that the pupil had no intention to display the firearm to other students.

Additionally, the School Board may enroll a student expelled from a school outside of New Hampshire for a violation of the Gun Free Schools Act upon the student establishing residency.

D. **Appeals to State Board of Education.** Any decision by the Board (i) to expel a student, (ii) not to reinstate a student upon request, or (iii) enroll a student from another state who had been expelled for a violation of the Gun Free Schools Act, may be appealed to the State Board of Education at any time that the expulsion remains in effect, subject to the rules of the State Board of Education.

E. **Sub-committee of Board.** For purposes of sections B.6 and B.7 of this policy, "Board" or "School Board" may either be a quorum of the full Board, or a subcommittee of the Board duly authorized by the School Board.

F. **Superintendent and Principal Designees.**

Except where otherwise stated in this policy, the Superintendent may delegate any authority s/he has under this policy, and a principal may delegate any authority s/he has under this policy, to other appropriate personnel.

G. **Disciplinary Removal of Students with Disabilities.**

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

H. **Notice and Dissemination.**

This policy shall be made available to families, students and staff as provided in Board policy JIC.
I. **Conflict in Law or State Regulation.**

If any provision of this policy shall conflict with State or Federal law, or regulation of the New Hampshire Department of Education, then such law or regulation shall apply, and the remainder of the policy shall be read and interpreted to be consistent with the law or regulation. School administrators and families are strongly encouraged to review the links for pertinent statutes and laws as referenced in this policy.

**STUDENT INTERVIEWS AND INTERROGATION (BPS Policy JIHD)*

**Interviews by School Administrators**

When a violation of Board policy or school rules occurs, the school principal or designee may question potential student victims and witnesses without prior consent of the parent, guardian, or legal custodian. If a school official suspects child abuse regarding the student and the suspected perpetrator is a member of the student’s family, no contact with the student’s family will be made.

**Questioning by School Administrators**

In situations where a student is suspected of violating Board policies or school rules, the principal or designee may question the suspected student if the school official has reasonable grounds to suspect that such a violation has occurred. The nature and extent of the questioning must be reasonably related to the objectives of the questioning. If the student denies any involvement or culpability, the student will have the opportunity to present his or her side of the story, orally or in writing to the proper school administrator.

**Interviews and Interrogations by Law Enforcement Officers**

Law enforcement officers may wish to interview students regarding their knowledge of suspected criminal activity and may wish to interrogate students who are themselves suspected of engaging in criminal activity. Except when law enforcement officers have a warrant or other court order, or when any emergency or other exigent circumstances exist, such interviews and interrogations are discouraged during the students’ class time. The principal and principal’s designee have the right and the obligation to take reasonable steps to prevent disruption of school operations and the educational process, while at the same time cooperating with law enforcement efforts. Accordingly, the principal or designee shall work together with law enforcement officers to coordinate efforts and minimize or prevent such disruption in cases of student interviews and interrogations. In the event of disagreement, the principal or designee shall immediately contact the Superintendent or district legal counsel for assistance.

**STUDENT RIGHTS AND RESPONSIBILITIES (BPS POLICY JI)**

Student rights and responsibilities shall be published annually in the applicable student handbook, and will be made available in another language or present orally upon request. Student disciplinary procedures will be implemented pursuant to Board Policies JIC and JICD.

**STUDENT SEARCHES AND THEIR PROPERTY (BPS Policy JIH)*

Students are subject to search and may have their backpacks, lockers, desks, or similar items searched by the school Principal or designee when there is reasonable suspicion that the search will turn up evidence that the individual has violated or is violating either the law or school rules.
**SUICIDE PREVENTION AND RESPONSE (BPS Policy JLDBB Updated 12/17/20)**

Full policy is in the appendix at the back of this manual.

The School Board is committed to protecting the health, safety, and welfare of its students and school community. The policy supports federal, state, and local efforts to provide education on youth suicide awareness and prevention; to establish methods of prevention, intervention, and response to suicide or suicide attempt ("postvention"); and to promote access to suicide awareness, prevention and postvention resources.

**TARDINESS**

Parents must come into the office to sign a student in and provide a note when the student is arriving late to school. It is in the students’ best interest and against school procedures for a parent/guardian to **not** walk their child to their classroom.

A letter will be sent to parents whose children are repeatedly tardy. Please make sure students arrive on time. Children could miss important early morning instructions if not on time.

Unauthorized absence, including frequent tardiness, from school is considered truancy and will be treated as such. See RSA 193:1, 2, 7. In grades 3-5, students with tardies above five per trimester, may receive a detention.

**TELEPHONE**

The school telephone is a business phone and is usually very busy. Children are not permitted to use the school phone except in an emergency.

Parents may call to speak to a teacher before or after school. A note may be sent in with your child. Every teacher has their own extension and voicemail where a message may be left anytime. **After school arrangements should be made prior to the school day.** Requests by parents to deliver messages will be honored; **however this should not be habitual.**

**TITLE I (BPS Policy KB-R)**

Title I at Berlin Elementary School is offered in the classroom with some pullout sessions. The funds offered provide interventions for struggling students in reading and math. All students are provided opportunities in the Schoolwide Model, with particular attention given to children at risk of not meeting the state’s student academic achievement standards.

**PARENT INVOLVEMENT**

**Title I Parent/School Compacts:**

Any school receiving Title I monies is required to issue a Parent/School compact. Compacts outline how parents, school staff, and students will share responsibility for student achievement. Parent input concerning the compact is encouraged.

**Parent’s Right To Know:**

Parents with students attending a school receiving Title I funds may request information regarding the professional qualifications of the student’s classroom teacher(s) including the following:
● Whether the teachers have met State Qualifications for grade levels and subject areas taught.
● Whether the teachers are teaching under emergency or other professional status that the state has waived.
● The degree major of the teacher or any other graduate certificate or degree.
● Whether the child is provided services by paraprofessionals and if so their qualifications.
● Parents will also be provided with information of the child’s achievement on state assessments. Timely notice will be given if a child has been assigned to, or has been taught for four (4) consecutive weeks by a teacher who is not highly qualified.

Parent Advisory Council (PAC):
Parent involvement is always encouraged and at an annual meeting, time is allocated for and input gathered toward the review, plan, design, and evaluation of the Title I Program. All parents are invited to attend the annual meeting. A copy of the parent involvement policy is available by contacting the Title I office or on the district website.

A Monthly Newsletter:
Parents Make the Difference is issued each month and provided to parents with information regarding helpful topics to support student learning. It is posted on the district website and parents may request a hard copy to be sent home.

Parent Information Center:
Title I has resources available for parents on a variety of academic and social matters. Title I provides materials to assist on reinforcing skills taught at the various grade levels. There is a lending library available to parents and staff which include books, videos, and activities. Parents may request information by calling the Title I office.

District Report Card:
The Berlin School District provides the community with information related to assessments, accountability and teacher quality. This information may be released at a public meeting or via newsletters. All schools in the district have data on file. Individuals may request information by contacting the office at the individual schools or the Title I office.

N.H. Department of Education Website:
NH Department of Education Website has a wealth of information. https://www.education.nh.gov/
If you have difficulty accessing the information, or you do not have internet service, please feel free to contact the Title I office and we will be able to assist you.

Complaint Procedure:
If an individual feels a violation of the Federal Requirements has been made, that person may make a written complaint which will be handled at the local level, then an individual may have it reviewed by the Title I Project Manager. Forms are available for this purpose in each school office. Programs included in this procedure are Title I Parts A and D and Migrant Education.
TITLE IX (BPS POLICY ACAC)

I. RESTATEMENT OF POLICY PROHIBITING DISCRIMINATION ON THE BASIS OF SEX.

Per Board policy AC, Title IX of the Education Amendments Act of 1972 (“Title IX”), as well as RSA 193:38, among others, the District does not discriminate on the basis of sex in its educational programs and activities, including employment and admissions. All forms of sex-based discrimination, including sexual harassment are prohibited in the District.

II. TITLE IX SEXUAL HARASSMENT POLICY.
A. Application of This Policy.

While all forms of sex-based discrimination are prohibited in the district, the purpose of this policy is to address, and only to address, sexual harassment as defined in Title IX and Sec. II.B, below, that occurs within the educational programs and activities of the district, and to provide a grievance process for investigating and reaching a final determination of responsibility for a formal complaint of sexual harassment. The “Title IX Grievance Process” is set out in Sec. III below. While the District must respond to all “reports” it receives of sexual harassment, the Title IX Grievance Process is initiated only with the filing of a formal complaint.

The purpose of this Policy, however, is to address, and only to address, sexual harassment as defined in Title IX that occurs within the educational programs and activities of the district. For harassing conduct which does not meet the definition of sexual harassment under Title IX and this Policy, the District’s response will be governed under other applicable laws and policies per Board policy AC, and policies referenced therein.

This Policy shall apply to all students, employees, and any third party who contracts with the District to provide services to District students or employees, upon District property or during any school program or activity.

Nothing in this policy will be construed to confer on any third party a right to due process or other proceedings to which student and employee respondents are entitled under this policy unless such right exists under law.9 Volunteers and visitors who engage in sexual harassment will be directed to leave school property and/or be reported to law enforcement, the NH Division of Children, Youth and Families (DCYF), as appropriate. A third party under the supervision and control of the school system will be subject to termination of contracts/agreements, restricted from access to school property, and/or subject to other consequences, as appropriate.

The Superintendent shall have overall responsibility for implementing this Policy, and shall annually appoint a District Title IX Coordinator10 as that position is described in Section II.C, below. The name and contact information for the Title IX Coordinator is set forth in Board Policy AC-E, which policy shall be updated and disseminated annually with the Title IX Coordinator’s name as set forth in Board policy AC

B. Definitions.

As used in this Policy and the Title IX Grievance Process, the terms below shall have the meaning ascribed.

“Actual knowledge” occurs when the District’s Title IX Coordinator or ANY employee of one of the District’s schools (other than a “respondent” or alleged harasser) receives a notice, report or information or becomes aware of sexual harassment or allegations of sexual harassment.

“Complainant” is an individual who is alleged to be the victim of conduct that could constitute sexual harassment, whether or not that person files a report or formal complaint.

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“Days” shall mean calendar days, but shall exclude non-weekend days on which the SAU office is closed (e.g., holidays, office-wide vacations), or any weekday during the school year on which school is closed (e.g., snow days).

“Decision Maker” means persons tasked with: the responsibility of making initial determinations of responsibility (at times referred to as “initial decision maker”); or the responsibility to decide any appeal (at times “appeals decision maker”) with respect to formal complaints of sexual harassment in accordance with the Title IX Grievance Process.

“Determination of Responsibility” is the formal finding by the decision-maker on each allegation of Sexual Harassment contained in a Formal Complaint that the Respondent did or did not engage in conduct constituting Sexual Harassment Under Title IX.

“Formal Complaint” means a document filed by a complainant, the complainant’s parent/guardian, or the Title IX Coordinator, alleging sexual harassment against a respondent, and requesting that the district investigate the allegation of sexual harassment.

“Respondent” is an individual who is reported to be the individual accused of conduct that could constitute sexual harassment.

“Sexual harassment” prohibited under Title IX and by this policy is conduct on the basis of sex (including, without limitation, gender, sexual orientation, and/or gender identity), occurring in a school system education program or activity that satisfies one or more of the following:

1. A school district employee conditioning an aid, benefit, or service of an education program or activity on an individual’s participation or refusal to participate in sexual conduct irrespective of whether the conduct is welcomed by the student or other employee;

2. Unwelcome sex-based/related conduct determined by a reasonable person to be so severe, pervasive, AND objectively offensive that it effectively denies a person equal access to the education program or activity (this standard requires consideration of all the facts and circumstances, including, but not limited to, the ages and disability statuses of the harasser and victim and the number of individuals involved and their authority; OR

3. Sexual assault, dating violence, domestic violence, or stalking as defined in state or federal law.11

Behaviors that constitute sexual harassment may include, but are not limited to:

i. Sexually suggestive remarks or jokes;

ii. Verbal harassment or abuse;

iii. Displaying or distributing sexually suggestive pictures, in whatever form (e.g., drawings, photographs, videos, irrespective of format);

iv. Sexually suggestive gesturing, including touching oneself in a sexually suggestive manner in front of others;

v. Harassing or sexually suggestive or offensive messages that are written or electronic;

vi. Subtle or direct propositions for sexual favors or activities;

vii. Touching of a sexual nature or groping; and

viii. Teasing or name-calling related to sexual characteristics or the belief or perception that an individual is not conforming to expected gender roles or conduct.

Note: incidents of the above conduct would still need to satisfy one or more of the criteria in paragraphs 1-3 of this definition.

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Sexual harassment may be directed against a particular person or persons, or a group, whether of the opposite sex or the same sex.

The context of behavior can make a difference between conduct falling within the technical definition of Sexual Harassment Under Title IX, and conduct of a sexual nature that is offensive or hostile in itself, but which does not arise to the level within that definition. **District policies prohibit both, but for purposes of its Title IX obligations the District must address reports or complaints of conduct which may constitute sexual harassment as defined above, under this specific, limited scope Policy and Title IX Grievance Process.**

Except as used in other laws (e.g., Title VII) or policies (e.g., Board policy JICK) pertaining to harassment, including of a sexual nature, other than Title IX sexual harassment, all references to “sexual harassment” in this policy mean sexual harassment that meets the above definition.

Conduct that satisfies this definition is not sexual harassment for purposes of this policy if the conduct occurred (1) outside the United States or (2) under circumstances in which the school system did not have substantial control over both the harasser/respondent and the context in which the harassment occurred.

**NOTE Regarding Concurrent Enrollment and Dual Enrollment, Extended Learning Opportunities, 3rd Party Distance Learning and Other Alternative Instructional Programs:** Under federal regulations, in order for the District to have jurisdiction over conduct that would otherwise meet the definition above of sexual harassment, the District must have substantial control over both the respondent and the context in which the harassment occurred. In general, this will mean that unless such learning program is occurring upon district property, conduct otherwise meeting the definition of sexual harassment within that program, may not be subject to this policy.

“Supportive Measures” are free, non-disciplinary, non-punitive, individualized services and shall be offered to the complainant, and may be offered to the respondent, as appropriate. These measures may include, but are not limited to, the following:

1. Counseling;
2. Course modifications;
3. Schedule changes; and
4. Increased monitoring or supervision

Such measures shall be designed to restore or preserve equal access to the District’s education programs and activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District’s educational environment and/or deter sexual harassment. Supportive measures shall remain confidential with exclusive exceptions stated required in Sec. II.E, below.

C. **Title IX Coordinator.**

The Title IX Coordinator shall respond promptly to all general reports as well as formal complaints of sexual harassment. The Title IX Coordinator shall receive general and specific reports of sexual harassment, and coordinate the District’s responses to both reports and formal complaints of sexual harassment so that the same are prompt and equitable. In addition to any other specific responsibilities assigned under this Policy, or as assigned by the Superintendent, the Title IX Coordinator will be responsible for:

1. meeting with a complainant, and informing the parent/guardian once the Title IX Coordinator becomes aware of allegations of conduct that could constitute sexual harassment as defined in this Policy;
2. identification and implementation of supportive measures;
3. signing or receiving formal complaints of sexual harassment;
4. engaging with the parents/guardians of parties to any formal complaint of sexual harassment;
5. coordinating with District and school-level personnel to facilitate and assure implementation of investigations, and remedies, and helping to assure that the District otherwise meets its obligations associated with reports and complaints of sexual harassment;
6. coordinating with the Superintendent with respect to assignment of persons to fulfill the District’s obligations, both general and case specific, relative to this Policy (e.g., investigator, decision makers, etc.; this may involve the retention of third party personnel.);

7. coordinating with District and school-level personnel to assure appropriate training and professional development of employees and others in accordance with Sec. II.D of this Policy; and

8. helping to assure that appropriate systems are identified and maintained to centralize sexual harassment records and data.

In cases where the Title IX Coordinator is unavailable, including unavailability due to a conflict of interest or other disqualifying reason (see Sec. II.G, below), the Superintendent shall assure that another person with the appropriate training and qualifications is appointed as acting Title IX Coordinator for that case, in such instances “Title IX Coordinator” shall include the acting Title IX Coordinators.

D. Training.

All District employees shall receive regular training relative to mandatory reporting obligations, and any other responsibilities they may have relative to this Policy.

Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must receive training on the definition of sexual harassment, this Policy, the scope of the District’s education program or activity, and how to conduct an investigation (including the requirements of the reporting and the Title IX Grievance Process, including hearings, appeals, and information resolution processes). The training must also include avoiding prejudgment of the facts, conflicts of interest and bias.

Decision-makers must also receive training on issues of relevance of questions and evidence, including when questions about the complainant’s sexual predisposition or prior sexual behavior are not relevant.

Investigators must receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes, must promote impartial investigations and adjudications of formal complaints of sexual harassment, and must be made available to the public as provided in Sec. II.H of this Policy.

E. Confidentiality.

The District will respect the confidentiality of the complainant and the respondent as much as possible, however, some information may need to be disclosed to appropriate individuals or authorities. All disclosures shall be consistent with the District’s legal obligations and the necessity to investigate allegations of harassment and take disciplinary action. Examples of required disclosure include:

1. information to either party to the extent necessary to provide the parties due process during the Title IX Grievance Process;
2. information to individuals who are responsible for handling the District’s investigation and determination of responsibility to the extent necessary to complete the District’s grievance process;
3. mandatory reports of child abuse or neglect to DCYF or local law enforcement (per Board policy JLF);
4. information to the complainant’s and the respondent’s parent/guardian as required under this Policy and or the Family Educational Rights and Privacy Act (“FERPA”); and

Additionally, any supportive measures offered to the complainant or the respondent shall remain confidential to the extent that maintaining such confidentiality would not impair the ability of the school district to provide the supportive measures.
Except as specified above, the District shall keep confidential the identity of:

1. Any individual who has made a report or complaint of sex discrimination;
2. Any individual who has made a report or filed a formal complaint of sexual harassment;
3. Any complainant;
4. Any individual who has been reported to be the perpetrator of sex discrimination;  
5. Any respondent; and
6. Any witness.

Any supportive measures provided to the complainant or respondent shall be kept confidential to the extent that maintaining such confidentiality does not impair the ability of the District to provide the supportive measures.

F. Retaliation Prohibited.

Retaliation against any person who makes a report or complaint, or against any person who assists, participates, or refuses to participate in any investigation of an act alleged in this Policy is prohibited. Actions taken in response to materially false statements made in bad faith, or to submitting materially false information in bad faith, as part of a report or during the Title IX Grievance Process do not constitute retaliation. A finding of responsibility alone is insufficient to conclude that a person made a materially false statement in bad faith. Complaints of retaliation with respect to reports or formal complaints of sexual harassment shall be filed under the District’s general grievance process.

G. Conflict of Interest.

No person designated as a Title IX Coordinator, investigator, decision-maker, nor any person designated by the District to facilitate an informal resolution process, may have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

H. Dissemination and Notice.

The District shall include in all student and employee handbooks, and shall make publicly available on the district’s website the following information:

1. The District’s policy of non-discrimination on the basis of sex (included in Board policy AC);
2. the title, name, office address, email address, and telephone number of the Title IX Coordinator (to be provided pursuant to Board policy AC and its addendum, updated annually, ACE);
3. the complaint process;
4. how to file a complaint of sex discrimination or sexual harassment;
5. how the District will respond to such a complaint; and
6. a statement that Title IX inquiries may be referred to the Title IX Coordinator or to the Assistant Secretary for Civil Rights.

The same information shall be provided to all persons seeking employment with the District, or seeking to enroll or participate in the District’s educational programs or activities.

Additionally, the District will make this Policy, as well as any materials used to train personnel as required under Sec. II.D publicly available on the district’s website.

I. Records and Record Keeping.

1. For each report or formal complaint of sexual harassment, the District, through the Title IX Coordinator, must create, and maintain for seven (7) years, record of:
   a. Any actions, including any supportive measures,
   b. The basis for the District’s conclusion that its response was not deliberately indifferent; and
   c. Documentation which:

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12 34 CFR 106.71 (a).
13 34 CFR 106.71 (a).
If supportive measures were provided to the complainant, a description of the supportive measures taken designed to restore or preserve equal access to the District’s education program or activity; or

If no supportive measures were provided to a complainant, explains the reasons why such a response was not clearly unreasonable in light of the known circumstances.

2. In addition, the District shall maintain the following records for a minimum of seven (7) years:
   a. Records for each formal complaint of sexual harassment, including:
      ▪ Any determination regarding responsibility, including dismissals;
      ▪ Any disciplinary sanctions imposed on the respondent;
      ▪ Any remedies provided to the complainant designed to restore or preserve equal access to the District’s education program or activity;
      ▪ Any appeal and the result therefrom;
      ▪ Any informal resolution process and the result therefrom;
   b. All materials used to train Title IX Coordinators, investigators, and decision-makers.

J. Reports of Sexual Harassment, Formal Complaints and District Responses.


   NOTE: A report does not initiate the formal Title IX Grievance Process. That process is begun only upon the filing of a formal complaint under the procedures set out in II.J.3, and III.A, below.

   Any person may report sexual harassment whether relating to her/himself or another person. **However, if any District employee – other than the employee harasser, or the Title IX Coordinator – receives information of conduct which may constitute sexual harassment under this Policy, s/he shall, without delay, inform the Title IX Coordinator** of the alleged sexual harassment. Failure to report will subject the employee to discipline up to and including dismissal.

   A report of sexual harassment may be made at any time, in person, by mail, by telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Additionally, while the District strongly encourages reports of sexual harassment to be made directly to the Title IX Coordinator, the report may be made to any District staff member, including, for instance, a counselor, teacher or principal.

   If the Title IX Coordinator is the alleged respondent, the report or formal complaint may be made directly to the Superintendent, who shall thereafter fulfill the functions of the Title IX Coordinator regarding that report/complaint, or delegate the function to another person.

   NOTE: For any allegation of sexual assault on a student under the age of 18, such conduct shall be reported immediately to the DCYF per Board policy JLF. If the alleged respondent (perpetrator) is a person holding a license or credential from the New Hampshire Department of Education (i.e., “credential holder”), then a report shall also be made pursuant to Board policy GBEAB.


   The district will promptly respond when there is actual knowledge of sexual harassment, even if a formal complaint has not been filed. The district shall treat complainants and respondents equitably by providing supportive measures to the complainant and by following the Title IX Grievance Process prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.
As soon as reasonably possible after receiving a report of alleged sexual harassment from another District employee or after receiving a report directly through any means, the Title IX Coordinator shall contact the complainant to:

i. discuss the availability of and offer supportive measures;
ii. consider the complainant’s wishes with respect to supportive measures;
iii. inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
iv. explain to the complainant the process for filing a formal complaint.

3. **Formal Complaints.**

Pursuant to federal regulations, and this Policy, a formal complaint that contains an allegation of sexual harassment and a request that the District investigate the allegations is required before the District may conduct a formal investigation of sexual harassment or take any action (other than supportive measures) against a person accused of sexual harassment. **Once a formal complaint of sexual harassment is received by the Title IX Coordinator, s/he shall commence the Title IX Grievance Process set out in Sec. III below.** The process for filing a formal complaint is set forth in Sec. III.A.

4. **Limitation on Disciplinary Action.**

In no case shall the District impose disciplinary consequences or sanctions against a respondent who has been accused of conduct which may constitute sexual harassment, until the Title IX Grievance Process has been completed.

5. **Emergency Removal and Administrative Leave.**

At any point after receiving a report or formal complaint of sexual harassment, the Title IX Coordinator (or other District official charged with a specific function under this Policy or the Title IX Process: e.g., investigator, decision maker, etc.) may request the Superintendent to direct that an individualized safety and risk analysis be performed to determine whether a respondent student is an immediate threat to the physical health or safety of any person. In the event that the safety and risk analysis determines that the respondent student does present an immediate threat to the physical health and safety of any person, the District may remove that student, provided that such removal is in full compliance with the IDEA, a student’s IEP and or 504 plan if applicable. Such emergency removal shall not be disciplinary. However, the District must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal, and shall continue to offer educational programming until a final determination is made pursuant to the Title IX Grievance Process.

The Title IX Coordinator shall keep the Superintendent of Schools informed of any employee respondents so that he/she can make any necessary reports to New Hampshire Department of Education in compliance with applicable administrative rules and the New Hampshire Code of Conduct for Educational Professionals. In appropriate cases, the Superintendent may place an employee respondent on non-disciplinary administrative leave pursuant to RSA 189:31.

III. **TITLE IX GRIEVANCE PROCESS.**

The Title IX Grievance Process is used only upon the filing of a formal complaint of sexual harassment as described in Sec. III.A, below. The provisions of Section I of the Policy are incorporated as part of the Title IX Grievance Process. Upon receipt of a formal complaint of sexual harassment, the Title IX Coordinator will coordinate the District’s efforts to comply with its responsibilities related to the Title IX Grievance Process.

A. **Process for Filing a Formal Complaint of Sexual Harassment.**
The Title IX Grievance Process is initiated by way of a formal complaint (“complaint” or “formal complaint”) filed by the complainant, the complainant’s parent/guardian, or the Title IX Coordinator. The complainant may file a complaint or choose not to file a complaint and simply receive the supportive measures. If the Complainant does not file a complaint, the Title IX Coordinator may sign a formal complaint, but only if initiating the grievance process against the respondent is not clearly unreasonable in light of the known circumstances, and in other cases where, in the exercise of good judgment and in consultation with the District’s attorney as appropriate, the Title IX Coordinator determines that a grievance process is necessary to comply with the obligation not to be deliberately indifferent to known allegations of sexual harassment (e.g., reports of sexual assault, employee on student harassment, repeat reports, or the conduct in the complainant’s report has not been adequately resolved through the provision of supportive measures). If the complaint is filed by the Title IX Coordinator, he/she is not a party to the action, and the District must comply with all of the provisions of the Title IX Grievance Process relative to respondents and complainants.

If no formal complaint is filed by the complainant or the Title IX Coordinator no disciplinary action may be taken against the respondent based upon conduct that would constitute sexual harassment under this policy. Although there is no time limit per se to filing a formal complaint, for complaints initiated by the complainant or his/her parent/guardian, the complainant must be employed by the District or participating in or attempting to participate in the education program or activities of the District at the time of filing. Additionally, although the District will initiate the Title IX Grievance Process regardless of when the formal complaint is submitted, delays in reporting may significantly impair the ability of school officials to investigate and respond to the allegations.

At a minimum, a formal complaint must:
1. contain the name and address of the complainant and the student’s parent or guardian if the complainant is a minor student;
2. describe the alleged sexual harassment,
3. request an investigation of the matter, and
4. be signed by the complainant or otherwise indicate that the complainant is the person filing the complaint.

The complaint may be filed with the Title IX coordinator in person, by mail, or by email. Complaint forms may be obtained from the Title IX Coordinator or on the District and school websites.

B. Initial Steps and Notice of Formal Complaint
1. The Title IX Coordinator will provide notice to the complainant and the complainant’s parent/guardian (if the complainant is a non-eligible student under FERPA), and to the respondent (if known) and the respondent’s parent/guardian (if the respondent is a non-eligible student under FERPA), as well as to any other known parties, of the following:
   a. this Title IX Grievance Process, including any informal resolution process;
   b. the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview; “sufficient details” shall include to the extent known identities of persons involved, the conduct allegedly constituting sexual harassment, and the date and location of the incident;
   c. a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
   d. that each party may have an advisor of their choice, who may be, but is not required to be, an attorney;
   e. that each party is entitled to inspect and review evidence; and
   f. a reference to any provision in the District’s code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.
2. The Title IX Coordinator will contact the complainant to discuss and offer supportive measures.
3. The Title IX Coordinator may contact the respondent to discuss, and or impose, non-disciplinary supportive measures.

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4. The Title IX Coordinator will examine the allegations in the formal complaint, to determine whether even if assumed true, the allegations are sufficient to sustain a finding of sexual harassment under this Policy. If the Title IX Coordinator was not involved with preparing the formal complaint, the Title IX Coordinator will contact the complainant to discuss the complaint and whether amendment is appropriate, in which case the process of Sec. III.C.4 will apply.

5. If the formal complaint fails to satisfy the definition of sexual harassment in this Policy, the complaint shall be dismissed as provided in Sec. III.G, below.

6. If the complaint is not dismissed, then Title IX Coordinator will consult with the Superintendent as to whether the Title IX Coordinator should act as the investigator or whether a different District or other employee shall act in that capacity. At the same time, the Title IX Coordinator and the Superintendent shall appoint the person who shall make the initial determination of responsibility (initial decision maker). In all cases, the investigator and the initial decision maker must be properly trained and otherwise qualified (see Sec. II.D “Training”, and Section II.G “Conflict of Interest”).

7. If the report alleges sexual harassment by the Superintendent, the Title IX Coordinator will inform the School Board Chair and the Business Manager the latter of whom shall have authority to seek guidance from the District’s general counsel, but shall not delay the District’s response to the report as outlined in this Policy.

C. General Provisions and Additional Definitions Relative to Title IX Grievance Process.

1. Copies and Notices. Except as specifically stated elsewhere in this Policy, for any document, information or material required to be delivered to a party or to a person assigned with responsibility under the Title IX Grievance Process, the manner of transmittal may be by electronic mail, regular mail or such other manner reasonably calculated to assure prompt delivery with evidence thereof (such as a commercial carrier or other receipted delivery). Hand delivery will only be permitted if made to the District official charged with the specific function under this Policy (e.g., Title IX Coordinator, Superintendent, investigator, decision maker(s), etc.). Any document required to be delivered to a minor or other non-eligible student, must also be delivered to the minor’s parent/guardian. Copies should also be sent to a party’s advisor if the information for the advisor has been previously communicated to the sending party. (Under federal regulations, copies of the investigative evidence, as well as the investigative report, must be forwarded to a party’s advisor. See Sections III.E.3, and III.E.4).

2. Risk Analysis and Emergency Removal. At any point during the Title IX Grievance Process, the Title IX Coordinator may arrange for an individualized safety and risk analysis as described in Sec. II.J.5, following which a student may be removed.

3. Administrative Leave. At any point during the Title IX Grievance Process, the Superintendent, and at his/her own discretion, and with or without consulting the Title IX Coordinator, may place an employee on administrative leave pursuant to RSA 189:31.

4. Additional Allegations. If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that were not included in the previous notice, the District shall simultaneously provide notice of the additional allegations to the parties whose identities are known.

5. No Interference with Legal Privileges. At no point in process will the Title IX Coordinator, the investigator, any decision maker, or any other person participating on behalf of the District, require, allow, rely upon, or otherwise use questions or evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege (e.g., doctor/patient, attorney/client, clergy, etc.), unless the person holding such privilege (parent/guardian for minor student) has waived the privilege in writing to use the information with respect to the Title IX Grievance Process.

6. Consolidation of Complaints. The District may consolidate formal complaints of allegations of sexual harassment where the allegations of sexual harassment arise out of the same facts or circumstances and the formal complaints are against more than one respondent; or by more than one complainant against one or more respondents; or by one party against the other party. When the District has consolidated formal complaints so that the grievance process involves more than one complainant or more than one respondent, references to the singular “party”, “complainant”, or “respondent” include the plural, as applicable.

a. “Disciplinary sanctions” are consequences imposed on a respondent when s/he is found responsible for sexual harassment under this Policy. Remedial actions are actions intended to restore or preserve a complainant’s equal access to the educational programs and activities of the District.

b. “Disciplinary sanctions” against an employee respondent may include any available sanction available for the discipline of employees, up to and including dismissal or non-renewal for any other violation of Board policy, NH Code of Conduct for Educational Professionals, applicable individual or collective bargaining contract, or state or federal laws or regulations.

c. “Disciplinary sanctions” against a student may include any available discipline or sanction, up to and including expulsion, under the policies, rules and procedures that establish the district’s comprehensive student code of conduct.

d. “Remedial actions” as to a respondent after a final finding of responsibility, whether employee or student, may include the imposition upon a responsible respondent of any additional non-disciplinary measures appropriate to effecting a remedy for sexual harassment, and may include such measures as no-contact requirements, scheduling adjustments, removal or exclusion from extracurricular activities, class reassignments, limits on future class registrations, restrictions on access to various spaces in the school buildings, reassignment of attendance, and similar measures fine-tuned to respond appropriately to the circumstances surrounding a successful complainant’s right to access the district’s program and activity.

Additional remedial actions may include recommendations that a school-wide or system-wide response is needed in order to respond to the sexual harassment in a way that is not clearly unreasonable under the circumstances. In such cases, the Superintendent shall provide additional staff training, harassment prevention programs, or such other measures as determined appropriate to protect the safety of the educational environment and/or to deter sexual harassment.

D. **Timeframe of Grievance Process.**

The District shall make a good faith effort to conduct a fair, impartial grievance process in a timely manner designed to provide all parties with a prompt and equitable resolution. It is expected that in most cases, the grievance process will be concluded through at least the determination of responsibility decision within 80 days after filing the formal complaint. In more complex cases, the time necessary to complete a fair and thorough investigation or other circumstances mean that a determination of responsibility cannot reasonably be made within that timeframe.

a. **Summary of Grievance Process Timeline.**

b. Investigation 20 +/- days as the complexity of the case demands (Sec. III.E.1)

c. 10 days for reviewing information prior to conclusion of investigation

d. 10 days after receiving report to respond to report

e. 10 days for decision maker to allow initial questions

f. 10 days for responses to questions

g. 10 days for questions and responses to follow-up questions.

h. 10 days for determination of responsibility decision

i. 10 days for appeal (6 additional days for administrative steps)

j. 10 days for argument/statement challenging or supporting determination

k. 10 days for decision on appeal

1. **Delays and Extensions of Time.** At any stage of the grievance process, the District (through the Superintendent, or if the Superintendent is the respondent, the Title IX Coordinator or designee) may for good cause allow for temporary delays or extensions of time upon request of either party, or on his/her own initiative. Examples of good cause may include such things as availability of parties or witnesses, school or school administrative office holidays or vacations, referral back to an earlier stage of the grievance process, concurrent law enforcement or other agency activity, or need to obtain interpreters or accommodation of disabilities. For any such delay or extension of time, the Superintendent or the Title IX Coordinator will provide written notice to the parties of the delay/extension and the reason(s).
E. **Investigation.**

The Title IX Coordinator will coordinate the investigation. The investigator shall be as appointed pursuant to Sec. III.B.5.

1. The Title IX Coordinator may conduct the investigation, or, in consultation with the Superintendent, designate another qualified person to investigate. The investigation and investigator must:
   a. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence. (Evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such evidence about the complainant’s prior sexual behavior is offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the evidence concerns specific incidents of the complainant’s prior sexual behavior with respect to the respondent and is offered to prove consent.)
   b. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not on either of the parties;
   c. Provide an equal opportunity for the parties to present witnesses, and other inculpatory and exculpatory evidence;
   d. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
   e. Provide the parties with the same opportunities to have others present during any interview or other part of the investigation, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The investigator may restrict any others from participating, as long as the restrictions apply equally to both parties;
   f. Provide, to a party (e.g., respondent or complainant – and parent/guardian as appropriate) whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate within the timeframes established in Sec. III.D, below.
   g. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint;

2. Prior to completion of the investigative report, the District, through the Title IX Coordinator, must send to each party and party’s advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report;

3. The investigator must prepare a written investigative report that fairly summarizes relevant evidence, including, without limitation, witness credibility, discrepancies, inculpatory and exculpatory information, and relevant District policies, rules and regulations, and the manner in which the same were made known to the pertinent school populations or specific parties. The investigative report shall include a description of the procedural steps taken, starting with the receipt of the formal complaint, and continuing through the preparation of the investigative report, including any notifications to the parties, interview with parties and witnesses, site visit, and methods used to gather evidence.

4. The investigator shall provide the investigative report in hard copy or electronic format to the Title IX Coordinator, to each party and each party’s advisor, if any. Each party will have 10 days from receipt to provide the Title IX Coordinator a written response to the investigative report.

5. It serves all parties when investigations proceed diligently and conclude within a reasonable time, which may vary case by case. In most cases, it is expected that the investigator will conclude the initial investigation, and provide the parties the evidence and other information required under Sec. III.E.2. Not more frequently than every other week, any party may request the Title IX Coordinator to obtain and provide the parties with a basic status report on the investigator’s progress toward completion. In most cases, the investigator should conclude the investigation within 10-20 days after receiving a Formal Complaint.

F. **Determination of Responsibility and Initial Decision Maker.**

The determination of responsibility of the respondent shall be made by the initial decision maker as appointed pursuant to Section III.B.5.
1. Prior to making a determination of responsibility, the initial decision maker will afford each party 10 days to submit written, relevant questions to the initial decision maker that the party wants asked of any party or witness.

2. The initial decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant. Questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the question and evidence concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.

3. The initial decision maker will provide the questions to the party/witness, with copies to each party, and provide no less than 10 days for written responses, likewise to be provided to each party.

4. The initial decision maker will provide 5 days each for supplementary, limited follow-up questions and 5 days for answers, and may provide for additional rounds of follow-up questions, as long as the provision is extended to both parties equally.

5. The initial decision maker may not make any creditability determinations based on the person’s status as a complainant, respondent, or witness.

6. The respondent must be deemed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

7. The initial decision maker may impose disciplinary sanctions and remedies as described in Section III.C7, above.

8. The standard to be used for formal complaints in determining whether a violation has occurred and/or that the respondent is responsible is the preponderance of the evidence standard, which is only met when the party with the burden convinces the fact finder (the initial decision maker) that there is a greater than 50% chance that the claim is true (i.e., more likely than not).

9. The initial decision-maker must issue a written determination/decision within 10 days after the close of the period for responses to the last round of follow-up questions. The written “Initial Determination of Responsibility” must include:
   a. Identification of the allegations potentially constituting sexual harassment;
   b. A description of the procedural steps taken from the receipt of the formal complaint through the Initial Determination of Responsibility, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
   c. Findings of fact supporting the determination;
   d. Conclusions regarding the application of the District’s applicable codes of conduct, policies, administrative regulations or rules to the facts;
   e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility (i.e., whether or not the respondent is responsible for sexual harassment), and any disciplinary sanctions or remedies; and
   f. The District’s procedures and permissible bases for the complainant and respondent to appeal (as set forth in Section III.H, below).

10. The decision maker shall provide the Initial Determination of Responsibility to the Title IX Coordinator, the Superintendent and the parties simultaneously.

G. Dismissal of a Formal Complaint.
1. The District must dismiss a formal complaint with regard to Title IX sexual harassment if the alleged conduct:
   a. Would not constitute sexual harassment, even if proved;
   b. Did not occur in the District’s education program or activity; or
   c. Did not occur against a person in the United States.

2. The District may dismiss a formal complaint with regard to Title IX sexual harassment if at any time during the investigation or determination of responsibility stage(s):
   a. A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
b. The respondent is no longer enrolled or employed by the District; or

c. Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

3. Prior to dismissal of a complaint, the person responsible at that stage shall consult with the Superintendent.

4. Upon dismissal of a formal complaint, the District must promptly send written notice of the dismissal and the reason(s) therefor simultaneously to the parties.

The dismissal of a formal complaint under Title IX does not preclude the District from continuing any investigation or taking action under other District policies, code of conduct or administrative rules/regulations. In some cases, the District may have an obligation to continue an investigation and proceed under a different policy or mandated process.

H. Appeals Process.

1. Either party may appeal the Initial Determination of Responsibility or the dismissal of a formal complaint or any allegation in a formal complaint by notifying the Superintendent in writing (“written appeal”), with a copy to the Title IX Coordinator. If there are multiple determinations of responsibility, the written appeal shall specify which ones are included in the appeal. The written appeal must be received by the Superintendent within 10 days of the Initial Determination of Responsibility or written notice of dismissal being communicated to the parties.

2. An appeal under this Policy may only be based upon one or more of the following bases, which must be stated specifically in the party’s written appeal:

   i. Procedural irregularity that affected the outcome of the matter;

   ii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or

   iii. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Appeals for any other reason or upon any determination of responsibility not included in the written appeal will not be heard.

Appeals pertain only to the determination of responsibility and non-disciplinary remedies. Once a determination of responsibility is final per Sec. III.I, below, appeals of disciplinary sanctions may be made pursuant to the District’s ordinary review process for discipline, or, to the extent applicable, any statutory or other processes provided under collective bargaining agreements or individual contracts.

3. Within 3 days of receipt of the written appeal, the Superintendent shall appoint a decision maker for appeal (“appeals decision maker”), who must have adequate training as provided in Section II.D, be free from conflict of interest as provided in Section II.G, and may not be the same person as the initial decision maker, the person who ordered dismissal, the investigator(s), or the Title IX Coordinator. Upon the appointment of the appeals decision maker, the Superintendent shall provide a Notice of Appeal to each party and to the Title IX Coordinator, with a copy of the written appeal. The Notice of Appeal must include information about all deadlines and timeframes in the appeal stage.

4. Each party shall have 10 days from the date the Notice of Appeal is delivered to the parties to submit to the appeals decision maker a written statement, with copies to the Superintendent, Title IX Coordinator, and other party a statement (“appeal statement”) in support of, or challenging, the determination of responsibility or dismissal.

5. Each party shall provide copies of the appeal statement to the other party, the Superintendent, and the Title IX Coordinator at the same time the appeal statement is given to the appeals decision maker. If the basis of the appeal is newly available evidence affecting the outcome, the party shall submit such evidence or a summary of such evidence along with the party’s appeal statement.

6. The appeals decision maker may refer an appealed issue back to a prior point in the grievance process, with written notice to the parties, the Superintendent and the Title IX Coordinator.

7. The appeals decision maker shall provide a written appeals decision after considering the record and the parties’ appeal statements. The appeals decision maker will only overturn the Initial Determination of Responsibility
upon a conclusion that it was clearly erroneous (i.e., either made on unreasonable grounds, or without any proper consideration of the circumstances). If the basis or one of the bases for the appeal was new evidence, the appeals decision maker may either make a determination of responsibility regarding that evidence, or refer it back to the appropriate stage of the Title IX Grievance Process. The written appeals decision will describe the result(s) of the appeal and the rationale, with copies provided to the parties, Superintendent and Title IX Coordinator, no more than 10 days after receiving the last of the parties’ written statements per Section III.H.5.

I. **Finality of Determination of Responsibility.** The determination regarding responsibility becomes final either on the date that the recipient, through the Superintendent, provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal of the Initial Determination of Responsibility would no longer be considered timely. The final determination shall be identified as the Title IX Decision.

Once the Title IX Decision is final, the District may implement remedies and disciplinary sanctions. The Title IX Coordinator is responsible for effective implementation of any non-disciplinary remedies, with the assistance of building and District administrative personnel, while disciplinary sanctions will be imposed by persons charged with such responsibilities under other Board policies, regulations or administrative procedures. The District may also proceed against the respondent or complainant pursuant to the District’s applicable code of conduct or other Board policies, collective bargaining agreement, individual contract or administrative rules/regulations/procedures. The issue of responsibility for the conduct at issue shall not be subject to further review or appeal within the District.

J. **Informal Resolution.**

At any time prior to reaching a determination regarding responsibility (but only after the filing of a formal complaint), the District may offer an optional informal resolution process (e.g., mediation, arbitration), provided that the District:

1. Provides written notice to the parties disclosing:
   a. The allegations of the formal complaint;
   b. The requirements of the information resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to an informal final resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
   c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

2. Obtains the parties’ voluntary written consent to the informal resolution process; and

   **In no event may the District offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.**

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**TOBACCO PRODUCTS BAN**

**USE AND POSSESSION IN AND ON SCHOOL FACILITIES AND GROUNDS**

*(BPS Policy ADC)*

State law prohibits the use of any tobacco product, E-cigarette, or liquid nicotine in any facility or upon any grounds maintained by the District. Students and minors are further prohibited from possessing such items in or upon any facility, school vehicle, or grounds owned or maintained by the District

A. Definitions.

“Tobacco product(s)” means any product containing tobacco including, but not limited to, cigarettes, smoking tobacco, cigars, chewing tobacco, snuff, pipe tobacco, smokeless tobacco, smokeless
cigarettes, products containing tobacco, and tobacco in any other form, as well as any other product or item included in RSA 126-K:2, XI as the same may be amended or replaced from time-to-time.

“E-cigarette” means any electronic smoking device composed of a mouthpiece, a heating element, a battery, and electronic circuits that provides a vapor of pure nicotine mixed with propylene glycol to the user as the user simulates smoking. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, or e-pipes, under any other product name as well as any other product or item included in RSA 126-K:2, II-a as the same may be amended or replaced from time-to-time.

“Liquid Nicotine” means any liquid product composed either in whole or in part of pure nicotine and propylene glycol and manufactured for use with e-cigarettes, as well as any other product or item included in RSA 126-K:2, III-a as the same may be amended or replaced from time-to-time.

“Facility” is any place which is supported by public funds and which is used for the instruction of students enrolled in preschool programs and in all grades maintained by the District. This definition shall include all administrative buildings and offices and areas within facilities supportive of instruction and subject to educational administration, including, but not limited to, lounge areas, passageways, restrooms, laboratories, classrooms, study areas, cafeterias, gymnasiums, maintenance rooms, libraries, and storage areas. Signs shall be placed by the District in all buildings, facilities and school vehicles stating that the use of tobacco products is prohibited.

B. Students

No student shall purchase, attempt to purchase, possess, or use any tobacco product, ecigarette, or liquid nicotine in any facility, in any school vehicle or anywhere on school grounds maintained by the District.

Enforcement of this prohibition shall initially rest with building principals, or their designees, who may report any violation to the local police department. In accordance with state law, the police department shall be responsible for all proceedings and applicable fines and penalties.

The principal will develop regulations which cover disciplinary action to be taken for violations of this policy. These regulations will be communicated to students by means deemed appropriate by the principal. In addition to disciplinary actions taken by the school, criminal penalties for fines may result from violations of this policy.

C. Employees

No employee shall use any tobacco product, e-cigarette, or liquid nicotine, in any facility, in any school vehicle or anywhere on school grounds maintained by the District.

Initial responsibility for enforcement of this prohibition shall rest with building principals, or their designees. Any employee(s) who violate(s) this policy is subject to disciplinary action which may include warning, suspension or dismissal. Violations may also be referred to appropriate law enforcement and/or other appropriate agencies for criminal or other proceedings as provided under state law. The principal may report violations to the local police department. In accordance with state law, the police department shall be responsible for all proceedings and applicable fines and penalties.
D. All Other Persons

No visitor, contractor, vendor or other member of the public, shall use any tobacco product, E-cigarette, or liquid nicotine in any facility, in any school vehicle, or anywhere on school grounds maintained by the District.

The building principal(s), and where appropriate, other site supervisor (athletic director, vehicle driver, etc.), or their designee(s), shall have the initial responsibility to enforce this section by requesting that any person who is violating this policy to immediately cease the use of tobacco products, E-cigarettes or liquid nicotine. After this request is made, if any person refuses to refrain from using such products in violation of this policy, the principal, site supervisor, or designee may call the local police who shall then be responsible for all enforcement proceedings and applicable fines and penalties.

E. Implementation and Notice – Administrative Rules and Procedures.

The Superintendent shall establish administrative rules and procedures to implement this policy, which rules and procedures may be building level and/or district-wide. Rules and procedures relating to student violations and resulting disciplinary consequences should be developed in consultation with building principal(s).

The Superintendent, working with the building principal(s), shall provide annual notice to employees, students, and parents of the pertinent provisions of this policy (e.g. student or staff handbook) along with applicable administrative regulations and procedures, which may include prescribed consequences for violations of this policy. Such notice should include information that violation of this Policy could lead to criminal or other such proceedings.

TRUANCY (BPS Policy JHB)*

Unauthorized absence from school is considered truancy and will be treated as such in accordance with the rules of the Parent-Student Handbooks. Absent/Tardy students not having parent/guardian permission are considered by the school as being truant. The school administration will send a letter to parents/guardians of the truant student. If the truancy problem continues, the school administrator will send a second letter indicating the nature and seriousness of the problem and enclose a copy of RSA 193:1 Duty of Parent: Compulsory Attendance by Pupil and RSA 169-D:2 II a, Definitions, Subject to compulsory school attendance.

UNAUTHORIZED COMMUNICATION DEVICES- (BPS Policy JICJ)*

Student use of cell phones, camera phones, pagers, beepers, and other similar electronic communication devices is strictly prohibited during the school day unless approved under the JICL policy. This includes lunch periods and passing periods, as well as on school sponsored trips and drivers education classes. Such devices are to be kept in a student’s assigned locker with the power turned off. The board recommends that these devices not be brought to school.
The contents of an electronic communication device may be searched to determine ownership or to identify emergency contacts. Upon reasonable suspicion that a school rule or law has been violated through the use of such a device, an administrator may also search for evidence of suspected wrongdoing in accordance with RSA 275:72. Any refusal on the part of a student to comply with a request to surrender the device may result in disciplinary action.

Additionally, it is prohibited for students to take, store, disseminate, transfer, view or share obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or other means, including, but not limited to texting and e-mailing. Any student found to have engaged in such conduct may be reported to local law enforcement authorities and may face criminal penalties in accordance with applicable law. School administrators may refer such matter to local law enforcement if the administrator believes the student action in the regard involves illegal activity (e.g. pornography).

The board may grant an exception to this policy for medical or emergency reasons. This exception requires a written report from the student’s medical provider explaining the need for the exception. Also reference policy JICL.

Students participating in extra-curricular activities or athletics must contact their sponsor or coach for his/her rules involving cell phone use after hours or on after-school bus trips. Sponsors and coaches will set their rules and establish their consequences for the use and/or misuse of these devices.

The school district will not be responsible for loss, damage, or theft of any electronic communication device brought to school.

Violations of this policy may result in the student's loss of possession of the electronic communication device for the remainder of the school year. The student’s parent/guardian must pick up the cell phone from the principal's office. At the principal’s discretion, the student may receive detention, in-school, or out-of-school suspension not to exceed five (5) days.

VANDALISM

Any student who shall in any way damage, deface or destroy any school property, shall be liable to suspension, expulsion or other punishment, according to the nature of the offense. Expenses incurred by the school district in replacing or repairing school property lost, damaged or destroyed by a student, shall be paid to the district by the student, parents or guardians and must be reported to the Berlin Police Dept. if the value exceeds $50.00.

VIDEO AND AUDIO SURVEILLANCE ON SCHOOL PROPERTY (BPS Policy EEAA)*

The board authorizes the use of video and/or audio devices on district/city property to ensure the health, welfare, and safety of all students, staff, and visitors to district property and to safeguard district buildings, grounds, and equipment. The superintendent will approve appropriate locations for the surveillance devices. Placement of the video cameras will be based on the presumption and belief that students, staff, and visitors have no reasonable expectation of privacy in areas or at events that occur in plain view. However, such devices are not to be placed in bathrooms or locker rooms.

Signs will be posted on school buildings to notify students, staff, and visitors that video cameras may be in use. At the superintendent's discretion, parents and students may also be notified through the student handbook. Students will be responsible for any violations of school rules caught on tape by cameras.
The district will retain copies of video recordings until they are erased, which may be accomplished by either deletion or copying over with a new recording. The superintendent will consult with the necessary personnel to determine how and when such recordings should be deleted. Videos containing evidence of a violation of student conduct rules and/or state or federal law will be retained until the issue of the misconduct is no longer subject of review or appeal as determined by the board policy or applicable law. Any release or viewing of the video will be in accordance with the law.

In the event an audio and/or video recording is used as part of a student discipline proceeding, such recording may become part of a student’s education record. If an audio and/or video recording does become part of a student’s education record, the provisions of BPS Policy JRA-Student Records and Access-FERPA, shall apply.

**VISITORS**

All visitors, parents included, must first report to the office. All parents/visitors must sign in and wear a visitor pass while in the building. Parents and older siblings waiting for students at dismissal time should wait outside of the yellow barricades. No one should linger near classrooms, nor should anyone walk freely to and from classrooms. During entry and dismissal time, family members should not be on the playground areas. Violation of this policy is a charge of trespassing. **Anyone who is not an employee or student in the school system MUST report to the office and state their purpose for visiting before getting permission to go anywhere in the building.**

**VOICE MAIL**

When calls are placed to Berlin Elementary School, you will first hear a menu of options:

- Press 1: Office for Grades PK - 2
- Press 2: Office for Grades 3 - 5
- Press 3: Nurse K-2
- Press 4: Nurse 3-5
- Press 5: School Counselor
- Press 8: For Attendance Reporting
- Press # (pound)1: If you want to search for a specific extension by alphabetical order

Our phone number is (603)752-5328. Each teacher has their own voice mailbox and will be able to be contacted via voicemail.

**VOLUNTEER PROGRAM**

The purpose of the Berlin Elementary School Volunteer Program is: To assist teachers in providing more opportunities for individual attention and enrichment of students; To increase student motivation and appreciation for the value of continual learning through both schooling and experiences beyond the classroom; To provide the community an opportunity to become involved with the education system through direct and positive participation in the schools.

Anyone wishing to be a school volunteer may complete the form in PowerSchool and we will contact you as needed.
WEAPONS ON SCHOOL PROPERTY (BPS Policy JICI)*Updated 12/21/17)

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 intimidating manner. Guns & Firearms – Students: Any student who brings or possesses is determined to have brought a firearm (as defined by 18 U.S.C.§921) to school will be expelled for not less than one year (365 days). 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 purposes of this policy “weapon” includes but is not limited to; firearems (rifles, pistols, revolvers, pellet guns, BB guns, etc. ), knives, sling shots, metallic knuckles, firecrackers, billies, knives, explosives, incendiaries, electric defense weapons (as defined in RSA 159:20), aerosol self-defense spray weapons (as defined in RSA 159-20), and martial arts weapons or self-defense 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, is readily capable of causing death or serious physical injury. 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.

WELLNESS POLICY (BPS Policy ILCF)*

The Berlin School Board recognizes the importance of proper nutrition and developmentally appropriate physical activity as ways of promoting healthy lifestyles, minimizing childhood obesity, and preventing other diet related chronic diseases. The Board also recognizes and is committed to supporting the Berlin School system in its efforts to serve as a resource and model for wellness for students, staff and the community. It is therefore a goal of the Board that the learning environment be aligned to positively influence a student’s understanding, belief and habits as they relate to good nutrition and physical activity.

A healthy school environment goes beyond school meals in the cafeteria. The district further recognizes that oral health and mental health are a part of overall wellness. A healthy lifestyle and maintaining a healthy weight requires a combination of healthy food choices and appropriate amount of physical activity. All foods made available on school campuses should offer children nutritious choices, and physical activity should be incorporated into the school day as often as possible. The healthy, physically active child is more likely to be academically successful.

K-12 Goals:
1. The district shall teach, support and encourage healthy eating habits for students.
2. The district shall teach, support and encourage appropriate daily physical activity.
3. The district shall educate students, staff, and community members to the important benefits of a healthy lifestyle.
4. The district shall integrate the nutrition guidelines outlined in this policy.
5. The district will promote good oral health.
6. The district will promote resources to help support mental health.

NUTRITION
The Berlin district's nutritional standards are based upon standards established by the USDA guidelines. These nutrition guidelines, apply to all foods available to students on school grounds during the school day, including but not limited to, the school breakfast and lunch program, snacks during and after school programs, foods and beverages sold in vending machines/ school stores and as part of classroom lessons/activities, parties, celebrations or fundraising efforts.

EDUCATION
The district shall follow the Health Curriculum Guidelines set forth by the NH Department of Education. This curriculum will provide the student with the knowledge and skills needed to engage in sound nutritional behavior. This includes students of all abilities. Nutrition education will be made available to parents/ guardians and the community.

STAFF QUALIFICATIONS AND PROFESSIONAL DEVELOPMENT
All school nutrition program directors, managers, and staff will meet or exceed hiring and annual continuing education/ training requirements in the USDA Professional Standards for School Nutrition Standards website to search for training that meets their learning needs.

PROMOTION OF HEALTHY NUTRITION
Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages through schools, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students is most effective when implemented consistently through a comprehensive and multi-channel approaches by school staff, teachers, parents, students, and the community.

The district will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. The district will further ensure 100% of foods and beverages promoted to students meet the USDA Smart Snack in School nutrition standards. Additional promotion techniques are available at http://www.foodplanner.healthiergeneration.org

SCHOOL MEALS
School meals served in the Berlin district shall meet or exceed the nutrition requirements established by the USDA laws and regulations. Administration of the school meal program will be by a qualified school service staff. School lunches and breakfast programs will offer a variety of foods and healthy choices for students and staff. Nutritional information about school meals will be available for students and parents through menus, monthly newsletters and other appropriate school media. Eligibility for and distribution of free and reduced price meals will be provided with confidentiality in accordance with state and federal requirements. In order to meet the nutritional needs of children
and enhance their ability to learn, all schools in the district provide a breakfast program in addition to their lunch programs. Elementary schools participate in the USDA Fruits and Veggies Snack Program.

COMPETITIVE FOODS AND BEVERAGES
The district is committed to ensuring that all foods and beverages available to students on the school campus during the school day support healthy eating. The foods and beverages sold and served outside of the school meal programs (i.e.; “competitive” foods and beverages) will meet the USDA Smart Snacks in school nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day and create an environment that reinforces the development of healthy eating habits. A summary of the standards and information are available at: http://www.fns.usda.gov/healthierschoolday/tools-schools-smart-snacks. The Alliance for a Healthier Generation provides a set of tools to assist with implementation of Smart Snacks available at: www.healthiergeneration.org/smartsnacks.

To support healthy food choices and improve student health and well-being, all foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the day will meet or exceed the USDA Smart Snack nutrition standards. These standards will apply in all locations and through all services where food and beverages are sold, which may include, but are not limited to, a la carte options in cafeterias, vending machines, school stores, and snack or food carts.

All food items available through schools and school functions should meet or exceed nutritional standards. Most foods sold individually outside the reimbursable school meal programs (including those sold through vending machines, school stores, concessions, fundraising, etc.) to students during the school day, will meet the nutrition and portion size standards as stated in the John C. Stalker Institute of Food and Nutrition known as the JSI A-List or Nutrition Calculator.

FUNDRAISER ACTIVITIES
School sponsored activities should include healthy choices for foods and beverages sold.

FOOD AND BEVERAGE MARKETING IN SCHOOL
The district is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The district strives to teach students how to make informed choices about nutrition, health, and physical activity. *These efforts will be weakened if students are subjected to advertising on district property that contains messages inconsistent with the health information the district is imparting through nutrition education and health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on school campus, consistent with the district.

*All efforts will be made to permit only those advertisements that impart consistent messages about nutrition education and health which is the district’s mission.

Schools will monitor use of foods or beverages as rewards for academic performance or good behavior and will not withhold food from breakfast or lunch as punishment.
Snacks served during the school day or in after-school programs will make a positive contribution to children’s diets and health, with an emphasis on serving fruits and vegetables as the primary snacks and water as the primary beverage.

School Store items should be non-food items or food items that meet the guidelines of this policy. School store cannot sell food items to students when the school food services are open for sales and service.

Celebrations should limit any that involve food during the school day. Each party should include only food that meet the guidelines set in this policy.

Subject area lessons involving food preparation should follow nutritional guidelines as part of the instruction of the lesson. School staff involved in food related events are encouraged to communicate with school food services to assist with planning. Where possible staff will order food through food service managers.

Classroom activities shall limit the use of food items for instructional purposes unless it is essential to the curriculum area.

PHYSICAL EDUCATION AND PHYSICAL OPPORTUNITIES

Berlin Public Schools will follow the New Hampshire K-12 Physical Education Curriculum Guidelines provided by the NH Alliance for Health, Physical Education, Recreation and Dance, and the NH Department of Education.

Classroom health education will complement physical education by reinforcing the knowledge and self-management skills needed to maintain a physically active lifestyle and to reduce time spent on sedentary activities such as watching television. Opportunities for physical activities will be incorporated into other subject lessons. Student involvement in other activities involving physical activity (e.g. interscholastic or intramural sports) will not be substituted for meeting physical education requirements. The district will encourage students K-12 to participate in supervised physical activities, either organized or unstructured, that are intended to maintain physical fitness and to foster understanding of the short-term and long-term benefits of a physically active and healthy lifestyle.

Students will spend at least 50% of physical education class time participating in moderate to vigorous physical activity.

School staff will not withhold participation of physical education class as a punishment.

IMPLEMENTATION AND EVALUATION

Each building principal is charged with the operational responsibility for ensuring that their school follows the guidelines set forth in this policy and implements strategies for achieving the targets set forth by the superintendent. The Wellness Committee will periodically assess the nutrition and physical activity environment throughout the district and provide input to each building principal and superintendent regarding progress on the current targets, recommend any new targets and identify strategies in support of the goals stated in this policy. The superintendent and building principals will decide upon the targets and strategies in support of the goals stated in this policy. Periodic progress reports will be provided to the school board.

COMMUNITY INVOLVEMENT

The board will establish a Wellness Committee that will periodically assess the nutrition and physical activity environment throughout the district. This group will assess progress on the current goal targets, recommend any new goals targets and identify strategies for achieving them. The committee will be established on a voluntary basis with representation from all building levels. The committee will consist of a group representing parents, students, the school’s food service program, the school administrators, regular and wellness related faculty and staff, as well as members of the public with
wellness related expertise. The purpose of this advisory committee is to provide content area expertise and community input. Content and implementation of the Local Wellness Policy will be available to the public.

**ANNUAL NOTIFICATION OF POLICY**
The district actively informs families and the public each year of basic information about this policy, including its content, any updates to the policy and implementation status. The district will make this information available via the district website ([www.sau3.org/staff/wellness](http://www.sau3.org/staff/wellness)) or ([www.sau3.org/parents/wellness](http://www.sau3.org/parents/wellness)) and/or district-wide communications. The district will provide as much information as possible about the school nutrition environment.

**POLICY UPDATE, REVISION, AND PROGRESS ASSIGNMENTS**
At least once every three years, the district will evaluate compliance with the wellness policy to assess the implementation of the policy include:

- The extent to which the schools under the jurisdiction of the district are in compliance with the wellness policy.
- The extent to which the district wellness policy compares to the Alliance for a Healthier Generations model wellness policy; and
- A description of the progress made in attaining the goals of the district wellness policy.

The district will update or modify the wellness policy based on the results of the annual School Health Index and triennial assessments and/or school district priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges, and new Federal or State guidance or standards are issued. The wellness policy will be assessed and updated as indicated at least every three years following triennial assessment.

**APPENDIX**

Full Policies for the following:

Policy EFAA  School Meal Charging and Payment
Policy IKE  Promotion and Retention of Student
Policy JICC  Student Conduct on School Buses
Policy JICC-R  Student Conduct on School Buses
Policy JICFA  Hazing
Policy JICK  Pupil Safety and Violence Prevention-Bullying
Policy JLDBB  Suicide Prevention and Response
The Berlin School District believes that no child can learn while hungry. Therefore in order to support the success of our schools, any student that is hungry and wants to eat, either breakfast or lunch, will be fed a complete, reimbursable meal, regardless of the balance of their student account. No student will be turned away, no meals will be taken away at the point of service and no student will be given an alternative meal as a result of no funds to purchase a meal.

All complete, reimbursable meals will be charged to the student account at the appropriate meal costs (Reduced Price or Paid). As an Offer versus Serve (OVS) School, our definition of a complete, reimbursable meal includes the following food components: Meat/Meat Alternate, Grain, Fruit, Vegetable, Milk. The student must take at least 3 food components, with one of the selections being either a Fruit or a Vegetable.

A la carte food items or incomplete, non-reimbursable meals will not be allowed to be purchased if a student has a negative account balance.

Payment to the students’ food service accounts may be made by cash or check to the Food Service Director or at the Point of Service (register), or on-line at http://www.sau3.org/ by registering through the link found in the Parents Tab.

It is the responsibility of each household to maintain a positive balance in their student’s food service account. When the student account balance goes below $0.00, the Business Manager will contact the household by email or letter. The Food Services Director shall also attempt to contact the household by telephone to establish a payment arrangement prior to small claims. All attempts to collect outstanding funds will be documented and collected through small claims court at the expense of the child’s parents/legal guardians.

Any processing fees incurred for returned checks will be charged to the student’s food service account for payment by the household.

If a student leaves the district, for any reason, their food service account will be reimbursed to the household in full.

Legal References:
A Provision of the Healthy, Hunger-Free Kids Act of 2010, USDA

First Reading: November 5, 2015
Second Reading: November 19, 2015
Adopted: November 19, 2015

BERLIN PUBLIC SCHOOLS

PROMOTION AND RETENTION OF STUDENTS

The Superintendent and the building principals shall develop rules for the promotion and retention of students. The rules will be approved by the Board. These rules shall be published in the Parent-Student Handbook.
Criteria to be considered regarding the promotion of students should include, but is not limited to, a student’s mastery of course level competencies, grades, teacher recommendations, and the student’s social growth and readiness.

First Reading: April 5, 2012  
Second Reading: April 19, 2012  
Adopted: April 19, 2012

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<tr>
<th>BERLIN PUBLIC SCHOOLS</th>
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<td><strong>STUDENT CONDUCT ON SCHOOL BUSES</strong></td>
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<td>Students using District transportation must understand that they are under the jurisdiction of the school once a student boards the bus, and only at that time, does he/she become the responsibility of the School District. Such responsibility shall end when the child is delivered to the regular bus stop at the close of the school day.</td>
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<td>Pupils transported in a school bus shall be under the authority of the District and under control of the bus driver. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reasons for a pupil to be denied the privilege of transportation in accordance with the regulations of the Board.</td>
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<td>The driver of the bus shall be held responsible for the orderly conduct of the pupils transported.</td>
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<td>The Superintendent or his/her designee will develop rules and regulations for conduct on buses and these shall be printed in the Parent-Student Handbook.</td>
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<td><strong>Resolution of Conflicts</strong></td>
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<td>A parent who wishes to request a change or exemption from any of the Student Transportation policies shall direct that request first to the SAU Transportation Coordinator. If the parent is not satisfied by the ruling of the SAU Transportation Coordinator, he or she may appeal the ruling within five school days to the School Business Administrator. If the parent is again not satisfied by the ruling, he or she may appeal to the Superintendent within the next five-day period.</td>
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First Reading: February 3, 2011  
Second Reading: February 17, 2011
The School Board and staff members are very concerned about safety as we transport pupils. Cooperation from both parents/guardians and students is required as we attempt to keep the buses safe for all concerned.

Students using district transportation should understand that they are under the jurisdiction of the school from the time they board the bus until they are deposited at school or are deposited at the stop nearest their home.

Berlin School buses are equipped with video and audio surveillance technology.

The following rules and regulations will be strictly enforced on all buses:

**Bus Regulations**

1. Students will stay on curb or off pavement at side of road until bus stops, door is opened and lights are flashing.
2. Students will board bus in single file and fill seats from front to rear, unless assigned seats by the driver.
3. Students will stay in their seats at all times, with feet on the floor, they will not change seats without permission of the driver.
4. Students will not lower windows without permission of driver. Hands and heads must never be extended from open windows.
5. No smoking at all on any bus, including charter trips.
6. No profane language, obscene gestures, excessive noise, fighting, wrestling, or acts of physical aggression will be tolerated.
7. Keep head, hands, feet, etc. inside the bus.
8. Once a student has boarded the bus he/she may not get off except at his/her destination.
9. Students may ride only the bus to which they have been assigned.
10. Students must be seated and are not permitted to change seats when the bus is in motion or to annoy other riders on the bus.
11. Stay in your seat until you reach your designated stop and the bus has stopped. Emergency doors are for emergencies only.
12. Take a seat promptly when getting on the bus.
13. There shall be no more than 2-3 persons to a seat, depending on the size of the student.
14. No eating or drinking on the bus.
15. No marking or defacing the bus.
16. Students will be held responsible for any and all damage to the bus perpetrated by them.
17. No throwing things in the bus, at the bus, or out the window.
18. Always cross the street in front of the bus at the signal from the driver.
19. You are due at your bus stop 5 minutes prior to scheduled time; the driver will not wait for you.
20. The driver is authorized to assign seats.
21. Anything that would create a safety hazard for the passengers or vehicle will not be permitted.
22. The bus drivers are in complete charge of the bus and their decisions and requests must be followed.
23. Only authorized riders will be permitted on the buses.
   A. The school bus operator is responsible for proper discipline while student is on the bus.
   B. Any rule infractions should be brought to the attention of the principal who, in turn, will notify parent/guardian. Repeated violations of rules or gross misconduct will be cause to exclude student from transportation service for a stated period of time up to the remainder of the school year. See RSA 189:9-a
C. No student shall be put off the bus while traveling to and from school. Parents/guardians shall be notified and the daily trip completed before the student can be removed from transportation service.

D. The school bus is an extension of the school, and all school rules and regulations which pertain to student conduct in the schools are applicable to student conduct on a school bus.

24. All waste paper will be put into boxes provided at front of buses.
25. Bus drivers have full authority to implement district regulations.

DISCIPLINARY ACTION

If a bus contractor refers a student to the principal for disciplinary actions, the following procedure will followed:

A. Warning – The principal will call the parents/guardians to inform them of the misconduct that made the warning necessary. A letter confirming the telephone conversation will be sent to the parents/guardians, the contractor, and the Transportation Coordinator.

B. Removal –
   1. Five School Days – The second offense will result in the loss of busing privileges for five school days. Parents/guardians will be notified by telephone and letter.
   2. Twenty School Days – The third offense will result in the loss of busing privileges for twenty school days. Parents/guardians will be notified by telephone and letter.

C. School Board Action – The Superintendent of Schools will take before the School Board for action, any student who will not follow the rules and regulations after a warning, a five-day and twenty-day loss of busing privileges.*

*It should be noted that a student may lose his busing privilege after a first offense if, in the interest of the safety and well-being of other bus students, his conduct so merits.

*The principal may request a modification of the disciplinary action from the Superintendent of Schools.

*The regulations and disciplinary action outlined herewith also apply to behavior at all bus stops.

According to State Statutes, RSA 189:9-a, parents/guardians are responsible for transporting students to and from school if they are removed from a bus for disciplinary reasons.

First Reading: February 3, 2011
Second Reading: February 17, 2011
Adopted: February 17, 2011
Revised: November 5, 2015

Adopted: February 17, 2011

BERLIN PUBLIC SCHOOLS

PUPIL SAFETY AND VIOLENCE PREVENTION - Bullying
I. Definitions (RSA 193-F: 3)

1. Bullying. Bullying is hereby defined as a single significant incident or a pattern of incidents involving a written, verbal, or electronic communication, or a physical act or gesture, or any combination thereof, directed at another pupil which:

   (1) Physically harms a pupil or damages the pupil's property;
   (2) Causes emotional distress to a pupil;
   (3) Interferes with a pupil's educational opportunities;
   (4) Creates a hostile educational environment; or
   (5) Substantially disrupts the orderly operation of the school.

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

2. Cyberbullying. Cyberbullying is defined as any conduct defined as "bullying" in this policy that is undertaken through the use of electronic devices. For purposes of this policy, any references to the term bullying shall include cyberbullying.

3. Electronic devices. Electronic devices include, but are not limited to, telephones, cellular phones, computers, pagers, electronic mail, instant messaging, text messaging, and websites.

4. School property. School property means all real property and all physical plant and equipment used for school purposes, including public or private school buses or vans.

Any reference in this policy to "parent" shall include parents or legal guardians.

II. Statement Prohibiting Bullying or Cyberbullying of a Pupil (RSA 193-F:4, II(a))

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

Further, in accordance with RSA 193-F:4, the District reserves the right to address bullying and, if necessary, impose discipline for bullying that:

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

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

III. Statement prohibiting retaliation or false accusations (RSA 193-F:4, II(b))

False Reporting

A student found to have wrongfully and intentionally accused another of bullying may face discipline or other consequences, ranging from positive behavioral interventions up to and including suspension or expulsion.

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

Reprisal or Retaliation
The District will discipline and take appropriate action against any student, teacher, administrator, volunteer, or other employee who retaliates against any person who makes a good faith report of alleged bullying or against any person who testifies, assists, or participates in a proceeding or hearing relating to such bullying.

1. The consequences and appropriate remedial action for a student, teacher, school administrator or school volunteer who engages in reprisal or retaliation shall be determined by the Principal after consideration of the nature, severity and circumstances of the act, in accordance with law, Board policies and any applicable collective bargaining agreements.

2. Any student found to have engaged in reprisal or retaliation in violation of this policy shall be subject to measures up to, and including, suspension and expulsion.

3. Any teacher or school administrator found to have engaged in reprisal or retaliation in violation of this policy shall be subject to discipline up to, and including, termination of employment.

4. Any school volunteer found to have engaged in reprisal or retaliation in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds.

Process To Protect Pupils From Retaliation
If the alleged victim or any witness expresses to the Principal or other staff member that he/she believes he/she may be retaliated against, the Principal shall develop a process or plan to protect that student from possible retaliation.

Each process or plan may be developed on a case-by-case basis. Suggestions include, but are not limited to, re-arranging student class schedules to minimize their contact, stern warnings to alleged perpetrators, temporary removal of privileges, or other means necessary to protected against possible retaliation.

IV. Protection of all Pupils (RSA 193-F:4, II(c))

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

V. Disciplinary Consequences For Violations of This Policy (RSA 193-F:4, II(d))

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

In addition to imposing discipline under such circumstances, the board encourages the administration and school district staff to seek alternatives to traditional discipline, including but not limited to early intervention measures, alternative dispute resolution, conflict resolution and other similar measures.

VI. Distribution and Notice of This Policy (RSA 193-F:4, II(e))

Staff and Volunteers
All staff will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (employee handbook, hard copy, etc.)

The Superintendent will ensure that all school employees and volunteers receive annual training on bullying and
related district's policies.

**Students**

All students will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (student handbook, mailing, hard copy, etc.)

Students will participate in an annual education program which sets out expectations for student behavior and emphasizes an understanding of harassment, intimidation, and bullying of students, the District's prohibition of such conduct and the reasons why the conduct is destructive, unacceptable, and will lead to discipline. Students shall also be informed of the consequences of bullying conduct toward their peers.

The Superintendent, in consultation with staff, may incorporate student anti-bullying training and education into the district's curriculum, but shall not be required to do so.

**Parents**

All parents will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (parent handbook, mailing, etc.). Parents will be informed of the program and the means for students to report bullying acts toward them or other students. They will also be told that to help prevent bullying at school they should encourage their children to:

1. Report bullying when it occurs;
2. Take advantage of opportunities to talk to their children about bullying;
3. Inform the school immediately if they think their child is being bullied or is bullying other students;
4. Cooperate fully with school personnel in identifying and resolving incidents.

**Additional Notice and School District Programs**

The Board may, from time to time, host or schedule public forums in which it will address the anti-bullying policy, discuss bullying in the schools, and consult with a variety of individuals including teachers, administrators, guidance counselors, school psychologists and other interested persons.

**VII. Procedure for Reporting Bullying (RSA 193-F:4, II(f))**

At each school, the Principal shall be responsible for receiving complaints of alleged violations of this policy.

**Student Reporting**

1. Any student who believes he or she has been the victim of bullying should report the alleged acts immediately to the Principal. If the student is more comfortable reporting the alleged act to a person other than the Principal, the student may tell any school district employee or volunteer about the alleged bullying.

2. Any school employee or volunteers who witnesses, receives a report of, or has knowledge or belief that bullying may have occurred shall inform the Principal as soon as possible, but no later than the end of that school day.

3. The Principal may develop a system or method for receiving anonymous reports of bullying. Although students, parents, volunteers and visitors may report anonymously, formal disciplinary action may not be based solely on an anonymous report. Independent verification of the anonymous report shall be necessary in order for any disciplinary action to be applied.

4. The administration may develop student reporting forms to assist students and staff in filing such reports. An investigation shall still proceed even if a student is reluctant to fill out the designated form and chooses...
not to do so.

5. Upon receipt of a report of bullying, the Principal shall commence an investigation consistent with the provisions of Section XI of this policy.

Staff Reporting

1. An important duty of the staff is to report acts or behavior that they witness that appears to constitute bullying.

2. All district employees and volunteers shall encourage students to tell them about acts that may constitute bullying. For young students, staff members may provide direct assistance to the student.

3. Any school employee or volunteers who witnesses, receives a report of, or has knowledge or belief that bullying may have occurred shall inform the Principal as soon as possible, but no later than the end of that school day.

4. Upon receipt of a report of bullying, the Principal shall commence an investigation consistent with the provisions of Section XI of this policy.

VIII. Procedure for Internal Reporting Requirements  (RSA 193-F:4, II(g))

In order to satisfy the reporting requirements of RSA 193-F:6, the Principal or designee shall be responsible for completing all New Hampshire Department of Education forms and reporting documents of substantiated incidents of bullying. Said forms shall be completed within 10 school days of any substantiated incident. Upon completion of such forms, the Principal or designee shall retain a copy for himself and shall forward one copy to the Superintendent. The Superintendent shall maintain said forms in a safe and secure location.

IX. Notifying Parents of Alleged Bullying  (RSA 193-F:4, II(h))

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

X. Waiver of Notification Requirement  (RSA 193-F:4, II(i))

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

XI. Investigative Procedures  (RSA 193-F:4, II(j))

1. Upon receipt of a report of bullying, the Principal shall, within 5 school days, initiate an investigation into the alleged act. If the Principal is directly and personally involved with a complaint or is closely related to a party to the complaint, then the Superintendent shall direct another district employee to conduct the investigation.

2. The investigation may include documented interviews with the alleged victim, alleged perpetrator and any witnesses. All interviews shall be conducted privately, separately and shall be confidential. Each individual will be interviewed separately and at no time will the alleged victim and perpetrator be interviewed together during the investigation.
3. If the alleged bullying was in whole or in part cyberbullying, the Principal may ask students and/or parents to provide the District with printed copies of e-mails, text messages, website pages, or other similar electronic communications.

4. A maximum of 10 school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.

5. Factors the Principal or other investigator may consider during the course of the investigation, including but not limited to:
   
   - Description of incident, including the nature of the behavior;
   - How often the conduct occurred;
   - Whether there were past incidents or past continuing patterns of behavior;
   - The characteristics of parties involved, (name, grade, age, etc.);
   - The identity and number of individuals who participated in bullying behavior;
   - Where the alleged incident(s) occurred;
   - Whether the conduct adversely affected the student's education or educational environment;
   - Whether the alleged victim felt or perceived an imbalance or power as a result of the reported incident; and
   - The date, time and method in which parents or legal guardians of all parties involved were contacted.

6. The Principal shall complete the investigation within 10 school days of receiving the initial report. If the Principal needs more than 10 school days to complete the investigation, the Superintendent may grant an extension of up to 7 school days. In the event such extension is granted, the Principal shall notify in writing all parties involved of the granting of the extension.

7. Whether a particular action or incident constitutes a violation of this policy shall require a determination based on all facts and surrounding circumstances and shall include recommended remedial steps necessary to stop the bullying and a written final report to the Principal.

8. Students who are found to have violated this policy may face discipline in accordance with other applicable board policies, up to and including suspension. Students facing discipline will be afforded all due process required by law.

9. Consistent with applicable law, the District will not require or request that a student disclose or provide to the District the student's user name, password or other authenticating information to a student's personal social media account. However, the District may request to a student or a student's parent/guardian that the student voluntarily share printed copies of specific information from a student's personal social media account if such information is relevant to an ongoing District investigation.

XII. Response to Remediate Substantiated Instances of Bullying (RSA 193-F:4, II(k))

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of bullying or retaliation may range from positive behavioral interventions up to and including suspension or expulsion of students and dismissal from employment for staff members.

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

Examples of consequences may include, but are not limited to:

- Admonishment
- Temporary removal from classroom
- Deprivation of privileges
- Classroom or administrative detention
- Referral to disciplinarian
- In-school suspension
- Out-of-school suspension
- Expulsion

Examples of remedial measures may include, but are not limited to:

- Restitution
- Mediation
- Peer support group
- Corrective instruction or other relevant learning experience
- Behavior assessment
- Student counseling
- Parent conferences

In support of this policy, the Board promotes preventative educational measures to create greater awareness of aggressive behavior, including bullying. The Board encourages the Superintendent to work collaboratively with all staff members to develop responses other than traditional discipline as a way to remediate substantiated instances of bullying.

XIII. Reporting of Substantiated Incidents to the Superintendent  (RSA 193-F:4, II(l))

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

XIV. Communication With Parents Upon Completion of Investigation  (RSA 193-F:4, II(m))

1. Within two school days of completing an investigation, the Principal will notify the students involved in person of his/her findings and the result of the investigation.

2. The Principal will notify via telephone the parents of the alleged victim and alleged perpetrator of the results of the investigation. The Principal will also send a letter to the parents within 24 hours again notifying them of the results of the investigation.

3. If the parents request, the Principal shall schedule a meeting with them to further explain his/her findings and reasons for his/her actions.

4. In accordance with the Family Educational Rights and Privacy Act and other law concerning student
privacy, the District will not disclose educational records of students including the discipline and remedial action assigned to those students and the parents of other students involved in a bullying incident.

XV. Appeals

A parent or guardian who is aggrieved by the investigative determination letter of the principal or his/her designee may appeal the determination to the Superintendent for review. The appeal shall be in writing addressed to the Superintendent, shall state the reason(s) why the appealing party is aggrieved, and the nature of the relief they seek. The Superintendent shall not be required to re-investigate the matter and shall conduct such review as he/she deems appropriate under the circumstances.

It is in the best interests of students, families and the District that these matters be promptly resolved. Therefore, any such appeal to the Superintendent shall be made within ten (10) calendar days of the parent/guardian's receipt of the investigative determination letter of the principal or his/her designee. The Superintendent shall issue his/her decision in writing.

If the parent or guardian is aggrieved by the decision of the Superintendent, they may appeal the decision to the school board within ten (10) calendar days of the date of the parent/guardian's receipt of the Superintendent's decision. An appeal to the Superintendent shall be a prerequisite to any appeal to the School Board. The appeal to the School Board shall be in writing, addressed to School Board Chair in care of the Superintendent, shall state the reason(s) why the appealing party is aggrieved, and the nature of the relief they seek.

An aggrieved parent/guardian has the right to appeal the final decision of the local School Board to the State Board within thirty (30) calendar days of receipt of the written decision of the local School Board in accordance with RSA 541-A and State of New Hampshire Department of Education Regulations set forth in ED 200. The State Board may waive the thirty-day requirement for good cause shown, including, but not limited to, illness, accident, or death of a family member.

XVI. School Officials  (RSA 193-F:4, II(n))

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

XVII. Capture of Audio Recordings on School Buses

Pursuant to RSA 570-A:2, notice is hereby given that the Board authorizes audio recordings to be made in conjunction with video recordings of the interior of school buses while students are being transported to and from school or school activities. The Superintendent shall ensure that there is a sign informing the occupants of school buses that such recordings are occurring.

XVIII. Use of Video or Audio Recordings in Student Discipline Matters

The District reserves the right to use audio and/or video recording devices on District property (including school buses) to ensure the health, safety and welfare of all staff, students and visitors. Placement and location of such devices will be established in accordance with the provisions of Policies EEAA, EEAE and ECAF.

In the event an audio or video recording is used as part of a student discipline proceeding, such video may become part of a student's education record. If an audio or video recording does become part of a student's education record, the provisions of Policy JRA shall apply.

The Superintendent is authorized to contact the District's attorney for a full legal opinion relative in the event of such an occurrence.

NHSBA Note, September 2015: New paragraph (Paragraph #9) added to Section XI - Investigative Procedures. This change is in response to RSA 189:70, effective September 2015. RSA 189:70 prohibits school districts from requiring students to provide information relative to personal social media accounts.
Districts may request certain information if such information is relative to an ongoing investigation. However, such information cannot be demanded or required. RSA 189:70 is also now added to Legal References.

**NHSBA Note, September 2014:** Only changes are to Section XV - Appeals. These changes are included after consultation with school officials as to the manner in which the NH Department of Education is now accepting appeals from school board decisions on bullying-related matters.

First Reading: November 17, 2010
Second Reading: December 1, 2010
Adopted: December 1, 2010
Revised: December 21, 2017
Second Revision: May 6, 2021

**SUICIDE PREVENTION & RESPONSE**

The School Board is committed to protecting the health, safety and welfare of its students and school community. This policy supports federal, state and local efforts to provide education on youth suicide awareness and prevention; to establish methods of prevention, intervention, and response to suicide or suicide attempt (“postvention”); and to promote access to suicide awareness, prevention and postvention resources.

A. **District Suicide Prevention Plan and Biennial Review.** No later than May 31, 2020, the Superintendent shall develop and provide to the Board for approval, a coordinated written District Suicide Prevention Plan (the “Plan”) to include guidelines, protocols and procedures with the objectives of prevention, risk assessment, intervention and response to youth suicides and suicide attempts.

1. **Specific Requirements for Plan Terms:** The District Suicide Prevention Plan shall include terms relating to:

   a) Suicide prevention (risk factors, warning signs, protective factors, referrals);
   
   b) Response to in-or-out-of-school student suicides or suicide attempts (postvention, suicide contagion);
   
   c) Student education regarding safe and healthy choices, coping strategies, recognition of risk factors and warning signs of mental disorders and suicide; and help seeking strategies;
   
   d) Training of staff, designated volunteers, and contracted personnel on the issues of youth suicide risk factors, warning signs, protective factors, response procedures, referrals, post-intervention and resources available within the school and community;
   
   e) Confidentiality considerations;
   
   f) Designation of any personnel, in addition to the District Suicide Prevention Coordinator and Building Suicide Prevention Liaisons, to act as points of contact when students are believed to be at an elevated risk of suicide;
   
   g) Information regarding state and community resources for referral, crisis intervention, and other related information;
h) Dissemination of the Plan or information about the Plan to students, parents, faculty, staff, and school volunteers;

i) Promotion of cooperative efforts between the District and its schools and community suicide prevention program personnel;

j) Shall include such other provisions deemed appropriate to meet the objectives of this Policy (e.g., student handbook language, reporting processes, “postvention” strategies, memorial parameters, etc.).

2. **Biennial Review:** No less than once every two years, the Superintendent, in consultation with the District Suicide Prevention Coordinator and Building Suicide Prevention Liaisons, with input and evidence from community health or suicide prevention organizations, and District health and guidance personnel, shall update the District Suicide Prevention Plan, and present the same to the Board for review. Such Plan updates shall be submitted to the Board in time for appropriate budget consideration.

**B. Suicide Prevention Coordinator and Liaisons.**

1. **District Suicide Prevention Coordinator:** The district social worker is designated as the District Suicide Prevention Coordinator, who, under the direction of the Superintendent shall be responsible for:

   a) developing and maintaining cooperative relationships with and coordination efforts between the District and community suicide prevention programs and personnel;

   b) annual updating of (i) State and community crisis or intervention referral intervention information, and (ii) names and contact information of Building Suicide Prevention Liaisons, for inclusion in student handbooks and on the District’s website;

   c) developing - or assisting individual teachers with the development of age appropriate student educational programing, such that all students receive information in the importance of safe and healthy choices and coping strategies, recognizing risk factors and warning signs of mental disorders and suicide in oneself and others, and providing help-seeking strategies for oneself or others, including how to engage school resources and refer friends for help;

   d) developing or assisting in the development of the annual staff training required under section C of this policy;

   e) Such other duties as referenced in this Policy or as assigned by the Superintendent.

2. **Building Suicide Prevention Liaison.** The school counselor, or, in his/her absence, the building principal, shall be designated as the Building Suicide Prevention Liaison, and shall serve as the in building point-of-contact person when a student is believed to be at an elevated risk for suicide. Employees who have reason to believe a student is at risk of suicide, or is exhibiting risk factors for suicide, shall report that information to the Building Liaison, who shall, immediately or as soon as possible, establish and implement a response plan with the District Suicide Prevention Coordinator.

**C. Annual Staff Training.** The Superintendent shall assure that beginning with the 2020-21 school year, all school building faculty and staff, designated volunteers, and any other personnel who have regular contact with students, including contracted personnel or third-party employees, receive at least two hours of training in suicide awareness and prevention. Such training may include such matters as youth suicide risk factors, warning signs, protective factors, intervention, response procedures, referrals, and postvention and local resources.
D. Dissemination. Student handbooks and the District’s website will be updated each year with the contact information for the Building Suicide Prevention Liaisons, State and community crisis or intervention referral intervention resources. The District Suicide Prevention Plan will be made available on the District’s, and each school’s respective websites.

First Reading: December 3, 2020
Second Reading: December 17, 2020
Adopted: December 17, 2020

HAZING

It is the policy of the District that no student or employee of the District shall participate in or be members of any secret fraternity or secret organization that is in any degree related to the school or to a school activity. No student organization or any person associated with any organization sanctioned by the Board of Education shall engage or participate in hazing.

For the purposes of this policy, hazing is defined as any act directed toward a student, or any coercion or intimidation of a student to act or to participate in or submit to any act, when: (1) Such act is likely or would be perceived by a reasonable person as likely to cause physical or psychological injury to any person; and (2) Such act is a condition of initiation into, admission into, continued membership in or association with any organization. Hazing includes but is not limited to an activity which recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization sanctioned or authorized by the Board of Education.

“Endanger the physical health” shall include, but is not limited to, any brutality of a physical nature, such as whipping; beating; branding; forced calisthenics; exposure to the elements; forced consumption of any food; alcoholic beverage, drug or controlled dangerous substance, or any forced physical activity which could adversely affect the physical health or safety of the individual.

“Endanger the mental health” shall include any activity, except those activities authorized by law, which would subject the individual to extreme mental stress, such as prolonged sleep deprivation, forced prolonged exclusion from social contact which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual.

Any hazing activity, upon which the initiation or admission into or affiliation with an organization sanctioned or authorized by the Board of Education is conditioned, directly or indirectly, shall be presumed to be a forced activity, even if the student willingly participates in such activity.
This policy is not intended to deprive School District authorities from taking necessary and appropriate disciplinary action toward any student or employee. Students of employees who violate this policy will be subject to disciplinary action which may include expulsion for students and employment termination for employees.

The Superintendent shall take reasonable measures within the scope of the District’s authority to prevent student hazing. All hazing reported to the District or which any District staff member has knowledge of shall be promptly reported to law enforcement, as required by RSA 631:7, Student Hazing.

A copy of this policy will be furnished to each student and teacher in the school District, including being printed in the student handbook.

First Reading: January 26, 2006
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Revised: January 18, 2018