

Posted: 09/24/2020

At: All Hudson schools, SAU building, district website



HUDSON SCHOOL DISTRICT
Hudson, New Hampshire
September 28, 2020
Hills Memorial Library, 18 Library Street

6:30 pm Regular Meeting
followed by Non-public Session

AGENDA (updated)

- A. Call to Order:** Board Chair Orellana will call the meeting to order.
- B. Public Input**
- C. Old Business**
 - 1. Policies (2nd readings, KO)
 - a) [JFABE Education of Children in Foster Care](#) new, NHSBA policy verbatim
 - b) [JH Attendance, Tardiness, and Truancy](#) reviewed by Policy Committee
 - c) [JHC Student Early Release Precautions](#) new, NHSBA sample w/tracked changes
 - d) [JI Student Rights and Responsibilities](#) new, NHSBA policy verbatim
 - e) [JIA Student Due Process](#) new, NHSBA policy verbatim
 - f) [JIC Student Conduct](#) new, NHSBA verbatim
 - g) [JICC Student Conduct on School Buses](#) new, NHSBA verbatim
 - h) [JICD Student Discipline and Due Process](#) replacing outdated policies with NHSBA w/tracked changes
 - i) [JICE Student Publications](#) new, NHSBA w/tracked changes
 - j) [JICF Gang Activity](#) new, NHSBA verbatim

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D. New Business

1. [Budget Transfer SB #21-003](#) (KO)
2. Policies (1st readings, KO)
 - a) [JICFA Hazing](#) new, NHSBA verbatim
 - b) [JICG Prohibitions Regarding use and Possession of Tobacco Products, E-cigarettes, and E-liquids in and on School Facilities and Grounds](#) new, NHSBA w/tracked change
 - c) [JICH Drug and Alcohol use by Students](#) new, NHSBA w/tracked change
 - d) [ACAC Title Ix Sexual Harassment Policy and Grievance Process](#) new, NHSBA verbatim
3. [Extracurricular Nominations](#) (LR)

E. Recommended Action

1. Manifests – Recommended action: Make necessary corrections and sign.
2. Minutes – Recommended action: Review and approve.
 - a) [08.11.2020 Draft Minutes](#)
 - b) [08.17.2020 Draft Minutes](#)
 - c) [09.23.2020 Draft Minutes](#)

F. Reports to the Board

1. Superintendent Report
2. Assistant Superintendent Report
3. Business Administrator Report
4. Director of Special Services Report

G. Legislative Updates

H. Correspondence

1. [Building Committee Minutes](#)
2. [Approved Alvirne Trustees-Funded Projects](#) (information only)
3. [Intent to Retire](#)
4. [Letter of Resignation](#)
5. [Sandy Garrity Award](#)

I. Board Member Comments

J. Upcoming Meetings

Meeting	Date	Time	Location	Purpose
School Board	10/05/2020	6:30 pm	Hills Memorial Library	Regular Meeting
School Board	10/19/2020	6:30 pm	Hills Memorial Library	Regular Meeting

K. Non-Public Session

RSA 91-A:3 II provides certain conditions under which the School Board MAY enter into non-public session. These conditions are:

- (a) The dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.*
- (b) The hiring of any person as a public employee.*
- (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting.*
- (d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.*
- (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled.*
- (f) Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.*

L. Adjourn

HUDSON SCHOOL DISTRICT

POLICY CODE: JFABE Education of Children in Foster Care	FIRST ADOPTION:
RELATED POLICIES: EEA, JFA, JFAA, & JFABD	LATEST REVISION: Page 1 of 1

Category: Recommended

It is the Board's intent to remove barriers to the identification, enrollment and retention in school of children who are in foster care. All staff shall take reasonable steps to ensure that children in foster care are not segregated or stigmatized and that educational decisions are made in the best interests of those students.

A. Definition.

Under guidance issued jointly by NHDOE and the N.H. Department of Health and Human Services, and for the purposes of this Policy, “foster care” shall mean “24 hour substitute care for children placed away from their parents or guardians for whom the child welfare agency has placement and care responsibility. This includes children in foster family homes, shelters, relative foster homes, group homes and residential facilities, regardless of whether the foster care facility is licensed or whether payments are made by the state.” To the extent required under applicable law, a child in foster care under this policy also includes children whom an appropriate child welfare agency indicates are awaiting a foster care placement. (Note: children awaiting foster care may also qualify as homeless under policy {**}JFABE.)

The District shall coordinate with other districts and with local child welfare agencies and other agencies or programs providing services to students in foster care as needed. The coordination requirements apply to both situations (i) when a student who is a resident of the District is placed in foster care in another district, or (ii) when a student residing in another district is placed foster care in a home within this District.

The Superintendent is responsible for providing any required assurances to applicable state and federal agencies that the District is complying with applicable requirements related to ensuring the educational stability of children in foster care; and for reasonably monitoring compliance with such assurances.

B. District Point of Contact with Child Welfare Agencies.

The Superintendent shall designate a staff member to serve as the District’s point of contact (the “Foster Care POC”) between the New Hampshire Division of Children, Youth and Families (“DCYF”), NHDOE, other districts, and other child welfare agencies. The main duty of the Foster Care POC is to facilitate the prompt and appropriate placement, transfer, and enrollment of students in foster care, pursuant to applicable state and federal statutes, regulations and guidance. Additionally, the Foster Care POC shall work with the Superintendent or designee to monitor regulations and guidance related to this policy that may be issued by applicable state and federal agencies (e.g., DCYF, NHDOE, and the U.S. Department of Education).

The District shall provide training opportunities and other technical assistance to the Foster Care POC and other appropriate district staff regarding the District's obligations to students in foster care.

C. Best Interest Enrollment Determinations, Disputes and Enrollment.

Generally, a student in foster care will remain in his/her school of origin, unless there is a determination that it is not in the student's best interest. The Foster Care POC shall assist DCYF or any other child welfare agency to make a "best interest determination" education decision, particularly the determination of whether or not it is in the best interest of the student in foster care to remain in his/her school of origin or to enroll in a new school. Unless local procedures are established in accordance with state and federal law, the District will use the model procedures prepared jointly by the NHDOE and DCYF.

If the determination is that the best interests of a child is not to remain in the school of origin, and instead placed within a new school within this District, the child in foster care shall be immediately enrolled in the new school ("receiving school"), even if any documents or records otherwise required for enrollment are not immediately available.

If there are disputes regarding a determination regarding the best interest determination for a child in foster care, it is expected that DCYF and the separate school districts, both sending and receiving, will work collaboratively at the local level to resolve the issue. Should there be no resolution, RSA 193.12, V-b, requires the Department of Health and Human Services to request in writing that the two Superintendents involved resolve the dispute. If the residency dispute remains unresolved after 10 days after such request, the Department of Health and Human Services shall request that the Commissioner of the Department of Education determine the residence of the child for purposes of school enrollment.

If a school within the District is a receiving school, such receiving school shall accept the student's certified coursework as if it had been completed at the receiving school. To the extent such coursework is not aligned with the curriculum, the awarded credit may be elective, but it must be counted toward required credits for advancement or graduation.

D. Transportation.

When the District is notified that a student in foster care needs, or may need, transportation to a District school, the Foster Care POC will take steps to establish an individualized plan that addresses transportation to maintain the student in his/her school of origin will be arranged, provided and funded for the duration of time that the student in foster care is attending his/her school of origin.

In establishing such a plan, the Foster Care POC and other district staff shall follow any existing transportation procedures, systems-level plan or agreement that the District, acting in collaboration with DCYF and/or other departments of human services, has adopted or otherwise expressly agreed to implement for the cost-effective transportation of the student. Out of District transportation of children in foster care shall be provided in accordance with DCYF's or other child welfare agency's authority to use child welfare funding for school of origin transportation.

If there are disputes regarding the provision or funding of transportation, the school district foster care point of contact and child welfare agency representative will contact their respective Supervisor and Superintendent of the school to resolve the dispute. To the extent feasible and appropriate, the school districts involved should ensure that a child remains in his or her school of origin while the disputes are being resolved to minimize disruptions and reduce school transitions.

Legal References:

- 20 U.S.C. 1232g (*Family Educational Rights and Privacy Act – “FERPA”*)
- 20 U.S.C. 1701-1758 (*Equal Educational Opportunities Act of 1974 – “EEOA”*)
- 20 U.S.C. 6311 (g)(1)(E) and 6312(c)(5) (*provisions in ESSA regarding obligations to students in foster care*)
- 42 U.S.C. 671 (a)(10) and 675 (1)(G) (*child welfare agency requirements related to supporting normalcy for children in foster care and ensuring educational stability of children in foster care*)
- 42 U.S.C. §11431 and §11432 (*McKinney-Vento Homeless Assistance Act – Education for Homeless Children and Youth*)
- Public Law 110-351, *The Fostering Connections to Success and Increasing Adoptions Act of 2008*
- 34 C.F.R. 200.30 (f)(1)(iii) (*ESSA’s definition of “foster care”*)
- Plyler v. Doe*, 457 U.S. 202 (1982)
- RSA 193:12, *Legal Residence Required*
- “N.H. Guidance on ESSA and Foster Care to Ensure that the Educational Needs of Children and Youth in Foster Care are Being Addressed”, January 2017, NHDOE and NHDHHS

HUDSON SCHOOL DISTRICT

POLICY CODE: JH Attendance, Tardiness, and Truancy	FIRST ADOPTION: 08/16/2010
RELATED POLICIES: IKE	LATEST REVISION: 01/06/2020 Page 1 of 2

Category: Priority

Purpose and Intent

The purpose of this Policy is to ensure that students are in school and learning. School attendance is critical to successful academic performance and to ensure we meet the goals of the district mission and vision. Class discussions, student collaborative work, and teacher guidance and directives all offer learning opportunities that are hard to make up outside the classroom. Therefore, in order to be successful, students must attend school and be on time for classes and other scheduled activities. Tardiness is a disruption to the educational process. It sets a tone that de-values education, detracts from the lesson, is discourteous to the teacher and other students and results in a loss of instructional time.

Parent/Guardian, Student, and School Responsibilities

Under New Hampshire law, specifically RSA 193:1, parents/guardians have a legal obligation to make sure that their children who are at least 6 years of age and under 18 years of age attend school for the entire school year and during all the time that public schools are in session. Parents/Guardians should, therefore, plan activities and appointments for their children at times when school is not in session. Parents/Guardians must contact the school to inform the school of their child's absence.

Parents/Guardians, students, school administrators, and teachers all have important roles in ensuring that students attend school and are on time.

Students have an obligation to attend school and to be on time for class and scheduled activities.

School officials determine whether students' absences are excused or unexcused. The school must also maintain accurate attendance records for each student. Each teacher must accurately report daily attendance and punctuality. The building principal is designated as the person responsible for truancy issues. The building principal must submit attendance information to the Superintendent's office and must communicate with parents when a student's attendance becomes a concern and as required by this Policy. School officials and parents/guardians must then work together to come up with a plan to address the child's absences.

Policy Development

It is the intent of the Hudson School Board to involve parents/guardians in the development of its Attendance, Tardiness and Truancy Policy and any amendments to the Policy. The School Board will notify parents about the proposed Policy or amendments through appropriate communication channels. The School Board will also invite them to attend the School Board meeting at which the proposed Policy or amendments will be discussed.

Excused and Unexcused Absences Defined

The School Board recognizes that absences from school may be necessary under certain circumstances. The School District recognizes two kinds of absences from school: excused and unexcused absences.

Excused absences may include the following situations:

1. School sponsored events such as field trips or athletic events.
2. Absences due to chronic health conditions or illness or mental health or physical health appointments. (The principal may require parents to produce additional documentation.)
3. Death of an immediate family member.
4. Religious holidays or attendance at religious ceremonies.
5. Absences approved by the Superintendent under RSA 193:1, I(c).
6. College visits.
7. Mandated court appearances.

Students will have five (5) school days from the date of absence to present documentation of absence. Unexcused absences and all other absences will include but are not limited to family vacations, other vacations, absences for other personal reasons, tardiness, cutting classes, dismissals, truancy, absence from any study hall or activity for which the student is scheduled.

Limitations on Unexcused Absences

A half-day absence is defined as missing up to half of the total minutes in a school day. Missing more than half the total minutes in a school day is two half-day absences.

Unexcused absences from school are considered truancy. A student who skips class or scheduled activity, arrives late for class or a scheduled activity, or leaves a class or scheduled activity without permission of school personnel is considered truant and will be deemed to have missed the entire class or scheduled activity.

Under New Hampshire law, ten half days of unexcused absence during a school year shall constitute habitual truancy. The District has created a procedure and put in place a series of interventions to assist the student with reintegrating back into school. Interventions will occur at eight (8) days and fifteen (15) days absent. A student with fifteen (15) days absent will be considered truant. Contact with DCYF, school administration, and the Hudson Police Department will occur when a student has missed 15 consecutive days or when the threshold of days absent exceeds 25% for the year. A student that has been absent fifteen (15) or more days may be subject to retention according to policy IKE Promotion and Retention of Students.

Appeal

A parent/guardian or student seeking an exception for an absence that is not otherwise excused may file a request with the School Board. A parent/guardian or student may also appeal to the School Board the following:

1. A determination that a specific absence/tardy, etc. was unexcused;
2. A determination that an absence occurred at all; or
3. Whether exceptional circumstances exist which make strict application of this Policy inappropriate with respect to one or more absences.

Legal reference: RSA 193:1, I (c,h)

Reviewed by Policy Committee 07/16/2020

POLICY CODE: JHC Student Early Release Precautions RELATED POLICIES:	FIRST ADOPTION: LATEST REVISION: Page 1 of 1
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Category: Recommended

School district staff will not permit a student to leave school during the school day unless the student is accompanied by the student’s parent/guardian, or other person so authorized by the school district and the student’s parents/guardians. In all situations, the Principal shall approve the early release.

School officials will presume that each parent has equal authority to exercise rights of visitation, removal of the student from school, the right to inspect and review educational records, and all other rights and privileges extended to parents. Requests from parents asking the school to restrict the release of a student to the other parent will not be honor unless accompanied by a court order or other legally binding document which corroborates the request.

The Principal is authorized to establish additional procedures necessary to ensure the proper and safe release of students. Such procedures must adhere to the following rules:

1. Students will only be released to the parent, guardian, or written designee of the parent or guardian, or to other individuals or agencies as permitted or required by law.
2. The District will release a student to either parent unless the District has a valid court order directing otherwise or unless the parent requesting the release is only entitled to supervised visitation. If district staff have concerns about releasing the student to a parent, the student may be held while additional precautions are taken, including, but not limited to, verifying custody orders, contacting the other parent or contacting appropriate authorities.
3. Students who are 17 years old and living independently and students 18 years old or older must validate their own attendance and dismissal.
4. Telephone requests for early dismissal of a student shall be honored only if the caller can be positively identified as the student’s parent or guardian. The parent or guardian will still be required to enter the school building and sign the student out.
5. If it is determined that a student who is ill or sick should be taken home, the school nurse will contact the student’s parent or guardian to arrange for an early release. The school nurse will also notify the Principal.

Not inclusive of regularly scheduled early release times, offsite work experiences, or other approved educational opportunities.

POLICY CODE: JI Student Rights and Responsibilities	FIRST ADOPTION:
RELATED POLICIES:	LATEST REVISION: Page 1 of 1

Category P

See also JIA, JIC JICD

Student rights and responsibilities shall be published in the Parent-Student Handbook and will be made available in another language or presented orally upon request. Student disciplinary procedures will be implemented pursuant to the provisions of Board Policies JIA and JICD.

Legal References:

RSA 189:15, Regulations

NH Code of Administrative Rules, Section Ed 306.04(a)(3), Student Discipline

NH Code of Administrative Rules, Section Ed 306.04(f), Student Discipline

NH Code of Administrative Rules, Section Ed 317.04(b), Disciplinary Procedures

POLICY CODE: JIA Student Due Process	FIRST ADOPTION:
RELATED POLICIES: JIC, JICD, JICDD, & JICK	LATEST REVISION: Page 1 of 1

Category: Recommended

Students facing discipline will be afforded all due process rights given by law. The Superintendent or his/her written designee is authorized to suspend any student for ten days or less for violations of school rules or policies. Should the Superintendent desire to extend a suspension beyond 10 days, or seek expulsion of a student, such student will be afforded a hearing consistent with the provisions of RSA 193:13, I (b) and (c), N.H. Dept. of Education Rule 317.04, and Board Policy *{**}JICD. D.2.*

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.

Student due process rights shall be printed in the Parent-Student Handbook and will be made available in another language or presented orally upon request.

Legal References:

- RSA 189:15, Regulations*
- RSA 193:13, Suspension and Expulsion of Pupils*
- NH Code of Administrative Rules, Section Ed 306.04(a)(3), Policy Development, Discipline*
- NH Code of Administrative Rules, Section Ed. 306.04(f), Student Discipline*
- NH Code of Administrative Rules, Section Ed 317.04, Disciplinary Procedures*

HUDSON SCHOOL DISTRICT

POLICY CODE: JIC Student Conduct	FIRST ADOPTION:
RELATED POLICIES: JIA, JICD, JICDD, JICK	LATEST REVISION:

A. General Conduct Standards and Disciplinary Concepts.

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, and visitors, violates other Board policies or is otherwise inappropriate is prohibited. Students are expected to maintain appropriate classroom behavior that allows teachers and staff to perform their professional duties effectively and without disruption.

Students will conduct themselves in a manner fitting to their age level and maturity, and with respect and consideration for the rights of others, while on School District property or on property within the jurisdiction of the School District; while on school owned and/or operated school or chartered vehicles; and/or while attending or engaged in school activities. Students may also be disciplined for off-campus behavior in accordance with the provisions of Policies JICDD and JICK.

Terms, and levels of discipline are established in Policy JICD, as are the due process procedures to be afforded relative to each level of discipline. Disciplinary measures as defined in that policy include, but are not limited to, removal from the classroom, detention, in-school suspension, out-of-school suspension, restriction from activities, probation, and expulsion.

Due process in accordance with all applicable laws will be afforded to any student involved in a proceeding that may result in suspension, exclusion, or expulsion. Students expelled from school may be reinstated by the Board under the provisions of RSA 193:13.

B. Implementation and Notice.

The School Board delegates to the Superintendent the responsibility of adopting and implementing such age-appropriate rules and regulations for each school as he/she, in consultation with the appropriate building Principal, deems necessary to implement this policy.

The content of RSA 193:13, this policy, and any such rules and regulations adopted hereunder, shall be printed in the student handbook(s) and distributed to all students, and parents/guardians. The Superintendent shall also assure that this policy, the content of 193:13, and any such rules and regulations adopted under this policy are made available on the District's website, with additional notice provided to the student body as the Superintendent or building Principal deems appropriate (e.g., periodic postings and notices).

Rules and regulations adopted and published under this policy will be deemed to be regulations and policies of the School Board and maintained as School Board records. The Superintendent shall provide to the School Board copies of all student handbook(s), and other rules and the regulations adopted under this policy. The School Board retains the authority to modify, supersede, or suspend any such rules and regulations consistent with the Board's statutory authority, and other Board policies regarding review of administrative rules, regulations and procedures.

C. Parental Notification of Simple Assaults.

Pursuant to RSA 193-D:4, I (b), the Superintendent is directed to adopt and implement procedures requiring 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 either District or building rules 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).

D. 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.

Legal References:

RSA 193:13, Suspension and Expulsion of Pupils

RSA 193-D:4, Written Report Required

RSA 631:2-a, Simple Assault

NH Code of Administrative Rules, Section Ed. 306.04(f)(4), Student Discipline

NH Code of Administrative Rules, Section Ed. 306.06, Culture and Climate

NH Code of Administrative Rules, Section Ed. 317.04(b), Disciplinary Procedures

HUDSON SCHOOL DISTRICT

POLICY CODE: JICC Student Conduct on School Buses	FIRST ADOPTION:
RELATED POLICIES: EEA, EEAEC, & JIC	LATEST REVISION:

Category R

Students using District transportation must understand that they are under the jurisdiction of the School from the time they board the bus until they exit the bus.

Students transported in a school bus shall be under the authority of the District and under control of the bus driver. The driver of the bus shall be held responsible for the orderly conduct of the students transported. Each driver has the support of the Board in maintaining good conduct on the bus.

Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reasons for a student to be denied the privilege of transportation in accordance with the regulations of the Board. If a student is to lose the privilege of riding the bus, advance warning will be given, except for extreme misconduct.

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 and made available in another language or presented orally upon request.

Legal Reference:

RSA 189:6-a, School Bus Safety

NH Code of Administrative Rules, Section Ed. 306.04(d)(1), School Safety

NH Code of Administrative Rules, Section Ed. 306.04(f)(4), Student Discipline

HUDSON SCHOOL DISTRICT

POLICY CODE: JICD Student Discipline and Due Process	FIRST ADOPTION:
RELATED POLICIES: JI, JIA, JIC, JICDD & JICK	LATEST REVISION:

Category: Priority - Required by Law

At all times, students are required to conduct themselves in accordance with behavioral standards set forth in or adopted pursuant to Policy JIC and all other applicable Board policies and all District or school rules. Failure to comply can lead to disciplinary consequences as set forth in this policy and applicable law.

A. Disciplinary Measures – "Definitions".

Disciplinary measures include, but are not limited to, removal from the classroom, detention, in-school suspension, out-of-school suspension, restriction from activities, probation, and expulsion.

1. "Removal from the classroom" means a student is sent to the building Principal's office. It is within the discretion of the person in charge of the classroom to remove the student.
2. "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. The building Principal is authorized to establish guidelines or protocol for when detention shall be served (either before school or after school). Whether a student will serve detention, and the length of the detention, is within the discretion of the licensed employee disciplining the student or the building Principal.
3. "In-school suspension" means the student will attend school but will be temporarily isolated from one or more classes while under supervision. An in-school suspension will not exceed ten (10) consecutive school days.
4. "Out-of-school suspension" means the temporary denial of a student's attendance at school for a specific period of time for gross misconduct, for neglect, or refusal to conform to school rules or policies.
 - a. "Short-term suspension" means a suspension of ten (10) school days or less. Ed 317.04(a)(1).
 - b. "Long-term suspension" means the continuation of a short-term suspension under RSA 193:13, I (b)-(c), and also means a suspension in excess of ten (10) school days under Ed 317.04(a)(2).
5. "Restriction from school activities" means a student will attend school, classes, and practice but will not participate in other school extra-curricular activities, including competitions.
6. "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 immediate reinstatement of the penalty.
7. "Expulsion" means the permanent denial of a pupil's attendance at school for any of the reasons listed in RSA 193:13, II and III.

B. Standards for Removal from Classroom and Detention.

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 rules or policies, or otherwise impedes the educational purpose of the class.

Likewise, classroom teachers may assign students to detention for similar conduct.

The building Principal may assign students to detention under the same standard.

C. Standards for In-School Suspension, Restriction of Activities, and Probation.

The building Principal is authorized to issue in-school suspensions, restrictions of activities, or place a student on probation for any failure to conform to school or School District policies or rules, or for any 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, and visitors, is otherwise inappropriate, or is prohibited by law.

Restriction of activities may also be issued pursuant to rules or policies pertaining to specific clubs or teams.

D. Process for Out-of-School Suspension.

The power of suspension is authorized for gross misconduct, for neglect, or refusal to conform to School District policies and rules as follows:

1. Short-term Suspensions. The building principal, as designee of the Superintendent, is authorized to suspend a student for ten (10) school days or less. The Principal shall consult with the Superintendent prior to issuing any suspension.

As required by RSA 193:13(a), educational assignments shall be made available to the suspended pupil during the period of suspension.

Due process standards for short-term suspensions (ten (10) days or less) will adhere to the requirements of Ed 317.04(f)(1).

2. Long-term Suspensions. 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.

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

Any suspension in excess of ten (10) school days, as described in Paragraph 2 of this Section, is appealable to the School Board, provided the Superintendent receives the appeal in writing within ten (10) days after the issuance of the Superintendent's decision described in Paragraph 2. Any suspension in excess of ten (10) school days shall remain in effect while this appeal is pending.

E. Process for Expulsion.

1. Any pupil may be expelled by the School Board for (a) an act of theft, destruction, or violence as defined in RSA Chapter 193-D, (b) for possession of a pellet paint ball gun or BB gun or rifle as provided by RSA 193:13, II, or (c) for gross misconduct, or for neglect or refusal to conform to the reasonable rules of the school. An expulsion under this paragraph will run until the School Board restores the student's permission to attend school. A student seeking restoration of permission to attend school shall file a written request with the Superintendent which details the basis for the request. The Board will determine whether and in what manner it will consider any such request.
2. Additionally, any pupil may be expelled by the School Board for bringing or possessing a firearm as defined in Section 921 U.S.C. Title 18 in a safe school zone, as defined in RSA 193-D:1, unless such pupil has written authorization from the Superintendent. Any expulsion under this provision shall be for a period of not less than twelve (12) months.

3. **Prior to any expulsion, the District will ensure that the due process standards set forth in Ed 317.04(f)(3) are followed.**
4. Any decision by the Board to expel a student may be appealed to the State Board of Education.
5. The Superintendent of Schools is authorized to modify the expulsion or suspension requirements of Sections E.1 and E.2 above on a case-by-case basis.

F. Sub-committee of Board. For purposes of sections D and E 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.

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 and school rules which inform the student body of the content of RSA 193:13 shall be printed in the student handbook and made available on the District's website to students, parents, and guardians. The Principal or designated building administrator shall also inform the student body concerning this policy and school rules which address the content of RSA 193:13 through appropriate means, which may include posting and announcements. See: Ed. 317.04(d).

Legal References:

RSA 189:15, Regulations

RSA 193:13, Suspension & Expulsion of Pupils

RSA Chapter 193-D, Safe Schools Zones

NH Code of Administrative Rules, Section Ed 306.04(a)(3), Discipline

NH Code of Administrative Rules, Section Ed 306.04(f), Student Discipline Policy

*NH Code of Administrative Rules, Section Ed 317.04, Suspension and Expulsion of Pupils Assuring Due Process
Disciplinary Procedures*

In re Keelin B., 162 N.H. 38, 27 A.3d 689 (2011)

HUDSON SCHOOL DISTRICT

POLICY CODE: JICE Student Publications	FIRST ADOPTION:
RELATED POLICIES: KDC	LATEST REVISION:

Category R

The ~~board~~ Superintendent or designee may authorize school-sponsored publications, such as annual yearbooks, student newspapers, and Internet websites. All publications will conform to rules established by the Superintendent and the building principal. Any publication not approved by the Board will not be considered a school publication and shall not be distributed on school property. Further, school district resources shall not be used for the production, printing, posting, or assembly of any non-approved publication.

All school publications will be under the supervision of the school principal or his/her designee. The principal or his/her designee has the right to limit or edit the contents of any school publication. There is the assumption that nothing published in student publications will be libelous, slanderous, obscene, advocate illegal activities, infringe on copyrighted material, or otherwise cause substantial disruption to school activities and functions. The school principal or his/her designee will review all school-sponsored publications before they are printed, posted, or distributed to ensure the publication conforms to these standards.

Legal References:

Hazelwood School District et al. v. Kuhlmeier et al., 484 U.S. 260 (1988)

HUDSON SCHOOL DISTRICT

POLICY CODE: JICF Gang Activity	FIRST ADOPTION:
RELATED POLICIES: [Related Policy Codes]	LATEST REVISION:

Category R

It is the policy of the District that membership in secret fraternities or sororities, or in other clubs or gangs not sponsored by established agencies or organizations, is prohibited.

Gangs which initiate, advocate, or promote activities which threaten the safety or well-being of persons or property on school grounds or which disrupt the school environment are harmful to the educational process. The use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory, or manner of grooming which, by virtue of its color, arrangement, trademark, symbol or any other attribute which indicates or implies membership or affiliation with such a group, present a clear and present danger to the school environment and educational objectives of the community are forbidden.

Incidents involving initiations, hazing, intimidation, and/or activities of such group affiliations which are likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to students are prohibited.

Any student wearing, carrying, or displaying gang paraphernalia, or exhibiting behavior or gestures which symbolize gang membership, or causing and/or participating in activities which intimidate or affect the attendance of another student will be subject to disciplinary action, including suspension and expulsion.

The Superintendent may provide in-service training in gang behavior and characteristics to facilitate staff identification of students at-risk and promote membership in authorized school groups and activities as an alternative.

Memo

To: Hudson School Board
From: Mary-Ellen Labrie
cc: Kimberly Organek, Denise Romano
Date: September 16, 2020
Re: Early Learning Center Budget Transfers

The Early Learning Center adopted two new curriculum programs for the 2020-2021 school year. Those were Foundations (phonics instruction program) for Kindergarten and Math in Focus (Math instruction program) for both Kindergarten and Grade 1. Materials were ordered in June based on projected enrollments in both Kindergarten and Grade 1. Due to an increase in both student enrollment and teaching staff at both grade levels it was necessary to order additional materials for both programs.

Additional funds necessary for Foundations: \$8,600.00

Additional funds necessary for Math in Focus: \$5,840.00

I respectfully request approval of the budget transfer to cover the additional materials necessary.

Mary-Ellen Labrie

Principal, Dr. H.O. Smith School

School Board Reading	09/28/2020 Date	SAU Office only # <input style="width:50px;" type="text"/>	School Board Approval SB# 21-003
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HUDSON SCHOOL DISTRICT BUDGET TRANSFER FORM

This form should be used any time that you are making a request for purchase that will cause a budget line to be over expended. For such a purchase to be approved, you must show the purpose of the purchase, the amount you expect to spend, and in what other sections of your budget you propose to find the funds to pay for the purchase. No purchase that requires a budget transfer will be made without approval from the Business Office.

School:

Date:

Purpose:

Transfer of monies to cover for shortage of funds for Math In Focus and Fundations.

Org	Object	Description	Current Available	Amount Reduced	New Balance
10111100	737	Furniture Replacement	\$ 10,131.83	-\$ 6,700.00	\$ 3,431.83
10111102	733	Kindergarten Furniture Additional	\$ 9,966.67	-\$ 6,600.00	\$ 3,366.67
10112410	610	Principals' Office Supplies	\$ 5,338.60	-\$ 800.00	\$ 4,538.60
10112213	320	Workshops	\$ 4,375.00	-\$ 340.00	\$ 4,035.00
					\$ 0.00
					\$ 0.00
					\$ 0.00
					\$ 0.00

Total Reduced:

Org	Object	Description	Current Available	Amount Added	New Balance
111123110	610	Reading Supplies	-\$ 7,000.28	\$ 8,600.00	\$ 1,599.72
111111110	610	Math Supplies	-\$ 5,839.23	\$ 4,700.00	-\$ 1,139.23
111111110	610	Math Supplies	-\$ 1,139.23	\$ 800.00	-\$ 339.23
111111110	610	Math Supplies	-\$ 339.23	\$ 340.00	\$ 0.77
					\$ 0.00
					\$ 0.00
					\$ 0.00
					\$ 0.00

Total Added:

APPROVED:

Principal/Supervisor

Finance Director

Business Administrator

Superintendent of Schools

Hudson School Board

HUDSON SCHOOL DISTRICT

POLICY CODE: JICFA Hazing	FIRST ADOPTION:
RELATED POLICIES:	LATEST REVISION: Page 1 of 1

Category: Priority/Required by Law

It is the policy of the District that no student or employee of the District shall participate in or be a member 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. This District does not permit or condone student 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 or 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.

Legal Reference:

RSA 631:7, Student Hazing

New Hampshire Code of Administrative Rules, Section Ed 306.04(a)(7), Student Hazing

HUDSON SCHOOL DISTRICT

POLICY CODE: JICG PROHIBITIONS REGARDING USE AND POSSESSION OF TOBACCO PRODUCTS, E-CIGARETTES AND E-LIQUIDS IN AND ON SCHOOL FACILITIES AND GROUNDS	FIRST ADOPTION: LATEST REVISION:
RELATED POLICIES: ACD, GBED, IHAMA	

Category: Priority/Required by Law

*Identical policies: ADC & GBED
Related policy: IHAMA*

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. *These definitions shall also include any amendments to the referenced statutes as the same may be amended or replaced from time to time.*

"Tobacco product(s)" means any product containing tobacco including, but not limited to, cigarettes, smoking tobacco, cigars, chewing tobacco, snuff, pipe tobacco, smokeless tobacco, and smokeless cigarettes, as well as any other product or item included in RSA 126-K:2, XI.

"Device" means any product composed of a mouthpiece, a heating element, a battery, and electronic circuits designed or used to deliver any aerosolized or vaporized substance including, but not limited to, nicotine or cannabis. Device may include, but is not limited to, hookah, e-cigarette, e-cigar, e-pipe, vape pen, e-hookah, as well as any other object or item defined in RSA 126-K:2, II-a.

"E-cigarette" means any electronic smoking device composed of a mouthpiece, a heating element, a battery, and electronic circuits that *may or may not contain* nicotine or e-liquid. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, or e-pipes, or under any other product name as well as any other product or item included in RSA 126-K:2, II-b.

"E-liquid" means any liquid, oil, or wax product containing, but not limited to, nicotine or cannabis intended for use in devices used for inhalation as well as any other substance included or defined in RSA 126-K:2, II-c.

"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.

"**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, rest rooms, laboratories, classrooms, study areas, cafeterias, gymnasiums, maintenance rooms, and storage areas.

B. Students

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

Enforcement of the prohibition against students shall initially rest with building principals, or their designees, who may also report any violation to law enforcement, for possible juvenile, criminal or other proceedings as provided under state law. Additional consequences may be administered pursuant to printed student conduct rules.

C. Employees

No employee shall use any tobacco product, *device*, E-cigarette, *E-liquid*, 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.

D. All other persons

No visitor, contractor, vendor or other member of the public, shall use any tobacco product, *device*, E-cigarette, *E-liquid*, 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-cigarette 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 contact the appropriate law enforcement agency(ies) for possible criminal or other proceedings as provided under state law.

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.

Signs shall be placed by the District in all buildings, facilities and school vehicles stating that the use of tobacco products is prohibited.

Legal References:

RSA 155:64 – 77, Indoor Smoking Act

RSA 126-K:2, Definitions

RSA 126-K:6, Possession and Use of Tobacco Products by Minors

RSA 126-K:7, Use of Tobacco Products on Public Educational Grounds Prohibited

<p>POLICY CODE: JICH Drug and Alcohol use by Students</p> <p>RELATED POLICIES:</p>	<p>FIRST ADOPTION:</p> <p>LATEST REVISION:</p>
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Category R

The School Board is concerned with the health, welfare and safety of its students. 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 in 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 purposes of this policy, a controlled substance shall include any controlled substance as defined in the Controlled Substances Act, 21 U.S.C. § 812(c), or RSA 318-B, Controlled Drug Act.

Students may only be in possession of medication as detailed in Board Policy JLCD. Searches of persons reasonably suspected to be in violation of this policy will be conducted in accordance with Board Policy JIH.

Any student who is found by the administration to be in violation of this policy shall be referred for prosecution 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 a controlled substance to the appropriate local law enforcement agency and the superintendent. All controlled substances shall be turned over to local law enforcement.

~~Students with disabilities who violate this policy will be disciplined in accordance with the student's Individual Education Program (IEP.)~~

Legal References:

21 U.S.C. § 812(c), Controlled Substances Act

RSA 318-C, Controlled Drug Act

RSA 571-C:2, Intoxicating Beverages at Interscholastic Athletic Contests

HUDSON SCHOOL DISTRICT

POLICY CODE: ACAC TITLE IX SEXUAL HARASSMENT POLICY AND GRIEVANCE PROCESS	FIRST ADOPTION:
RELATED POLICIES: AC, AC-E, GBEAB, JICK & JLF	LATEST REVISION:

Category: Priority/Required by Law

The definition of “Sexual Harassment” is found in **Section II.B** of this Policy. Instructions for making a report or complaint of sexual harassment are found in **Section II.J.1**. The “Title IX Grievance Process” is Section III, and the procedure for filing a formal complaint to initiate the grievance process is found in Section III.A

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. 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 Coordinator 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.

“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.

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
5. [district may add additional types of supportive services (non-punitive/disciplinary)].

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
5. reports to the New Hampshire Department of Education as required under N.H. Code of Administrative Rules Ed 510 regarding violations of the NH Code of Conduct for Education Professionals.

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 discrimination¹;
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 participate² 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] {OR, BUT only if the District does not maintain a website} [available to members of the public as government records]* 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;

¹ 34 CFR 106.71 (a).

² 34 CFR 106.71 (a).

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] {OR, BUT only if the District does not maintain a website} [available to members of the public as government records]**.

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.

1. Report of Sexual Harassment.

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**.

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 complainant³ 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.

³ The Title IX Coordinator may offer supportive measures to a complainant, even if the information from the complainant does not/does not appear to meet the full definition of sexual harassment under this Policy. Districts should consult with counsel before it "imposes" any supportive measures against a respondent.

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.
 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). *[The District’s policy contains additional language regarding appointment of decision maker. Can be optional language, e.g., {“Ordinarily the building principal shall serve as the initial decision maker...” or “The Superintendent, in consultation with the Title IX Coordinator, shall appoint an initial decision maker on a case-by-case basis.”}]* 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 **[_____ {state title of alternate}Assistant Superintendent/BA/BM]**, 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.
7. Remedies: Range of Disciplinary Sanctions and Remedial Actions Upon Final Determination of Responsibility.
 - 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.

1. Summary of Grievance Process Timeline. *[With the exception of paras b&c, the below are timeframes recommended by NHSBA. Both para. b & c, however, are minimum timeframes mandated under the federal regulations.]*
 - a. Investigation 20 +/- days as the complexity of the case demands **(Sec. III.E.1)**
 - b. 10 days for reviewing information prior to conclusion of investigation
 - c. 10 days after receiving report to respond to report
 - d. 10 days for decision maker to allow initial questions
 - e. 10 days for responses to questions
 - f. 10 days for questions and responses to follow-up questions.
 - g. 10 days for determination of responsibility decision
 - h. 10 days for appeal (6 additional days for administrative steps)
 - i. 10 days for argument/statement challenging or supporting determination
 - j. 10 days for decision on appeal
2. 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[NHSBA recommends]** 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 [NHSBA recommends]** 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.
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[NHSBA recommends]** for written responses, likewise to be provided to each party.
4. The initial decision maker will provide **5 days[NHSBA recommends]** each for supplementary, limited follow-up questions and **5 days[NHSBA recommends]** 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 [NHSBA recommends]** 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 [NHSBA recommends]** 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.
 - iv. [Additional bases may be added by a district if made available equally to both parties].**

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 [NHSBA recommends]** of receipt of the written appeal, the Superintendent shall appoint a decision maker for appeal (“appeals decision maker”),⁴ 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 Although the school board is not precluded from serving as a decision maker with respect to appeals, before it may do so, each member of the board must meet both the training and conflict of interest requirements described in Sections **II.D and II.G**. Such training may be provided on an as-needed basis, but because of necessary timelines, the framework will need to be in place long before a case is appealed.

4. Each party shall have **10 days[NHSBA recommends]** 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 [NHSBA recommends]** 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.

Legal References:

Title IX of the Education Amendments of 1972, 20 U.S.C 1681, et seq 20 U.S.C. §1232g, Family Educational Rights and Privacy Act

34 CFR. Part 99, Family Educational Rights and Privacy Act Regulations

34 CFR 106.8, Designation of responsible employee and adoption of grievance procedures.

34 CFR 106.30, Definitions

34 CFR 106.44, Recipient's response to sexual harassment

34 CFR 106.4, Grievance process for formal complaints of sexual harassment

34 CFR 106.71, Retaliation

RSA 193:38, Discrimination in Public Schools

NH Dept of Ed. Rules Ed 303.01 (i), School Board Substantive Duties

Ed 303.01(j), Substantive Duties of School Boards; Sexual Harassment Policy

Legal References Disclaimer: *These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

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MEMORANDUM

TO: Hudson School Board
FROM: Stephanie Colton, Benefits Coordinator
SUBJECT: Extracurricular Nominations
DATE: September 23, 2020

The following nominations have been submitted for the 2020-2021 school year:

Hudson Memorial:

Intramural Advisor	Dan Pooler	\$2,000
Intramural Kickball	Megan Truncellito	\$500
Intramural Kickball	Kimberly Bourassa	\$500
Student Council	Abigail Blais	\$475
Student Council	Leonie Freemantle	\$475
Student Activities	Abigail Blais	\$1,000
Student Activities	Leonie Freemantle	\$1,000

HUDSON SCHOOL DISTRICT
SAU # 81
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Assistant Superintendent
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Rachel Borge
Director of Special Services
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MEMORANDUM

TO: Hudson School Board
FROM: Stephanie Colton, Benefits Coordinator
SUBJECT: Extracurricular Nominations
DATE: September 24, 2020

The following nominations have been submitted for the 2020-2021 school year:

Alvirne High School

Academic World Quest	500.00	Gibson, Gerry	
Art Club	950.00	Oakley, Maria	
Assistant Band Director	2,000.00	Seckla, Mike	
		Hansen, Lisa	
Assistant Class Act	2,000.00	Gallagan, Michael	
		Nassif, Sarah	
Assistant Morning Band Director	500.00	Hansen, Lisa	
Astronomy Club	500.00	Scott, Courtney	
AV Tech Advisor	500.00	Denis, Lauren	
		LaFrance, Jennifer	
Chess Club	500.00	Brown, Ernie	
Class Act	4,700.00	LaFrance, Jennifer	
Color Guard	2,000.00	Sevigny, Cara	
Debate Club	500.00	Gibson, Gerry	
DECA	2,000.00	Compagna, Sarah	
Drill Team	500.00	Gibson, Gerry	
Educators Rising CTSO	500.00	Saranich, Kara	
Facebook Management/Student Recognition	500.00	Reven, Leslie	
Faculty Manager	4,700.00	Conrad, Sara	
FFA Agriculture	2,000.00	Goulding, William	
		Marshall, Ben	
FFA Competition	4,700.00	Beaudry, Jenny	2500
		Bliss, Corie	1000
		Hill-Blouin, Susan	1200
Fitness Club	2,000.00	Conrad, Andrew	
French National Honor Society	950.00	Stewart, Svetlana	

Freshman Class	950.00	Goulding, William Marshall, Ben
Gender Sexuality Alliance	950.00	Morin, Donna Rush, Scott
HOSA	2,000.00	Kathy Young
Junior Class	950.00	Conrad, Sara
Key Club	950.00	Nihan, Giulia
Leo Club	950.00	Waisanen-Morin, Lynn
Math Team	500.00	Sevigny, Cara
Model UN	950.00	Gibson, Gerry Rush, Scott
National Honor Society	2,000.00	Sevigny, Cara Currier, Colleen
National Technical Honor Society	950.00	Marro, Eiric
Percussion Director	2,000.00	Stillson, Toby
Photo Club	950.00	Moriarty, Brian
Robotics Club (First Tech Challenge)	950.00	Marchant, Melissa
Russian Language Club	500.00	Stewart, Svetlana Vance, Brett
School Play	4,700.00	Denis, Lauren
Science Olympiad	950.00	Peckham, Doug
Senior Class	4,700.00	Peckham, Doug Reven, Leslie
Ski Club	950.00	Peckham, Doug
Skills USA Building Trades	500.00	Somers, Matthew
Skills USA Culinary	500.00	Bressler, David
Skills USA Heavy Equipment	500.00	Brown, Ernest
Sophomore Class	950.00	Taylor, Brian
Spanish National Honor Society	950.00	Killmer, Emily
Student Celebration	500.00	Oakley, Maria
Student Council	4,700.00	Morin, Donna Reece, Jacob
Studio 19	2,000.00	Denis, Lauren O'Toole, Melanie
Theater Costuming	500.00	Hedges, Marianne
WATS Club	950.00	Curry, Joanne
Weightlifting Club	500.00	Conrad, Andrew
Yearbook	4,700.00	Oakley, Maria O'Toole, Melanie

*All dual advisors split 50/50 unless noted.

School Board Meeting August 11th 2020

Draft Minutes

- Location: Sau Building – Randy Bell Conference Room

- In Attendance: Darcy Orellana (Chair); Gary Gasdia (Vice-Chair); Patty Langlais; Ethan Beals; Diana LaMothe (via telephone); Superintendent Larry Russell, Diane Gorrow (Lawyer from Soule, Leslie, Kidder, Sayward and Loughman)

- Dr. Orellana calls meeting to order 5:00 pm

- Public Session:
 - There was a typo on previous voted upon copier bid. Will revisit at upcoming meeting on August 17th

- NON Public Session:
 - Dr. Orellana read from RSA 91-A:3 citing condition “c” as the purpose of going into a non-public session
 - Motion by Ms. Langlais to enter non-public. Second by Mr. Gasdia. Motion approved 4-0 Mr. Beals abstained
 - Entered into Nonpublic at 5:05
 - Discussed generalities of conflict of interest
 - Reviewed state law and board policy (BCD). Board policy is a higher standard as it includes “appearance of a conflict of interest.”
 - Discussed differences if board is acting in legislative or quasi-judicial capacity.
 - Member should disqualify themselves if there is a conflict of interest – if disqualified member voted anyways and board is acting in a legislative capacity, the vote is only invalidated if that members vote changes the outcome. If the board is acting in a quasi-judicial vote, the vote is invalidated regardless of outcome.
 - Discussed how all board members are bound by anything that is deemed confidential. In addition to voting, disqualified individuals should not be part of the discussion and should not be on correspondence.
 - Superintendent Russell exited at 5:21 pm
 - Discussed Ms. Gorrow’s role
 - Discussed some specific situations related to recent events in the district including - board meetings, board members, district personnel, email correspondence etc. How things have been handled vs. how they should be handled going forward.
 - Motion by Ms. Langlais to exit non-public and adjourn. Second by Mr. Gasdia. Motion approved 4-0, Mr. Beals abstained.

- Adjourned 6:27 pm

**Hudson School District
Hudson School Board Meeting
Draft Minutes**

Present:

Mr. Gary Gasdia, Board Vice-Chair
Ms. Diana LaMothe
Ms. Patty Langlais
Mr. Ethan Beals
Ms. Kara Roy, Vice-Chairman, Board of Selectmen
Mr. Larry Russell, Superintendent of Schools
Ms. Kim Organek, Assistant Superintendent
Ms. Rachel Borge, Director of Special Services

A. Call to Order: Mr. Gasdia called the meeting to order. He stated that Dr. Orellana is at a family obligation tonight, so he will be sitting in as Board Chairman and Board Vice-Chair is Ms. Langlais. Ms. LaMothe led the pledge of allegiance. Mr. Gasdia said that there was a slight change to the order of the agenda tonight. The reopening update which is listed as old business, will be moved to near the end with the Superintendent's report due to a technical difficulty that is being resolved.

B. Public Input: Mr. Gasdia opened up public input but there was nobody present. However, he mentioned that throughout the week they received 13 comments. Mr. Gasdia said 11 of these comments were regarding the reopening, most of them came on August 3rd/4th which was all prior to the district answering most of these frequently asked questions. Some questions that were asked were regarding some of the cleaning protocols, if they considered going hybrid for the middle school, bathroom usage, courses that were going to be offered in remote learning and in the High School in regards to Honors/AP. Some folks were in support of the plan and some saw opportunities for improvement. Mr. Gasdia also said they received two comments regarding the issue with the Alvirne Principle and the reassignment. Mr. Gasdia said that they received a lot of emails, and that he wants everyone to understand that we do hear you and we appreciate your feedback but there are certain things with regards to situations that policies and procedures dictate what we can and can't do. He said it's also important that we stay within our role and follow the procedures so that we don't put the Hudson School District and the entire town of Hudson at risk. He encourages the public to keep sending in input and that it is important to them but he just wanted everyone to understand the expectations and limitations of what the Board can say and what they can do.

C. Old Business

1. Copier Bid: Mr. Russell stated that the copier bid that was previously presented to the board had an error in the presentation. Mr. Russell said the correction has been made since that time. He said that Canon Solutions was the choice that was taken but at that time it appeared to be the lowest bid but the mistake was that it actually ended up being \$1000 more than the original cost. He said the other reasons why they were looking at using Canon was that they have 12 technicians available for service calls. The NECS has only 5 technicians and the next lowest bid was Ryan Business only has 2 technicians and they come from Concord, NH. Mr. Russell said they also had two vendors present which were NECS and Canon Solutions and that they prefer not to add another vendor if they could. If they went with Ryan Business then they would have 3 vendors. Mr. Russell said they have used Canon Solutions for the last three years and that their service is excellent and have had no problems with them. Mr. Russell said that Canon Solutions became the mid-priced bid afterwards but still prefer to use them.

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Ms. LaMothe made a motion to award Canon Solutions the contract to install 5 copiers for fiscal year 2021 in the amount of \$22,784, second by Ms. Langlais. Mr. Gasdia, aye, Ms. LaMothe, aye, Mr. Beals, aye, Ms. Langlais. Motion passes 4-0.

D. New Business

1. Team Facilitator Nominations: Mr. Russell said they have the Team Facilitator’s from the Middle School and these are positions they hold every year and are a part of the HFT contract. He also said the stipends are the same as last year. Ms. Langlais questioned what happens if we have to go remote at some point and wondered what the roles will look like. Mr. Russell said that there is a chance they will have a reduced role because if they have a meeting over zoom, opposed to a meeting in person then that would be a difference. He said they coordinate the meetings to make sure that the teams are talking about professional learning communities and how to improve instruction and what is happening with the kids on that team, so that wouldn’t change in regard to their role.

Ms. Langlais made a motion to approve the Team Facilitator Nominations, second by Ms. LaMothe. Mr. Gasdia, aye, Mr. Beals, aye, Ms. Langlais, aye, Ms. LaMothe, aye. Motion passes 4-0.

2. Policies(1st readings): Ms. Borge stated that these are all 1st readings so that they are all to be heard, thought about and come back to them at a later date. The five policies all reflect to a great extent the exact language from the NHSBA and any sudden changes you will see noted on the side. Ms. Borge also said that we will see that the replacing existing policies will have tracked changes so we can see what was changed and what was not.

- A.) JIC Student Conduct: new, NHSBA verbatim
- B.) JICC Student Conduct on School Buses: new, NHSBA verbatim
- C.) JICD Student Discipline and Due Process: Replacing outdated policies with NHSBA w/tracked changes
- D.) JICE Student Publications: New, NHSBA w/tracked changes
- E.) JICF Gang Activity: New, NHSBA verbatim

Mr. Gasdia thanked Ms. Borge and said they will review those and vote on those next meeting.

E. Recommended Action

- 1. Manifests- Recommended action: Mr. Russell said the manifests are all set.
- 2. Minutes- Recommended action: Review and Approve
 - a) 7/20/2020 Draft Minutes:
 - Fix Ms. LaMothe first name from Diane to Diana on page 1 and last page.
 - Request to the Board: page 2 item c: the motion was made by Mr. Beals and it was second by Mr. Gasdia.
 - E. 1 New Business: Fiscal year for Canon Solutions was 2021 not 2020.
 - Request to the Board # 2: Change Ethan to Evan’s name.

Ms. LaMothe made a motion to approve the minutes as amended, second by Mr. Beals. Mr. Gasdia, aye, Ms. LaMothe, aye, Mr. Beals, aye, Ms. Langlais, abstained. Motion passes 3-0-1.

F. Legislative Updates: Mr. Russell said that there was no legislative update this evening.

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F. Reports to the Board

1. **Director of Special Services Report:** Ms. Borge said it has been a very busy summer and that they are organizing that for some students there will be remote learning if a parent elects they want their child to enroll in the remote learning academy. Ms. Borge said that they have had staff from almost every building engage in professional development specifically around distant learning and what that might look like for some students of all sorts. Ms. Borge brought up they have multiple staff across all disciplines attending the Harvard Graduate School of Education project that was a 4 weeklong course. Ms. Borge is really excited she has staff that were able to attend that and learn from that course. She also went on to talk about how they were able to get feedback from other professionals and really learn new things in the field. She said they are about to complete week three in the program. She said now that all the remote learning academy sign-ups are completed, they are now digging into the details of who needs what in a remote setting. Ms. Borge mentions that it is going to be pretty traditional as to students coming back to the building as to what the kids expect. Ms. Borge said they are now looking at how they translate the existing IEPs into the remote learning setting and how they can improve and be more effective this time around. Ms. Borge mentions that they are not done with this yet, but they have come a long way and is very proud of the progress that's been made.

Ms. Borge also said they are looking forward to the end of the week with new teacher orientation, and that they will be welcoming in teachers to go through the welcome to our district and learning about all the pieces they need to know to be ready on Monday when all the staff comes back. She said there will be a portion that they will talk about special education and what it takes to make a referral and the implications of the governors order from last May, that continues to have fall outs to us in September beginning first day of school that students return, they will have 30 days to complete IEP meetings for every single student with an IEP in our district. Ms. Borge said the biggest thing they will need from the families and everyone to accomplish this goal is to please attend each meeting that is held. The meetings will be held virtually and there won't be travel time and they will be as efficient as they can. She says if they have folks that can't make meetings then it does make it very challenging to complete our goal of completing 500 IEP meetings within 30 days of school. Ms. Borge asked the public to let them know in advance if they cannot attend the scheduled IEP meetings.

Ms. Langlais asked what would happen if we ended up back to where we were in the spring and that we have certain students that remote learning is a challenge and sometimes cannot do it. Ms. Langlais wanted to know if we are trying to find parents a fit in a different school or setting that is hands on and not remote. Ms. Borge said it's not really an option for a different school because it's our districts responsibility and a district can't facilitate an enrollment in a charter school, so Ms. Borge said that wouldn't be a choice. Ms. Borge said where we are at right now we have students that have IEPs who have special education needs who are engaging in remote learning and families have selected that. She said that we are honoring that selection due to the risk of exposure and also what risk factors that family also has to deal with. Ms. Borge said that they have a couple of families that have opted for remote learning but she does see the value of face to face special education. She asked the families who come forward with this request to let us know because they will be put into the beginning of the 30-day meetings. Ms. Borge said if settings change and we all need to go into remote learning then there is a new executive order that does say we are obligated to continue to provide face to face services. Ms. Borge concerns are that we also need to weigh that against public health and the risk to our students.

Mr. Beals wants to know what the numbers they are seeing in terms of students who have IEP or require certain special education services who opted to do remote learning, if they are very similar or different as to what they are seeing in the whole district. Ms. Borge said it is very different from level to level as well as buildings. She said it's more reflective of the certain family needs. Mr. Beals also questioned the students who have chosen to go remote or we do end up going full remote are the services that will be provided a similar approach to what was done in the spring or is it

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a new approach. Ms. Borge said we evolved over time and with that being said Remote Learning is going to look more like it did in June than it did in March. Mr. Beals also referenced back to how they talked about the other schools for students who selected to go remote learning that they would have a dedicated remote teacher who is not splitting time between remote and in class learning. He asked if the volume of students they have, that selected remote learning, if there was a chance they would have a dedicated teacher for remote learning. Ms. Borge said that she thinks there will be two types of learning for each teacher as well.

Mr. Gasdia questioned the executive order and if this is something that we are talking about with other towns. Ms. Borge said this is a hot topic throughout the state and that there is a lot of question as to where the information and data comes from that has prompted this order. She said that they know that there are some services that went across the state and surveys that guide this type of knowledge and we do know the total number of respondents to those surveys and it reflects approximately 1.5 percent of our identified population. Ms. Borge said that she would like to think that there was more data that went into that. She said it's disheartening to hear this because of all the hard work the staff have put in to provide good quality services. Ms. Borge also said they are continuing to meet with other towns as well and get feedback from them.

2. Superintendent Report/ Reopening Update: Mr. Russell said that the technology is still down for the reopening update. However, he said he would be going through the major points of the reopening update. He wants this to be understood that this is not only for the Board, it's for the parents and teachers as well. Since Mr. Russell won't be able to get to everything since the technology is down, he said it would be posted on the website under the task force section. Mr. Russell said the last time that he did an update that there was a concern that there was too much talking about background information. He said that information was for the people who have not been on the zoom calls or meetings before. Mr. Russell went on to talk about the Administrative Retreat that was held today and how it was only spent on getting ready for the reopening. Mr. Russell said every administrator that applies to the reopening was in attendance and all schools were well represented. He said that what they came back with today was to see if they were in danger of moving their models around at any level. He said the High School level is a hybrid and it's going to remain a hybrid. There was thought about the Middle School Model switching to be a hybrid model but after working through some logistics and data that was collected from parents and teachers. Mr. Russell said they believe that we can open up as was previously said in the plan which is full in class learning. Elementary also talked about hybrid scenarios but will also remain as they were. Mr. Russell can't stress enough, especially after today's exercise how fragile all in k-8th grade will be in terms of going to a hybrid model or only remote learning due to situations that could arise. He said the administrators did an outstanding job today preparing for these situations. Mr. Russell said the biggest drive for these models that are currently in place is due to the amount of people who selected remote learning which was only 19% throughout the district, the numbers are not consistent per building or grade. He said for this to work very well he was looking to have a higher percentage of students opting in for remote learning but he is still trying to keep the model in place. Mr. Russell said the conditions in Hudson right now are an important factor and that the cases have lowered since last meeting and we are considered a green area which means we can open up full in person learning. He also mentioned that the school of Nursing administration got together and have released their findings about ventilation, PPE, distancing and this will be posted up on the website. He said right now the vast majority of teacher availability when school starts is that most are ready to come back to work. He said there are some teachers who have conditions that wouldn't allow them to come in at this time. He said they are working with them the best that they can to address our remote learning needs.

Mr. Russell said there is a big concern about staff members who live in other towns if their children are going to another school that is on a hybrid model or remote learning model. He said the problem is if we are full in and their kids are not it's very difficult to have their children taken care of and for them to come to work. Mr. Russell said there has never been a bigger need for substitutes than there is right now. He said the availability of

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substitutes could force us to go from all into a hybrid model. Mr. Russell asked the board to raise the substitute pay to \$100/day as the school is in a much higher demand for substitutes and needs a higher pool of substitutes, than before. He also asked the Board to allow the HR to seek out long term substitutes, he is looking to hire around 8-10 long term substitutes in the district. Ms. Langlais mentioned that we need to see what other towns are doing to be competitive with them but she would like to increase the pay. Mr. Russell said he would love to do some research and see what other towns are doing and then report back to the board for a final pay rate.

Ms. Langlais made a motion to allow the school to hire additional long-term substitutes and increase the pay for everyday substitutes, while keeping the \$10 increase if the substitute has a degree, second by Ms. LaMothe. Mr. Gasdia, aye, Mr. Beals, aye, Ms. LaMothe, aye, Ms. Langlais, aye. Motion passes 4-0.

Mr. Russell also mentioned that there was tremendous work done by John Pratte, Sarah Muncy, and Allison Jutras in the district. He said because of them we have all the PPE we could have asked for. Mr. Russell commends them for getting all the PPE and supplies and safety features that are needed. Mr. Russell went on to talk about the ventilation and he said the district does have an HVAC personnel that does maintain all the ducts and equipment. He has also involved UV lighting in the intake of the HVAC areas so they can see any bacteria. The UV lighting kills the bacteria before it enters the system. Mr. Russell said the last thing he would like to talk about is that they have found out that the two cohorts in k-12 had an imbalance with going by the current grouped last names. He said this is not in stone yet and they will let people know about this in time. He mentioned that there is a chance of one cohort being A-L and another cohort M-Z.

Ms. Langlais had a question if there was any resolution in regard to transportation. Mr. Russell said yes transportation will go whatever standard that we ask them too. So they are going to be wiping down after every run and then after every major run (morning and afternoon) they will do a deep clean. Mr. Russell said it's about \$80 for the whole bus fleet per shift, totally \$160 a day. He said he is fine with that cost. They are also looking into getting extra custodians and moving a lot of custodians who usually work at night and see if they want to work during the day and then having a deep cleaning crew at night. Ms. LaMothe then asked in regard to busses, if we are going to provide extra monitors so the bus driver can focus on driving and another person can keep an eye on the students to make sure they are following safety protocols. Mr. Russell said monitors are already on the busses for behavior issues and that this would continue with regards to behavior and for following safety protocols. Ms. LaMothe also questioned the expenses that we are starting to incur (additional subs, monitors, etc.), she mentioned that the CARES act money is running out and asked Mr. Russell if they are going to be tracking all of this. Mr. Russell assured that they are already doing this and keeping very specific records on the expenses incurring. He said with COVID and keeping schools open it's costing a lot of money. Ms. LaMothe then went on to ask if the district if they will be taking temperatures at the beginning of the day or throughout the day. Mr. Russell said the guidance of the school nurses said that this isn't a part of their guidance. Mr. Russell had also spoke with another medical professional who said temperatures are not reliable. He said other districts are along the same guidelines as well. Mr. Russell said the practice is going to be is to rely on the parents to check for symptoms and not send their child to school if they suspect any symptoms. Mr. Beals then asked if there would be an official communication that would go out to the families regarding the new procedures and policies. Mr. Russell said all this information will be put into the task force part of the website, for them to access but they will also push the information out too. Ms. Langlais said that putting all this information on the website is getting extremely overwhelming for many people to navigate to what they are looking for and sometimes brings up more questions. Ms. Langlais said it would be super helpful to have directions/pictures on paper for kids so they understand the safety measures they have to take. Mr. Russell said when we first started this there were so many things on the plate but now they are finally getting down to the thin of it all and it will soon be coming together like they had planned.

Mr. Gasdia appreciates all the questions that are coming from the board and how Mr. Russell is being very transparent. He also recommended sending something out to the public to say we know you are waiting on all this and

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we are working diligently on this etc. to keep everyone in the loop. Another thing Mr. Gasdia mentioned is that he would like to see in the next meeting is what the budget committee has been working on.

3. Assistant Superintendent Report: Ms. Organek said this is typically the busiest time of the year especially with all the new conditions happening. She said this Thursday and Friday is the new teacher orientation where the new teachers will learn everything they will need to know for the school year. Ms. Organek said they are still working on their curricular maps and pacing guides with all teachers across all grade levels and schools. This is going to ensure that they have consistent education across the district for teaching at all grade levels and each style of teaching. Ms. Organek said they are also preparing for back to school professional development that is happening next week and mentioned they still have lots to go through before that meeting. She said that they have 12 teachers that are taking the Harvard Graduate School course that is about online teaching and learning strategies and that is also completing next week and we will be incorporating what they have learned in that course into the professional development, as well as other tools. Ms. Organek mentioned she had spoken with Mr. Huguen and he was talking with her about his guidance counselors and how they are making sure that we will be reaching out and having contact with all students whether it's virtually or in person. She mentions that this will be a busy next couple of months to get us off the ground.

G. Board Member Comments:

Ms. Kara Roy: Said the town is slowly getting back to normal. She said one of the things that is going forward is the recreation soccer program and information on that can be found online. She mentions that there is a state primary coming up on September 8th and in person voting will be held at the Community Center but they are encouraging people to apply for absentee ballots and more information on that can be found on the website under the town clerk section. She mentions to continue to wear a mask, social distance and wash your hands.

Mr. Ethan Beals: Thanked his friends from HCTV for being here. He also commends Ms. Roy and the Board of Selectman for holding the recreation soccer program. He also encourages anyone who feels comfortable to enroll their child in the recreation soccer league.

Ms. Diana LaMothe: Mentioned a course that is going on right now is a program that is scheduled on WMUR tonight called New Hampshire return to learning and mentions that it will have some interesting information. She is also amazed at everything that is being done on every level. She said family safety is the number one priority and we will get through this together.

Ms. Patty Langlais: Wanted to ask the parents to understand that they hear you, they read everything, and are asking for patience from the parents. She said if you know me then you know I love your children and everyone in this school district loves your children and wants what's best and that is what everybody is trying to do.

Mr. Gary Gasdia: He wanted to Echo some of the other comments that have been made. He wants to thank a lot of people, the leadership team for everything they have done since March. He also wants to thank the parents for making choices on what type of learning their child will go through and admits to it being a very hard decision. He also really appreciates that the teachers are all in, they are willing to do what is needed to make sure the students are well educated.

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H. Upcoming Meetings

Meeting	Date	Time	Location	Purpose
School Board	9/14/2020	6:30 pm	Community Center	Regular Meeting
School Board	9/28/2020	6:30 pm	TBD	Regular Meeting

I. Non-Public Session:

Mr. Gasdia made a motion to enter a non-public session according to RSA 91-A:3 (b, c) at 7:40 pm, second by _____ . Roll call vote, Mr. Beals, aye, Ms. LaMothe, aye, Ms. Langlais, aye, Mr. Gasdia, aye. Motion passes 4-0.

Respectfully submitted,

Amanda Gage (public)

Hudson School Board
September 23, 2020
Remote 12:00 pm

Hudson School District
Hudson School Board Meeting
Draft Minutes

Present:

Dr. Darcy Orellana, Board Chairman
Ms. Diana LaMothe
Mr. Ethan Beals
Mr. Larry Russell, Superintendent

A. Call to Order: Board Chair Dr. Orellana called the meeting to order.

B. Non-Public Session:

Ms. LaMothe made a motion to enter non-public session according to RSA 91-A:3(c) at 12:02 pm, second by Mr. Beals. Roll call vote, Dr. Orellana, aye, Ms. LaMothe, aye, Mr. Beals, aye. Motion passes 3-0.

Ms. LaMothe moved to accept the resignation of Susan Hickey, second by Mr. Beals. Roll call vote: Mr. Beals, aye; Dr. Orellana, aye; Ms. LaMothe, aye. Motion passes 3-0.

Mr. Beals moved to exit non-public and adjourn, second by Ms. LaMothe. Motion passes 3-0. Roll call vote: Mr. Beals, aye; Dr. Orellana, aye; Ms. LaMothe, aye. Motion passes 3-0.

C. Adjourn

Meeting adjourned at 12:18 pm.

Respectfully submitted,

Lawrence Russell

BUILDING COMMITTEE
September 3, 2020

CTE Career Center

7:45-9:00 a.m.

MINUTES

In attendance: Steve Beals (Chair), Len Lathrop, Kara Saranich, Lee Lavoie, Gary Gasdia, Diana Lamothe, Ann Doane, Kevin Rauseo, Larry Russell, Kimberly Organek. Absent: John Pratte, Susan Hickey, Dave Ross.

Building Partners: Senan Murdock, Dan Calley, James Brennan, Bill Conte - Harvey Construction. Jay Doherty, Lance Whitehead - Lavalley-Brensinger

Meeting called to order at 7:45 a.m. by Steve Beals

- **Welcome: Steve**
Steve welcomed the attendees and informed the committee that Alvirne has an occupancy permit for the new spaces. There are also some temporary spaces that will move to their new homes later in the year.
- **Phase Two Phasing Plan: Steve**
Steve updated the committee with where we are and where we are going. He explained each building area and that we were able to start the B area 2 weeks earlier than planned. Heavy Equipment will move to the new heated garage until their space is ready starting in January 2021.
- **Motion to approve Phase Two Phasing Plan by Diana Lamothe and seconded by Gary Gasdia. No discussion. Unanimously Approved.**
- **Part Two Contractor Review and Approvals: Senan Murdock**
Senan presented a document for phase 2 with subcontractor costs. The trade companies were previously approved by the building committee. Many of these companies' costs did not increase for part 2. There were a few companies who increased the costs with a total increase of \$54,599. This will be covered by the contingency.
- **Motion to approve the Phase Two Subcontractors and Phase Two Added costs by Lee Lavoie, seconded by Kevin Rauseo. No discussion. Unanimously Approved. {\$54,599}**
- **Certificate of Occupancy Update: Bill Conte**

Bill Conte stated that we have the certificate of occupancy, the sprinkler system is 100%, fire alarms are updated, lights are on a generator in case of power loss and all state and local building codes have been met.

- **Budget Review:**
Lance Whitehead gave an overview of the Budget. The state gave us the money we expected, we have grant money, Trustee money and the school board used end of the year money to help support previously cut items. He also gave an overview of where the District contingency account stands.
- The Building Committee took a full site construction tour at 8:15am .
- The meeting was adjourned following the site tour at 9am.
- **Motion to adjourn by Lee Lavoie, seconded by Kara Saranich. Unanimously approved.**

Next meeting TBA.

From: [Steven Beals](#)
To: [Gail Porter](#); [Susan Hickey](#); [Lawrence Russell](#)
Cc: [Cynthia Mchickle](#); [Lise Tucker](#); [Leslie Reven](#)
Subject: 2021 Trustee Funded Projects
Date: Monday, August 10, 2020 7:47:30 AM

Good morning,

I am pleased to let you know that the Alvirne Trustees approved the following projects for 2020-2021 totaling \$130,000. In addition, they approved \$154,000 for the new greenhouse. They have made one payment of \$75,000 and the remaining balance can be added to the total.

We are forever grateful for the continued generosity of the Alvirne Trustees.

2020/2021 ALVIRNE TRUSTEE BUDGET

Principal Priority Proposals

Co-curricular Support Requests		\$ 21,000
Athletic Leadership	K. Bonney	\$ 2,000
Music Outreach	M. Gallagan	\$ 2,000
Class Act	J. Lafrance	\$ 2,000
DECA	S. Compagna	\$ 2,000
FFA	Jenny Beaudry	\$ 2,000
HOSA	TBA	\$ 2,000
Model UN	S. Rush	\$ 2,000
SKILLS USA	D. Bressler	\$ 2,000
Leo Club	L. Reven	\$ 2,000
Alvirne Hall of Fame Induction	S. Beals	\$ 1,000
Educator's Rising	K. Saranich	\$ 2,000
CTE Requests		\$ 55,000
School Sign	D. Jalbert	\$ 55,000
Alvirne Requests		\$ 35,000
Challenge Day	D. Wells	\$ 15,000
2- Pixellot Cameras	S. Beals	\$ 10,000
John Deere Gator	K. Bonney	\$ 10,000
Farm Requests		\$ 19,000
Hay Tedder	E. Nadeau	\$ 19,000
Total Funded		\$ 130,000

Steve Beals, Principal
 Alvirne High School
 Office 886-1260 x 75001
 Cell 809-7998

Carla A. Anger
5 Gillis Street
Hudson, NH 03051

September 15, 2020

Mr. Lawrence W. Russell, Jr., Superintendent
Hudson School District
20 Library Street
Hudson, NH 03051

Dear Superintendent Russell,

Per the SAU Manual, this letter is to inform you, that as of today, it is my intention to retire as Food Services Director of the Hudson School District, on August 1, 2021.

I have truly enjoyed working with the you, the School Board, Faculty, and Students of Hudson over the past 20 years. I am extremely proud of the accomplishments our team has garnered since 2000.

While I will enjoy my retirement, I will miss being part of an outstanding team of committed employees. I will also miss the friendships I have made with the members of the school community and many citizens of our district.

I will support the selection process of my successor in any way you choose and will work to make the transition to a new director as smooth as possible, including consulting and/or a mentorship. Later this year, I would also consider the option of a one year contract, if it were offered.

Sincerely,



Carla A. Anger
Food Services Director

RECEIVED

SEP 18 2020

SUPERINTENDENT'S OFFICE

Lawrence Russell & Susan Hickey
Hudson School District
20 Library Street
Hudson, NH 03051

16 September 2020

Larry and Sue –

I am submitting my formal resignation effective October 8, 2020 from my Finance Director position at the Hudson School District, SAU #81. I have accepted a position as the CFO at the YMCA of Greater Nashua.

I would like to express my gratitude for the opportunities the District has provided me over the past 2 years. I have enjoyed working with the team.

I will work over the next few weeks to ensure that the FY22 Budget is in a good place before I depart. I will also endeavor to make as many notes as possible for the tasks for which I have been responsible.

Thank you



Cynthia J. McNickle

RECEIVED

SEP 16 2020

SUPERINTENDENT'S OFFICE



August 20, 2020

Steven Beals
Alvirne High School
200 Derry Road
Hudson, NH 03062

Dear Steve,

Each year, Gateways Community Services recognizes an individual or organization in the Greater Nashua Community for their many years of service to individuals with disabilities with the Sandy Garrity Award.

In 1978, Sandy Garrity was the lead named plaintiff in the class action suit, "Garrity vs. Gallen." This class action suit was the event which led to the permanent closure of Laconia State School and Training Center – the first such closure in the country – and the development of the Area Agency system. As a result, Sandy Garrity, a native of Nashua, returned to her community and became a shining example of the success a developmentally disabled person could achieve if respected and given the opportunity to work and live as a valued member of the community.

We are pleased to inform you that the Administration of Alvirne High School has been selected to receive the 2020 Sandy Garrity Award during our Virtual Voices Fundraising Event on November 6, 2020.

The Administration of Alvirne High School has been chosen for this honor because of its dedication to the well-being of the elderly and disabled adults served in partnership with Gateways Adult Day Center over the last twenty years. Your response and dedication in assisting our clients is an admirable example of community partnership.

We are very pleased to present you with this well-deserved award.

Sincerely,

Sandra B. Pelletier
President & CEO
Gateways Community Services

*appreciate your
partnership with Gateways*