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The Principal and/or designee will have primary responsibility and authority for ensuring the implementation of Extended Learning Opportunities and all aspects of such programs. The Principal will determine who will be responsible for approving student eligibility and such approval will include a consideration of the overall benefits, costs, advantages and disadvantages to both the student and the district.

Students approved for an extended learning opportunity must have parental/guardian permission to participate in such a program. Such permission will be granted through a **Memorandum of Understanding for Educational Services** signed by the parent/legal guardian and returned to the district before beginning the program.

All extended learning opportunities, **including the cost of fees, books, and transportation**, not initiated and designed by the District, shall be the financial responsibility of the student or his/her parent/legal guardian.

### **High School Extended Learning Opportunities**

Extended Learning Opportunities may be taken for credit or may be taken to supplement regular academic courses. If the Extended Learning Opportunity is taken for credit, the provisions of Policy IMBC, *Alternative Credit Options*, will apply. The granting of credit shall be based on a student's mastery of course competencies, as defined by Policies ILBA, *Assessment of Educational Programs*, and ILBAA, *High School Competency Assessments* as evaluated by Highly Qualified Teachers.

Extended Learning Opportunities may also be used to fulfill prerequisite requirements for advanced classes based on competencies evaluated by a Highly Qualified Teacher.

The Principal and/or designee will review and determine credits that will be awarded for extended learning opportunities towards the attainment of a high school diploma. Parents/Guardians and/or students may appeal decisions rendered by the Principal within the provisions below (see appeal process).

Students electing independent study, college coursework, internships, or other extended learning opportunities that are held off the high school campus will be responsible for providing their own transportation to and from the off-campus site.

Students approved for off-campus extended learning opportunities are responsible for their personal safety and well-being. Extended learning opportunities at off-campus sites will require a signed agreement among the school, the student, and a designated agent of the third-party host. The agreement should specify the roles and responsibilities of each party.

### **Program Integrity**

In order to insure the integrity of the learning experience approved under this program, the student will be required periodically or upon demand to provide evidence of progress and attendance. The Principal, or designee, will be responsible

for certifying course completion and the award of credits consistent with the District's policies on graduation.

If a student is unable to complete the extended learning opportunity for valid reasons, the Principal, or designee, or assigned Highly Qualified Teacher will evaluate the experience completed to date and make a determination for the award of partial credit or recommend an alternative experience.

If a student ceases to attend or is unable to complete the extended learning opportunity for insufficient reason (lack of effort, failure to follow through, indecision, etc.), the school's existing grading procedures will be followed.

In order to certify completion of co-curricular programs and activities based upon specific instructional objectives aligned to the standards, the school will develop appropriate mechanisms to document student progress and program completion on student grade report records.

Students transferring from other schools who request acceptance of course credits awarded through similar extended learning opportunity programs shall have their transcripts evaluated by the Guidance Counselor and Principal.

### **Legal References:**

*NH Code of Administrative Rules, Section Ed. 306.04(a)(13), Extended Learning Opportunities*  
*NH Code of Administrative Rules, Section Ed. 306.26(f), Extended Learning Opportunities – Middle School*  
*NH Code of Administrative Rules, Section Ed. 306.27(b)(4), Extended Learning Opportunities – High School*

1st Read: October 28, 2008

2nd Read: December 2, 2008

Adopted: December 2, 2008

## **GRADING SYSTEM**

IKA

*See also IHBH*

The Superintendent and the building Principals will develop a grading system appropriate for the grade levels of the respective schools. The grading system will be approved by the Board and published in the Parent-Student Handbook. All grading decisions shall be made at the building level and the decision shall be final.

1st Reading: December 2, 2008

2nd Reading: January 4, 2009

Adopted: January 4, 2009

## **PROMOTION AND RETENTION OF STUDENTS**

IKE

*See also ILBA*

The Superintendent or his/her designee and the building principals shall develop guidelines for the promotion and

























at any time and should not be considered private.

7. Protects the conval.edu and cvs.d.me domains from inappropriate use. Users will use District-provided accounts and subscriptions for school work only. Users will respect filters and other security systems and not attempt to defeat them.

The School District reserves the right to refuse access to the Internet to anyone. Violating any portion of this policy may result in disciplinary action, including suspension or dismissal from school, and/or legal action. The School District will cooperate with law enforcement officers in investigations related to illegal activities conducted through its network.

### **Jurisdiction**

This policy is in effect:

- When CVSD-provided equipment (laptops, tablets, etc.) is used on or off school property;
- When non-CVSD devices access the District's network or District resources in school or out of school if the use creates a hostile environment at school for any student/employee and/or cause disruption or disorder within a school.

### **Legal References:**

*U.S. Pub. L. No. 106-554, Children's Internet Protection Act (www.ifea.net/cipa.html)*  
*U.S. Pub. L. 105-277, 112 Stat. 2581-728, enacted October 21, 1998, Children's Online Privacy Protection Act of 1998 (COPPA) (15 U.S.C. §§ 6501-6506)*  
*NH RSA 194:3-d, School District Computer Networks.*

### **Category: P**

*See also EHAA*

*First Read: May 1, 2018*

*Second Read: May 15, 2018*

*Adopted: May 15, 2018*

## **STUDENT SEARCHES AND THEIR PROPERTY** **JIH**

The Superintendent, principal, security personnel of the school or other authorized personnel may detain and search any student or students on the premises of the public schools, or while attending, or while in transit on school vehicle, to any event or function sponsored or authorized by the school under the following conditions:

1. When any authorized person has reasonable suspicion that the student may have on the students' person or property alcohol; dangerous weapons; controlled dangerous substances as defined by law or stolen property if the property in question is reasonably suspected to have been taken from a student, a school employee, or the school during school activities; or any

other items which have been or may reasonably be disruptive of school operations or in violation of student discipline rules and applicable provisions of the student handbook.

2. School lockers and school desks are the property of the school, not the student. Students who use school district lockers, desks, and other storage areas or compartments have no reasonable expectation of privacy from school employees as to the contents of those areas. Lockers, desks, and other storage areas or compartments may be subjected to searches at any time with or without reasonable suspicion. Students are not to use any school area or property to store anything that should not be at school. Students shall not exchange lockers or desks. Students shall not use any lockers or desks other than those assigned to them by the principal or designee. A shared locker or storage area implies shared responsibility.

3. Authorized personnel may conduct a search of the student's person or the student's belongings, as noted above, whenever a student freely and voluntarily consents to such a search. Consent obtained through threats or coercion is not considered to be freely and voluntarily given.

4. Strip searches are forbidden. No clothing except cold weather/outdoor garments and footwear will be requested to be removed before or during a search.

5. Authorized personnel conducting a search shall have authority to detain the student or students and to preserve any contraband seized. Contraband seized during the course of a search will be preserved and held in accordance with applicable administrative rules and procedures.

6. Any searches of students as outlined herein will be conducted by authorized personnel of the same sex as the student being searched. Two authorized persons shall be present during any search of a student or student property.

7. Items that may be seized during an unauthorized search, in addition to those mentioned in Paragraph 1 above, shall include but not be limited to, any item, object, instrument, or material commonly recognized as unlawful or prohibited by law or by district policy. For example: prescription or non-prescription medicines, switchblade knives, brass knuckles, billy clubs, and pornographic literature are commonly recognizable as unlawful or prohibited items. Such items, or any other items which may pose a threat to a student, the student body, or school personnel shall be seized, identified as to ownership if possible, and held for release to proper authority.

In conducting searches of students and property, school officials should consult with legal counsel and law enforcement authorities to be aware of circumstances when involvement of the police is advisable and/or necessary. Searches of student automobiles are governed by Board Policy JIHB.

### **Category: R**

**Legal References:**

NH Constitution, Pt.1, Art.19  
1State v. Drake, 139 NH 662 (1995)  
State v. Tinkham, 143 NH 73 (1998)

1st Read: August 9, 2016  
2nd Read: August 23, 2016  
Adopted: August 23, 2016

**STUDENT ACTIVITIES & ORGANIZATIONS**

JJA

It is the policy of the School Board to allow opportunities for all students to participate in co-curricular activities designed to meet their needs and interests.

Such activities must supplement and enrich regular academic instruction, provide opportunities for social development, encourage participation in clubs, athletics, performing groups, or encourage service to the school and community.

Any student organization must be recommended by the Principal and approved by the Board.

**Eligibility**

To participate in co-curricular and extra-curricular activities, all students must meet eligibility requirements, and understand that such participation is a privilege, not a right. The superintendent is directed to establish eligibility standards and procedures for acceptable academic performance, good citizenship/sportsmanship, parental permission, fees, and physical exams/health requirements. The eligibility standards and procedures will be published in the student/parent handbooks.

In addition, students who choose to participate in interscholastic sports will be governed by Policy JJIB, Interscholastic Athletics, and by the eligibility standards of the New Hampshire Interscholastic Athletic Association (NHIAA).

**Participation**

The district allows students enrolled in other schools – including charter schools, non-public schools, and home schools – to participate on an equal basis in any activity offered by the district that is not offered at a student’s school of attendance, provided they meet the eligibility requirements for participation. This applies to:

1. Students who are residents of this school district but who are being educated in a home school may participate provided they comply with all laws governing non-public home-based education.
2. Students who are residents of the district by who are being educated in an independent or parochial school if the school in which the student is enrolled does not sponsor the activity.

The superintendent is directed to establish procedures for application and appeal to implement this participation allowance.

**Participation Fees**

Non-enrolled students participating in district co-curricular and extra-curricular activities are subject to the same fees charged enrolled students for the activity.

**Legal Reference:**

*NH Code of Administrative Rules, Section Ed. 306.26(d), Kindergarten-Grade 8 Curriculum*  
*NH Code of Administrative Rules, Section Ed. 306.27(b)(5), High School Co-curricular Program*  
*NH Code of Administrative Rules, Section Ed. 306.27(v), Reasonable accommodations for students with disabilities*

**Category: O**

1<sup>st</sup> Read: April 5, 2016  
2<sup>nd</sup> Read: April 19, 2016  
Adopted: April 19, 2016

**JLCC—HEAD LICE POLICY**

**Screening**

Based on recommendations from the American Academy of Pediatrics, school-wide screening for nits alone is not an accurate way of predicting which children will become infested with head lice, and screening for live lice has not been proven to have a significant decrease on the incidence of head lice in a school community. As needed, the school nurse will provide information to families of all children on the diagnosis, treatment, and prevention of head lice. Parents are encouraged to check their children's heads for lice if the child is symptomatic. The school nurse may check a student's head if the student is demonstrating symptoms.

**Management on the Day of Diagnosis**

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

**Criteria for Return to School**

Students will be allowed to return to school after proper treatment. No student will be excluded from attendance solely based on grounds that nits may be present. The school nurse may recheck a child's head. In addition, the school nurse or school social worker may offer extra help or information to families of children who are repeatedly or chronically infested.

**Legal References:**

RSA 200:32, *Physical Examination of Pupils*  
RSA 200:38, *Control and Prevention of Communicable Diseases: Duties of School Nurse*  
RSA 200:39, *Exclusion from School*

1st Reading: May 3, 2011  
2nd Reading: June 7, 2011  
Adoption: June 7, 2011

## JLCC-R—HEAD LICE CHECKLIST FOR HOME

### Treatment is focused first on the student, and then the environment

A. Treatment of hair as directed by your Primary Care Provider (PCP) – if using an over-the-counter product, repeat per label instructions

- Daily head check – under good lighting
- Use appropriate comb
- Manually remove nits
- Remove live lice – scotch tape may make this easier
- If live lice are noted after treatment, please call your PCP – your PCP may order a different medication

B. Continue daily head checks – for 3 weeks

- Check family heads daily for 3 weeks
- Bag linen, stuffed animals and other non-washable items for 48 hours
- Wash linens, towels, clothing worn during treatments and nit/lice removal – using hot water to wash and the hot cycle on the dryer for at least 20 minutes
- Vacuum floors, furniture and cars – only after initial treatment
- Soak combs and brushes for at least an hour in rubbing alcohol, Lysol, or washed with soap and very hot water

C. The family may consider checking incoming visitors to the home

October 26, 2017

## JLCD—ADMINISTRATION OF MEDICATION IN SCHOOLS

The ConVal School Board, with the advice of the ConVal professional registered nurses (herein referred to as the school nurse) shall establish specific policies and procedures to give protection and controls to the matter of medications in schools (Ed 311.02)(JLCD-R).

The intent of this policy is to provide general standards for the administration of necessary medication to students during school hours and school-sponsored activities.

The following policy will be adhered to when a student requires medication administration during school hours and

scheduled school-sponsored activities, events or programs. In addition, the school nurse and principal are responsible for ensuring the provisions of Ed. 311.02, Medication During the School Day, are followed.

### Obligations of the District

All medication to be administered shall be kept in a securely-locked cabinet. Controlled medications must be double-locked. If at any time the cabinet is broken into resulting in missing medication, school administration and the police will be notified immediately. The parent/guardian/adult student will be notified of the incident and must replenish the supply of medication.

If the school nurse is not available, the building principal or the principal's designee is permitted to *assist* students in taking required medications by: (1) making such medications available to the student as needed; and (2) observing the student as he/she takes or does not take his/her medication; and (3) recording whether the student did or did not take his/her medication.

The school nurse will maintain all necessary records relative to the emergency administration of medication and will file all such reports as may be required.

The School Board hereby authorizes the school nurse to maintain a supply of emergency medications, i.e.; bronchodilators and epinephrine.

It is the policy of this District that its school nurses and all Health Office Delegates (HODs) shall be properly trained in the administration of medication in a manner consistent with this policy. HODs shall be trained on an annual basis and the school nurse shall document that training to the Director of Student Services. The HOD shall hold and maintain current American Heart Association or American Red Cross CPR/AED/FA Adult and Child certification. This training shall include a practicum.

School personnel shall not provide his/her personal medication to students.

### Obligations of the School Nurse

Only the school nurse or the HOD may *administer* medication. If the student requires a comprehensive nursing assessment and/or evaluation, this must be done by the school nurse and cannot be delegated. A school nurse alone has the authority to delegate medication administration and may delegate only if appropriate under the Nurse Practice Act and follows the *Standards of Delegation for School Nurses in New Hampshire*.

The School Nurse may stock epinephrine in the Health Office per RSA 318:42 for the emergency treatment of anaphylaxis of a student, as determined by the school nurse.

### Storage of Medication

It is the policy of the District that all medications, both school, and parent-provided, shall be securely and properly stored, in

a manner consistent with all applicable laws, as well as safe and prudent school nursing practices.

At the discretion of the school nurse, other medications, such as insulin, may be carried and self-administered by the student.

A single dose of medication may be transferred by the school nurse from the original container to a newly labeled container for the purposes of field trips or school sponsored activities.

Verbal orders from a licensed health care provider may be accepted by the school nurse only and shall be followed with a written order. Faxed or e-mailed orders are acceptable.

The school nurse is responsible for keeping accurate records regarding the administration of medication to students. The school nurse shall maintain medication records of inventory, storage and administration in accord with ED 311.02 (Medication During the School Day).

### **Obligations of the Parent/Guardian/Adult Student**

Prescribed/OTC (over the counter) medication should not be taken during the school day, if at all possible, to achieve the medical regime during hours at home.

A parent/guardian/adult student, or their designated responsible adult, shall deliver all medication to be administered by school personnel to the school nurse or other responsible person designated by the school nurse as follows: (1) the prescription/OTC medication shall be delivered and kept in a pharmacy or manufacturer labeled container (2) the school nurse or principal's designee receiving the prescription medication shall document the quantity of the prescription medication delivered and have the adult delivering the medication co-sign the documented amount (3) the medication may be delivered by the parent/guardian/adult student or a designated adult, provided that the nurse is notified in advance by the parent/guardian/adult student of the delivery and the quantity of prescription medication being delivered to school is specified (4) the parent/guardian/adult student must ensure that the life-saving medication (Diastat, asthma metered dose inhalers, Epi-Pen, Glucagon) or any other emergency medication be available to the student at all times. If the student's life-saving medication is not provided by the parent/guardian/adult student, the student shall not be permitted to attend any school-sponsored activities (5) it is the responsibility of the parent/guardian/adult student to notify the health office of any changes in student health, allergy status or medication changes.

Students requiring prescription medication administration must have a ConVal District medication permission form completed by parent/guardian/adult student and a licensed health care provider and placed on file in the health office. The forms shall comply with standards set forth in NH Code of Administrative Rules Section Ed 311.02. The school nurse, with written authorization of parent/guardian/adult student shall administer non-prescription/OTC medication. At the discretion of the school nurse, a written licensed prescriber's

order may be required. If the school nurse is not available and written parent/guardian/adult student permission is on file, the principal or principal's designee is permitted to *assist* students in taking OTCs after consultation with the parent/guardian.

Furthermore, any student with a health condition requiring treatment with herbals, homeopathics, essential oils, or other complementary forms of therapeutic interventions shall have a school medication permission form completed by the parent/guardian/adult student as well as a licensed healthcare provider.

Alternative medications should, whenever practicable, be taken at home. Parents/guardians should inform the school nurse of any such alternative medications. The school nurse shall not administer alternative medications, such as herbal medication, homeopathic medication, essential oils, or other similar forms of alternative medication unless the parent/guardian/adult student has completed and placed on file in the school health office a school medication permission form naming the specific alternative medicine and providing evidence that it has been prescribed by a licensed prescriber. The School Nurse shall not administer an alternative medicine that is prohibited by State or Federal law, or which is unlawful to possess in school.

Students may possess and self-administer a metered dose inhaler or a dry powder inhaler to alleviate or prevent asthmatic symptoms, an auto-injector for severe allergic reactions, and other injectable medications necessary to treat life-threatening conditions. The parent/guardian/adult student and physician must authorize such self-possession and self-administration by completing a school self-administration form in accordance with RSA 200:42 and RSA 200:46. Inhalers and epinephrine auto injectors must be properly labeled with the student's name and type of medication. The student will be held responsible to keep self-carried medication in a safe place that is not accessible to other students. When a student finds it necessary to use his/her auto-injector, s/he shall immediately report it to the nearest supervising adult.

Students shall not share any prescription or over-the-counter medication with another student. Notice of this prohibition shall be published in student handbooks. Students acting in violation of this prohibition will be referred to school administration and may be subject to discipline consistent with applicable Board policies (JICH — Drug and Alcohol Use By Students, JIH – Student Searches and Their Property).

Student medications may be retrieved from the health office by the parent/guardian/adult student or a designated adult at any time during regular school hours. Medication will be discarded if not picked up within 10 days after the medication is discontinued. All medication must be picked up by the last day of school or it will be discarded.

### **Civil Immunity**

Nothing set forth in this policy or JLCD-R shall be deemed to abrogate or diminish the civil immunity available under New Hampshire law or either the District or its employees.

### Definitions

The “**school day**” means any time during the day, afternoon, or evening when a child is attending school or other school-sponsored activity (Ed 311.02).

**Health Office Designee (HOD)** (school nurse delegatee) – unlicensed assistive personnel – receives annual training by a school nurse.

**Assist** – Consists of providing the medication to the student and observing and documenting that the student took the medication.

**Administration** – Giving medication to the student via the appropriately ordered route by preparing, giving and evaluating the effectiveness of prescription and non-prescription drugs. If the student is unable to administer the medication to his/her self, with **assistance**, only the school nurse or HOD may administer the medication.

### Legal References:

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

*RSA 200:43, Use of Epinephrine Auto-Injector*

*RSA 200:44, Availability of Epinephrine Auto-Injector*

*RSA 200:44-a, Anaphylaxis Training Required*

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

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

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

*RSA 200:53, Bronchodilators, spacers, and nebulizers in schools*

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

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

*RSA 318:42, Dealing in or possessing prescription drugs (VII-b)*

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

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

*NH Board of Nursing-Nurse Practice Act – [www.nh.gov/nursing/nurse-practice-act/](http://www.nh.gov/nursing/nurse-practice-act/)*

*Standards of Delegation for School Nurses in New Hampshire*

### Category: P – Required by Law

See also: JICH, JIH, JLCD-R, JLCE

First Read: November 21, 2017

Second Read: December 5, 2017

Adopted: December 5, 2017

## JLCF—WELLNESS POLICY

The Contoocook Valley School District is committed to providing a school environment that enhances learning and the development of lifelong wellness practices.

To accomplish these goals, the Board directs the administration to implement rules and regulations aimed at ensuring:

- Child Nutrition Programs will comply with federal, state, and local requirements, and will be accessible to all children.
- Sequential and interdisciplinary nutrition education will be provided and promoted.
- Patterns of meaningful physical activity that connect to students’ lives outside of physical education will be encouraged.
- Physical education programs will meet federal and state regulations and standards.
- School-based activities will be consistent with local wellness policy goals.
- All food made available on school grounds during school hours, including vending concessions, a’ la carte, student stores, parties, and fund raising will be consistent with Competitive Food Guidelines for K-12 schools.
- At least 75% of all food made available on school grounds after school dismissal, including vending, concessions, a’ la carte, student stores, parties, and fundraising will be consistent with the Competitive Food Guidelines for K-12 Schools.
- All beverages made available on school grounds, including vending concessions, a’ la carte student stores, parties, and fund raising will be consistent with the Competitive Food Guidelines for K-12 Schools.
- All foods provided by the District will adhere to food safety and security guidelines.
- The school environment will be safe, pleasing, and comfortable, and will allow ample time and space for eating meals.
- Food will not be used as a reward or punishment, unless necessitated by a student’s Individualized Education Plan/504 Plan.
- Implementation/monitoring of this policy will be reported to the School Board annually by the Superintendent’s designee, with recommendations for guideline changes if necessary or appropriate.

### Legal References:

*RSA 189:11-a, Food and Nutrition Programs*

*Section 204 of Public Law 108-265, Child Nutrition and WIC Reauthorization Act of 2004*

*NH Code of Administrative Rules, Section Ed. 303.01 (g), Duties of School Boards*

*NH Code of Administrative Rules, Section Ed. 306.11, Food & Nutrition Services*

*NH Code of Administrative Rules, Section Ed. 306.40, Health Education Program*

*NH Code of Administrative Rules, Section Ed. 306.41,*

Category: P

Adoption: May 17, 2011  
Amended: February 5, 2013  
Amended: February 4, 2014

### **JLDBA—BEHAVIOR MANAGEMENT AND INTERVENTION**

It is the policy of the Board to promote an environment that is safe and conducive to learning for all students and staff. To ensure that our students and staff have an environment that is safe and conducive to learning, the Board directs the Superintendent or designee to set forth procedures for behavior management and interventions that are designed to maintain a positive environment.

Student conduct that disrupts class work, involves disorder, or invades the rights of others will not be tolerated and may be cause for disciplinary action which may include suspension.

The administration of disciplinary action will focus both on consequences and on changing or managing inappropriate behavior.

It is important that there be careful evaluation of the individual situation so that the school's response to the student is appropriate.

If the student has an Individualized Education Program (IEP), the process will follow federal and state laws governing special education.

All available resources should be utilized, including preventive and positive interventions and supports to support student needs. These interventions should include psychological, curricular, and behavioral services, which should take place within classrooms, schools, and alternative settings. Exclusion from the classroom should be the disciplinary action of last resort.

The Superintendent or designee will also ensure that positive classroom behavior management skills are addressed through professional development, and that there is an adequate system of recordkeeping regarding disciplinary infractions and interventions.

The use of corporal punishment is prohibited in District schools.

This policy will be reviewed on an ongoing basis in accordance with the Board's policy review process.

#### **Legal Reference:**

*NH Code of Administrative Rules, Section Ed. 306.04(16), Behavior Management and Intervention for Students*

1st Reading: May 19, 2009  
2nd Reading: June 16, 2009  
Adopted: June 16, 2009

### **JRA—STUDENT RECORDS, PRIVACY, FAMILY AND ADULT STUDENT RIGHTS**

#### **I. Student Records and Access by School Officials**

The District shall maintain a student record system designed to benefit the education of every student and to assist school staff in educating students.

School personnel shall maintain all student records required by federal statute, federal regulations, state statute, and State of New Hampshire Department of Education regulations, as well as such other student record information as is deemed by the District's administration to be beneficial to the education of each student. Student record information shall be created and kept in a format which assists the District in meeting the educational needs of students. Staff shall exercise care to ensure accuracy in creating student record information.

The intent of the District is to comply fully with the provisions of the Family Education Rights and Privacy Act of 1974, 20 U.S.C. 1232(g) et. seq. ["FERPA"] as well as any other state and federal laws pertaining to student records, personally identifiable student information, and confidentiality. Therefore, all student records and personally identifiable student record information shall be deemed confidential and shall only be disclosed to third parties with prior written parental consent, or pursuant to a recognized exception to that requirement under state and federal law. Student records may only be transferred outside the district in accord with state and federal laws.

Upon request, the ConVal School District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled, if the disclosure is for the purpose of the student's enrollment or transfer.

The School Board directs its administration to develop, maintain, and disseminate to staff a comprehensive student records management procedure which shall include detailed procedures to protect student records and personally identifiable student information at the collection, storage, disclosure, and destruction stage in a manner consistent with state and federal law.

Access by school officials to personally identifiable student educational records without prior written parental consent shall be limited to those school officials who have a legitimate educational interest in accessing the records. A "legitimate educational interest" shall exist if the school official needs to review an educational record in order to perform his or her professional responsibility. Examples include:

1. Matters relating to provision, supervision, selection, evaluation, funding or budgeting of services to one or more students;
2. Discipline of a student;

3. Assessment or monitoring of one or more students;
4. Planning for future service provision for one or more students;
5. Administration of educational programs for one or more students;
6. Legal matters involving the District or any students in the district; or
7. Investigation of matters pertaining to the safety, health or well-being of one or more students.

The District shall use reasonable methods to ensure that school officials obtain access to only those student records in which they have a legitimate educational interest.

The District designates the following as “school officials” who may potentially have a legitimate educational interest in accessing student record information:

A. Employees of the School District who administer or provide education in our schools, including individuals such as:

1. Principals, assistant principals, and other school administrators;
2. Classroom educators;
3. Special educators and special education staff members;
4. Related service providers;
5. Paraprofessionals;
6. Other instructors;
7. School counselors;
8. Nursing staff;
9. School psychologists and evaluators;
10. Special education IEP Team members; and
11. Employees assigned to maintain, or assist in maintaining student records;

B. Administrators of the District, including the:

1. Superintendent of Schools;
2. Assistant Superintendent;
3. Director of Special Education;
4. Assistant Director of Special Education;
5. The Business Administrator; and
6. Staff assigned to assist any of the above.

C. School Board members when serving on a disciplinary subcommittee, or hearing any other matter pertaining to a student.

D. Individuals or organizations under contract with the District who are providing services or advice related to the education of one or more students, including all related service providers, evaluators, consultants, auditors, attorneys, experts, and therapists.

E. Individuals or firms assisting the School District in legal matters, including Insuring Trust representatives, insurance adjusters, insurance brokers, insurance companies, claims representatives, legal counsel for the District, expert witnesses and consultants.

F. Classroom volunteers, consultants and contractors who agree that they are subject to the direct control of the District and who affirm that they are subject to the use and redisclosure requirements pertaining to personal identifiable student information under FERPA.

A written log shall be kept with each student’s cumulative file which shall be used to record access by school officials by name, date and reason for access, as well as all other individuals and entities to whom an authorized records release has been made, consistent with the recording requirements contained in FERPA.

The Superintendent or her/his designee may decide questions as to whether or not an individual is a designated school official and whether or not they have a legitimate educational interest in accessing a student record or personally identifiable student information without prior written parental consent.

## **II. Parent, Guardian or Adult Student Access to Student Records**

All parents with legal custody, foster parents, lawful guardians, and adult students have the right to inspect and review the student’s educational records as well as to request and receive personally identifiable student data. Requests for access shall be submitted to the school which the student attends, shall be made in writing, and shall designate the records which the parent/guardian/adult student wishes to inspect and review. In accord with New Hampshire law access shall be granted within 14 days after the school receives the request. The Superintendent shall establish a reasonable fee for providing copies of records, and may require that the same be paid prior to release of the copies.

Where the parents of a students are separated or divorced, or for some other reason the student is not in joint custody of both of his parents, information disclosed to one parent concerning the student shall be disclosed to the other natural parent or person having legal custody of the student.

Information may also be disclosed to a person having written authority from the legal custodian of the student, provided that written authority includes written consent to access student record information. All releases of record information shall be recorded in the log attached to the student’s cumulative file.

## **III. Release of Student Records to Others**

All parents, guardians, and adult students have the right to consent or to deny consent to disclosure of student records and personally identifiable information contained in the student’s educational records, except to the extent that FERPA and the related federal regulations authorize disclosure without written consent. No student record, or personally identifiable student information, other than designated Directory Information shall be released to any third party unless the parent/guardian/adult student has given prior written consent, or the District has acted under an exception to the written consent requirement. The District shall maintain Authorization Forms

for use by parents, guardians, and adult students who seek disclosure of records to a third party.

When the District releases records to a third party on the basis of a FERPA exception to the written consent requirement, to the extent required by FERPA, an entry shall be made in the appropriate student log identifying the date of the release, the individual releasing the record, and the exception under which the District is proceeding.

Student records are exempt from disclosure under the Right to Know law, RSA 91-A:5.

#### **IV. Right to seek Amendment of a Student's Educational Records**

Parents, Guardians or adult students may ask the School District to amend a record generated by the School District that they believe is inaccurate, misleading or in violation of the student's privacy. A written request should be sent to the principal of the school in which the student is enrolled. The request should clearly identify the part of the record that the requestor wants amended and should specify why it is inaccurate, misleading or violates of the student's privacy.

If the School District decides not to amend the record as requested by the parent, guardian or eligible student, the School District shall notify the parent or adult student of its decision and advise them of a right to a hearing on their request for an amendment. If the requesting party seeks a hearing, the matter shall be heard by the Superintendent or her designee. Additional information regarding due process and the hearing shall be provided to the requesting party upon receipt of their request for a hearing. The Superintendent's decision may be appealed to the School Board.

#### **V. Designation of Directory Information**

Directory information is information regarding a student that generally is not considered harmful or an invasion of privacy if released or disclosed to outside organizations, including the media, without prior written consent. Outside organizations include companies such as yearbook printers and class ring manufacturers. Directory Information may be published by the District in graduation programs, Honor Roll lists, athletic rosters, playbills, and the like. The School Board hereby designates the following information to be "directory information" which may be disclosed without prior written consent from the parent, guardian, or adult student:

- Name, address and telephone number of the family or adult student;
- Electronic mail address;
- Course participation;
- Weight and height of athletes;
- Date and place of birth;
- Participation in officially recognized activities or sports;
- Grade level;
- Date of attendance and graduation;
- Diploma, Honors, Honor Roll, scholarships and awards received;
- Photograph; and

- *A student ID number or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.*

Federal law requires that the District provide military recruiters upon request with the following information: names; addresses; and telephone numbers. The District shall do such unless a parent, guardian or adult student has advised the District that they do not want the information disclosed without their prior written consent.

As set forth below in Section VII, the notice of designated Directory Information shall be published in the Student Handbook on an annual basis and shall be provided to all students on an annual basis at the beginning of the school year or upon their enrollment. Parents and adult student shall be provided a form with the Student Handbook that will permit them to opt out of the release of any or all of the designated Directory Information.

#### **VI. The Right to File a Complaint**

The School Board affirms that in addition to any remedy afforded under state law, parents, guardians or adult students have the right to file a complaint with the Family Policy Compliance Office of the United States Department of Education concerning alleged failures of the School District to comply with the requirements of FERPA.

The office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920  
Phone: 1-800-USA-LEARN (1-800-872-5327)

#### **VII. Annual Notice of FERPA Rights**

The District shall annually publish in the Student Handbook and on its web site a notice to parents and adult students of their rights under Federal law, state law, and this policy as they pertain to student records. The Administration shall use a notice similar to the one set forth in JRA-R, and may revise the notice in such a manner as it deems necessary to comply with changes to state and federal law. This notice shall include information as to the following:

1. The right to inspect and view a student's educational record;
2. The right to provide written consent before the District discloses personally identifiable information from a student's educational records, except to the extent that FERPA authorizes disclosures without consent;
3. The designation of directory information, military disclosures and the right to opt out of disclosure of the same.

4. The right of a student's parent, guardian or adult student to seek to correct parts of the educational record if he or she believes it to be inaccurate, misleading or a violation of student privacy.
5. The right to file a complaint if there is a violation of FERPA or this policy.

**Legal References:**

*Family Education Rights and Privacy Act, 20 U.S.C. 1232(g); 34 C.F.R. 99.1 et seq  
NH RSA 91-A:5, 189:1-e, 189:66, 189:67 and 189:68.*

**Category: P**

**See also:** EHB

1<sup>st</sup> Read: September 5, 2017

2<sup>nd</sup> Read: September 19, 2017

Adopted: September 19, 2017

**GRIEVANCE PROCEDURE (SECTION 504)**

KED

This policy contains grievance procedures which address alleged violations of Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990. The District's Civil Rights Coordinator is charged with efforts to comply with these laws.

1. The School Board hereby adopts the following Grievance Procedure, which may be used by any person believing that the District, School Administrative Unit (SAU), employees of the District or SAU, students, or third parties violated any of the laws or regulations referenced above. The Assistant Superintendent is designated as the District's Civil Rights Coordinator. He/she is charged with efforts to comply with the above referenced laws. The Assistant Superintendent may be reached at: School Administrative Unit #1, 106 Hancock Road, Peterborough, NH 03458, 603-924-3336. Any complainant has the right to file a grievance with the Civil Rights Coordinator, should they not wish to pursue the informal process described in paragraph 2, below.

2. Any person who has a grievance may discuss it first with the appropriate building Principal in an attempt to resolve the matter informally at that level. The alleged violation must have occurred within 180 days of the informal discussion. The complainant may, at any time, suspend the informal process and submit a formal grievance to the building Principal.

3. If, within five school days of the informal discussion, the matter is not resolved to the satisfaction of the aggrieved party, or if the aggrieved party wish to bypass the informal process and file a formal grievance, the complainant may submit a formal grievance (verbally or in writing) to the Building Principal. A written grievance should contain the name and address of the complainant, a description of the alleged violation, and the remedy or relief sought. The alleged violation must have occurred within 180 days of the date that

the grievance was filed. If the complaint is made verbally, the Principal shall reduce the allegations to writing and provide a copy to the complainant. The Principal shall investigate the allegations in the complaint. The aggrieved party, and where appropriate, the person alleged to have discriminated against the complaint, shall have the opportunity to present witnesses and other evidence. The Principal shall communicate his/her decision to the aggrieved party in writing within five (5) school days of receipt of the grievance, unless the complainant and the District agree to extend this timeline. The Principal's written decision shall comply with all applicable privacy laws, including but not limited to, the Family Educational Rights and Privacy Act.

4. If the grievance is not resolved to the complainant's satisfaction, the aggrieved party, no later than five (5) school days after receipt of the Principal's decision, may appeal the Principal's decision to the Civil Rights Coordinator. The appeal to the Coordinator must be made in writing, reciting the matter submitted to the Principal and the aggrieved party's dissatisfaction with decisions previously rendered. The Coordinator shall meet with the aggrieved party to attempt to resolve the matter as quickly as possible, but within a period not to exceed five (5) school days. The Coordinator shall communicate his/her decision in writing to the aggrieved party and the Principal not later than five (5) school days after the meeting with the aggrieved party.

5. The District will take steps, including but not limited to, discipline of students and/or employees, to prevent recurrence of any discriminatory conduct, and to correct discriminatory effects on the complainant and others, if appropriate. The District will also take steps, including but not limited to, discipline of students and/or employees, to prevent retaliation against the person who made the complaint (and/or was the subject of the discrimination), and against those who participated in the investigation of the alleged discriminatory conduct. Potential consequences for any violations of the above-referenced regulations, including engaging in retaliatory conduct, include, but are not limited to: written warning to the offender(s), suspension, expulsion, or termination of the offender(s), non-disciplinary interventions, or any other remedial steps necessary to ensure compliance with these regulations. Where appropriate, the District may also provide the complainant(s) or victim(s) with non-disciplinary interventions. The District shall not retaliate against anyone who files a grievance or participates in the investigation of a grievance.

6. If the complainant and the District agree, the Principal or the Civil Rights Coordinator may attempt to resolve the complaint through mediation. If the parties decide to pursue mediation, the timelines for the completion of the investigation or appeal will be standing, pending the resolution of the mediation. If the School District and aggrieved party agree on a mutual solution to the alleged discrimination, the investigation or appeal would be closed.

7. The decision of the Civil Rights Coordinator is final pending any further legal recourse as may be described in

current local district, state, or federal statutes pertaining to Section 504 of the Rehabilitation Act of 1973 or Title II of the Americans with Disabilities Act of 1990. A complainant has the right to file a complaint at any time alleging discrimination under the above referenced laws and regulations with the; U.S. Department of Education, Office for Civil Rights, 5 Post Office Square, Suite 900, 8th Floor, Boston, MA 02109-3921.

8. This grievance procedure shall be disseminated to students, parents/guardians, employees, and other interested parties. The procedure shall be available on the ConVal School District's website, shall be printed in the parent/student handbook, and shall be available upon request from the building Principal or his/her designee, and at the SAU office.

***Legal References:***

*Section 504 of the Rehabilitation Act of 1973*  
*34 C.F.R. § 104.7(b), Adoption of Grievance Procedures*  
*Americans with Disabilities Act, 42 U.S.C. 12132*  
*28 C.F.R. § 35.107, Adoption of Grievance Procedures.*

**Category: P**

1st Reading: June 19, 2012  
2nd Reading: August 14, 2012  
Adoption: August 14, 2012