

# **Bethlehem Elementary School**

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## **Policies & Procedures Handbook**

# Table of Contents

Vision Statement	2	Testing	22
Mission Statement	2	Title IX Grievance Procedure	22
Philosophy	2	USDA Non-Discrimination Statement	23
School Board	2	Use of Restraints & Seclusion	23
Administration	2	Weapons on School Property	26
Asbestos Statement	2		
Bicycles	3		
Building Use	3		
Bullying	3		
Bus Transportation (Student Conduct)	3		
Child Abuse & Neglect Reporting	5		
Discipline & Due Process	5		
Equal Opportunity Statement	7		
Evacuation Drills	8		
FERPA	8		
Grade Placement	13		
Hazing Policy	13		
Insurance	14		
Notice of Rights for Special Education	14		
Parent's Right to Know	15		
Program of Studies	15		
Section 504	18		
Sexual Harrassment	19		
Suspension & Expulsion	22		

## **VISION STATEMENT**

At Bethlehem Elementary School, students will show individual academic growth as measured by benchmark assessments. Instruction will be data driven and provide opportunities for enrichment and intervention. This will be achieved through research-based teaching strategies, authentic learning tasks and experiences, as well as multiple opportunities for success.

## **MISSION STATEMENT**

Bethlehem Elementary School is committed to providing a safe, caring educational community where students

- Are encouraged to reach their full potential.
- Are active participants in the acquisition of the knowledge and skills necessary for future endeavors.
- Experience the joy of discovering and valuing themselves, others, and the world.
- Become informed, independent thinkers who contribute as local and global citizens.

## **PHILOSOPHY**

Bethlehem Elementary School is dedicated to the individualized educational development of all students. Furthermore, we are committed to the physical, moral, emotional, academic, aesthetic, and social growth of each and every student.

BES is resolved to provide diverse learning opportunities with focus on the individual. We strive to challenge students to develop the skills, knowledge, and talents to achieve their greatest potential to become contributing members of society. The involvement of parents and community members is vital to that development of our children.

## **SCHOOL BOARD**

Robert Weir - Chairperson  
Becky Beno  
Timothy Fleury  
James Noyes  
Jennifer Lucas

## **ADMINISTRATION**

Kate Harrington Segal, Superintendent of Schools  
Sue Greenlaw, Principal

## **ASBESTOS STATEMENT**

All schools in SAU #35 have been and will be inspected every three years for the presence of asbestos-containing materials. The condition of these materials will be reviewed every six months until they have been removed from the building. A plan has been developed for managing these materials while they remain in place. All reports and the asbestos areas are listed in the plan. This plan is on file at each school and can be reviewed during normal business hours.

## **BICYCLES**

Students using bicycles to go to and from school are urged to use extreme caution while riding on the sidewalks and side streets. **Students are asked not to ride while on the school grounds; rather, they should walk their bikes to the nearest sidewalk or safe area.**

It is the students' responsibility to lock their bikes in the racks on the side of the building.

## **BUILDING USE**

The Bethlehem School building may be used in accordance with school district policy. Permission is granted by the Principal and/or School Board. Keys are obtained from the school. A "Hold Harmless and Indemnity Agreement" has to be signed for each year. This form and the building use policy can be obtained from the school office.

## **BULLYING**

Any conduct, which subjects a student to insults, taunts, or challenges and is likely to intimidate or provoke a violent or disorderly response is bullying. Bullying has been identified as a form of pupil harassment under RSA 193-F and as such will not be tolerated or condoned by any school in SAU #35 (See Policy JICK).

Any student who believes they are or have been bullied or who witnesses or has reliable information that a student has been subjected to bullying should report such incident(s) to the school principal or guidance counselor. Once the school administration has received a report of bullying the Superintendent of Schools will be notified and an investigation in accordance with school procedures will be conducted.

If it is determined that a student has engaged in bullying conduct, that student will be subject to appropriate disciplinary action, which may include suspension and/or expulsion from school.

**Cyber-bullying** is described as sending or posting images or text using the Internet or other digital communication devices, such as cell phones, which are considered insults, threats, teases, taunts or challenges (See Policy JICK). Cyber-bullying may occur by using the Internet, personal websites (e.g. Tik Tok, Snapchat, Facebook, etc.), email, chat rooms, message boards, instant messaging or cell phones. Cyber-bullying is another form of bullying and harassment. If cyber-bullying impacts the school community or the ability of students to be successful in school, those students responsible will be disciplined according to the discipline policy.

## **BUS TRANSPORTATION (STUDENT CONDUCT)**

### **STUDENT CONDUCT ON BUSES:**

1. Students should conduct themselves in an orderly manner while waiting for the bus. All school regulations will be in effect during this time period.
2. Students will board the bus promptly. If crossing the road, the student must cross at least 10 feet in front of the bus when boarding and leaving. The student must go to his seat and remain seated while the bus is in motion. The driver is not responsible for waiting for the student who is not ready within the contracted time schedule.
3. While on the bus, the student is under the supervision of the driver. The bus driver may assign seats when necessary.
4. Students must obey any request or suggestion by the driver pertaining to safe student transportation.
5. Aisles are to be kept free from books, lunch boxes, coats or other objects. The emergency door must also be kept free of obstructions. The emergency door may not be opened without the permission of the driver.

6. A student shall not be discharged at any point other than his regular bus stop during the normal school day. At the end of the school day, students may be discharged at an alternate stop providing that the bus driver has received a written request from a parent or guardian, which has been approved by a school administrator; or written request initiated and approved by a school administrator upon a telephone request made by a parent or a guardian.
7. In the event a student misses a bus connection, he/she will be responsible for notifying school immediately.
8. Passengers may not use items such as radios, tape recorders, CD players, etc., as their sounds distract the bus driver. An exception to this policy will be made for such devices used solely with earphones.

#### **INFRACTIONS OF DISCIPLINE:**

1. In the event that an immediate suspension from the school bus is warranted, the principal, or designee, will notify the parents in a timely manner.
2. A warning notice will be sent to the parents on the student's first violation of conditions other than that of immediate suspension.
3. Any violation after the first warning will result in an automatic suspension from the school bus.
4. Habitual offenders will be suspended from the school bus by the building administrator for an indefinite period of time pending possible school board action, which may result in removal from the bus for the remainder of the school year.

#### **VIOLATIONS**

This list is not all-inclusive. Student actions, which may constitute a safety hazard, will result in suspension from the school bus upon the mutual agreement of the bus contractor and the building administrator and upon proper notification of parents.

#### **ONE WARNING GIVEN TO STUDENT AND PARENTS ON THE FIRST OFFENSE. SUBSEQUENT OFFENSES WARRANT A FIVE-DAY BUS SUSPENSION.**

1. General use of profanity or vulgarity.
2. Causing loud noises or disturbances that could distract the bus driver's attention from the road.
3. Standing or changing seats while the bus is in motion.
4. Bringing food(s) or beverage(s) onto the bus for consumption during travel.

#### **THE FOLLOWING VIOLATIONS MAY WARRANT AN IMMEDIATE TEN-DAY BUS SUSPENSION WITHOUT PRIOR WARNING. THE BUILDING PRINCIPAL WILL DETERMINE THE ACTUAL LENGTH OF THE SUSPENSION AFTER REVIEW OF ALL EVIDENCE.**

1. Fighting.
2. Use of or being under the influence of any intoxicating substance, i.e., alcohol, narcotics, or other drugs.
3. Use of any tobacco products.

4. Throwing any objects inside of the bus or out of the bus windows.
5. Showing disrespect to the bus driver in words or by actions.
6. Vandalism of the school bus or its contents. Full financial restitution will be required.

Bus suspension shall not begin until the next school day following the violation.

The student's school principal shall determine any further disciplinary action relative to the student's school activities.

School bus drivers must report all incidents in person to the school principal for disciplinary action. The following information must be submitted in writing to the principal: student's name, student's address, bus route number, date of the incident, brief description of the incident, driver's recommended action.

### **CHILD ABUSE AND NEGLECT REPORTING**

According to New Hampshire RSA 169:C, all education personnel are mandated to report suspected child abuse and neglect to the NH Division of Children and Youth Services (DCYS). Specifically, RSA 169:C requires school officials, or any person having reason to suspect that a child has been abused or neglected, to make a report to the NH Division of Children and Youth Services.

### **DISCIPLINE AND DUE PROCESS**

*See also JI, JIA, JIC, JICC, JICD, JICK*

#### Definitions

1. 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.
2. 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.
3. Detention means the student's presence is required during non-school hours for disciplinary purposes. 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.
4. An in-school suspension means the student will attend school but will be temporarily isolated from one or more classes while under supervision. An in-school suspension will not exceed ten consecutive school days.
5. An out-of-school suspension means the temporary denial of a student's attendance at school for a specific period of time for gross misconduct or for neglect or refusal to conform to school rules or policies.
6. A restriction from school activities means a student will attend school and classes and practice but will not participate in school extra-curricular activities.
7. 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.
8. 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.

#### 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.

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 behavior probation 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, violates other board Policies or is otherwise inappropriate is prohibited.

Process for Out-of-School Suspension:

The power of suspension is authorized as follows:

1. The building principal is authorized to suspend a student for 10 school days or less for gross misconduct or for neglect or refusal to conform to school district policies or rules. The principal shall consult with the Superintendent prior to issuing any suspension.
  - A. Pursuant to Ed 317.04(a)(1), a suspension of 10 school days or less shall be considered a “short-term suspension” and may be issued for gross misconduct or for neglect or refusal to conform to the reasonable rules of the school under RSA 193:13.I.
2. The Superintendent is authorized to continue the suspension of a pupil for a period in excess of 10 school days. Prior to this extended suspension, the Superintendent will provide an informal hearing on the matter. The informal hearing need not rise to the level and protocol of an official hearing before the school board.
  - A. Pursuant to Ed 317.04(a)(2), a suspension in excess of 10 school days shall be considered a “long-term suspension” and may be issued for an act of theft, destruction, or violence as defined in RSA 193-D, or for possession of a pellet paint ball gun or BB gun or rifle under RSA 193:13.II.
3. Any suspension in excess of 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 10 days after the issuance of the Superintendent’s decision described in Paragraph 2. Any suspension in excess of 10 school days shall remain in effect while this appeal is pending.
4. Due process standards for short-term suspensions (10 days or less) will adhere to the requirements of Ed 317.04(d)(1).
5. Due process standards for long-term suspensions (more than 10 days) will adhere to the requirements of Ed 317.04(d)(2).

Process for Expulsion

1. Any pupil may be expelled by the School Board for gross misconduct, or for neglect or refusal to conform to District rules or policies, or for an act of theft, destruction, or violence, as defined in RSA 193-D:1, or for the possession of a pellet or BB gun, rifle, or paint ball gun.
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 12 months.
3. The District will ensure that the due process standards set forth in Ed 317.04(d)(3) are followed.
4. The Superintendent is authorized to modify the expulsion requirements of any student on a case-by-case basis.

**Legal References:**

*RSA 193:13, Suspension & Expulsion of Pupils*  
*NH Code of Administrative Rules, Section Ed 306.04(a)(3), Student Discipline*  
*NH Code of Administrative Rules, Section Ed 306.04(f), Student Discipline*  
*NH Code of Administrative Rules, Section Ed 317.04, Standards and Procedures For Suspension and Expulsion of Pupils Assuring Due Process*

*Board Approved*

**Student Conduct**

*See also JIA, JICD, JICDD, JICK*

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 discipline for off-campus behavior in accordance with the provisions of Policies JICDD and JICK.

Terms and levels of discipline are established in Policy JICD. 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.

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.

Detention means the student's presence is required during non-school hours for disciplinary purposes. 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.

An in-school suspension means the student will attend school but will be temporarily isolated from one or more classes while under supervision. An in-school suspension will not exceed ten consecutive school days.

An out-of-school suspension means the temporary denial of a student's attendance at school for a specific period of time for gross misconduct or for neglect or refusal to conform to school rules or policies.

A restriction from school activities means a student will attend school and classes and practice but will not participate in school extra-curricular activities.

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.

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.

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.

Following the suspension of a special education student, an informal evaluation of the student's placement will take place. The Individual Education Program (IEP) is evaluated to determine whether it needs to be changed or modified in response to the behavior that led to the suspension.

If a special education student's suspensions, either in or out of school, equal ten days on a cumulative basis, a staffing team will meet to determine whether the IEP is appropriate.

It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

**Legal References:**

*RSA 193:13, Suspension and Expulsion of Pupils*

*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*

Board Approved

**EQUAL OPPORTUNITY STATEMENT**

Please be advised that the Bethlehem Elementary School provides for all children to have an equal opportunity to all programs and does not discriminate on the basis of color, sex, religion, national origin, or handicap.



## **EVACUATION DRILLS**

The students' safety is the priority during evacuation drills. Students must follow the directions of their adult supervisors. Students will walk in a single line to the door that is assigned to their class, moving quietly, orderly and safely away from the building. As soon as the building is cleared, the students will return to their classes.

Bus evacuation drills are also conducted at school during the year. Students will be assisted out of the rear emergency door or directed out of the bus by the bus driver. A school official will supervise these drills.

## **FERPA**

### **STUDENT RECORDS AND ACCESS**

*JRA Category: Recommended*

*Related Policies: EHB & JRC*

- A. General Statement.** It is the policy of the School Board that all school district personnel will follow the procedures outlined herein as they pertain to the maintenance of student records. Furthermore, it is the policy of the School Board that all school district personnel will follow the provisions of the Family Educational Rights Privacy Act (FERPA) and its corresponding regulations.
- B. "Education Record".** For the purposes of this policy and in accordance with FERPA, the term "educational record" is defined as all records, files, documents and other material containing information directly related to a student; and maintained by the school district; or by such other agents as may be acting for the school district. Such records include, but are not limited to, completed forms, printed documents, handwriting, videotape, audiotape, electronic or computer files, film, print, microfilm and/or microfiche. Educational records do not include records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute.
- C. "Directory Information".** For the purposes of this policy, and in accordance with the provisions of FERPA and New Hampshire RSA 189:1-e, the term "directory information" means:
1. Students' name(s), address(es), telephone number(s), and date(s) of enrollment;
  2. Parents'/guardians' name(s) and address(es);
  3. Students grade levels, enrollment status and dates of attendance;
  4. Student photographs;
  5. Students participation in recognized school activities and sports;
  6. Weight and height of members of athletic teams;
  7. Post-high school plans; and
  8. Students' diplomas, certificates, awards and honors received.

Except for elements of a student's directory information which the student's parents or an eligible student has notified the District not to disclose, the District may release or disclose student directory information without prior consent of the student's parents/eligible students. Within the first three weeks of each school year, the District will provide notice to parents/eligible students of their rights under FERPA and that the District may publish directory information without their prior consent. Parents/eligible students will be given until the end of the second week of school to notify the District in writing of any or all directory information items that they refuse to permit the District to release or

disclose. Notice from a parent/eligible student that any or all directory information shall not be released will only be valid for that school year and must be re-issued each school year.

- D. "Personally Identifiable Information".** "Personally identifiable information" is defined as data or information which makes the individual who is the subject of a record known, including a student's name; the student's or student's family's address; the name of the student's parent or other family members; a personal identifier such as a student's Social Security number; the student's date of birth, place of birth, or mother's maiden name. "Personally identifiable information" also includes other information that, alone or in combination, is linked or linkable to a specific student, that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with a reasonable certainty or other information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.
- E. Annual Notification/Rights of Parents and Eligible Students.** Within the three weeks of each school year, the District will publish notice to parents and eligible students of their rights under State law, Federal law, and this policy. The District will send a notice listing these rights home with each student. The notice will include:
1. The rights of parents or eligible students to inspect and review the student's education records;
  2. The intent of the District to limit the disclosure of information in a student's record, except: (a) by the prior written consent of the parent or eligible student; (b) as directory information; or (c) under certain, limited circumstance, as permitted by law;
  3. The right of a student's parents or an eligible student to seek to correct parts of the student's educational records which he/she believes to be inaccurate, misleading, or in violation of student rights; this includes a hearing to present evidence that the records should be changed if the District decides not to alter them according to the parent's or eligible student's request;
  4. The right of any person to file a complaint with the United States Department of Education if the District violates FERPA; and
  5. The procedure that a student's parents or an eligible student should follow to obtain copies of this policy.
- F. Procedure To Inspect Education Records.** Parents or eligible students may inspect and review that student's education records. In some circumstances, it may be more convenient for the record custodian to provide copies of records.

Since a student's records may be maintained in several locations, the school Principal may offer to collect copies of records or the records themselves from locations other than a student's school, so that they may be inspected at one site. If parents and eligible students wish to inspect records where they are maintained, school Principals will determine if a review at that site is reasonable.

Although not specifically required, in order that a request is handled in a timely manner, parents/eligible students should consider submitting their request in writing to the school Principal, identifying as precisely as possible the record or records that he/she wishes to inspect. The Principal will contact the parents or the eligible student to discuss how access is best arranged for their inspection or review of the records (copies, records brought to a single site, etc.).

The Principal will make the needed arrangements as soon as possible and notify the parent or eligible student of the time and place where the records may be inspected. **This procedure must be completed within fourteen (14) days that the request for access is first made.** *Note: the fourteen (14) day limit is required under New Hampshire RSA 189:66, IV, in contrast to the forty-five (45) day period otherwise allowed under FERPA.*

If for any valid reason such as the parent's working hours, distance between record location sites or the parent or student's health, a parent or eligible student cannot personally inspect and review a student's education records, the Principal may arrange for the parent or eligible student to obtain copies of the records.

When records contain information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the records of the other students. If such records do contain the names of other students, the Principal will seek consultation with the Superintendent and/or the District's attorney to determine how best to proceed. *Where practicable, it may be necessary to prepare a copy of the record which has all personally identifiable information on other students redacted, with the parent or eligible student being allowed to review or receive only a copy of the redacted record. Both the original and redacted copy should be retained by the District.*

**G. Procedures To Seek To Correction of Education Records.** Parents of students or eligible students have a right to seek to change any part of the student's records which they believe is inaccurate, misleading or in violation of student rights. FERPA and its regulations use both "correct/ion" and "amend". For the purposes of this policy, the two words (in all of their respective forms) shall mean the same thing unless the context suggests otherwise. To establish an orderly process to review and correct (amend) the education records for a requester, following processes are established.

1. **First-level decision.** When a parent or eligible student finds an item in the student's education records that he/she believes is inaccurate, misleading or in violation of student rights, he/she should submit a written request asking the building Principal to correct it. If the records are incorrect because of clear error and it is a simple matter to make the change, the Principal should make the correction. If the records are changed to the parent's/eligible student's satisfaction, both parties shall sign a document/form stating the date the records were changed and that the parent/eligible student is satisfied with the correction.

If the Principal believes that the record should not be changed, he/she shall:

- a. Provide the requester a copy of the questioned records at no cost;
  - b. Ask the parent/eligible student to initiate a written appeal of the denial of the request for the change, which will be forwarded to the Superintendent;
  - c. Forward the written appeal to the Superintendent; and
  - d. Inform the parents/eligible student that the appeal has been forwarded to the Superintendent for a decision.
2. **Second-level decision.** If the parent/eligible student wishes to challenge the Principal's decision to not change the student record, he/she may appeal the matter to the Superintendent. The parent/eligible student shall submit a written request to the Principal asking that the matter be appealed to the Superintendent. The Principal will forward the appeal to the Superintendent.

The Superintendent shall, within ten (10) business days after receiving the appeal:

- a. Review the request;
- b. Discuss the request with other school officials;
- c. Make a decision whether or not to make the requested correction to the educational record;
- d. Schedule a meeting with the parents/eligible student if the Superintendent believes such a meeting would be necessary; and
- e. Notify the parents/eligible student of the Superintendent's decision on their request to correct the student's educational record.

If the Superintendent determines the records should be corrected, he/she will make the change and notify the parents/eligible student in writing that the change has been made. The letter stating the change has been made will include an invitation for the parent/eligible student to inspect and review the records to verify that the records have been corrected and the correction is satisfactory. If the records are changed to the parent's/eligible student's satisfaction, both parties shall sign a document/form stating the date the records were changed and that the parent/eligible student is satisfied with the correction.

If the Superintendent determines the records will not be corrected, he/she will notify the parents/eligible student in writing of his/her decision. Such a letter will also notify the parents/eligible student of their right to an appeal hearing before the School Board.

3. **Third-level decision.** If the parents or eligible student are not satisfied with the Superintendent's decision, they may submit a written request for a hearing before the School Board. The parents/eligible student shall submit the request for a hearing with the Superintendent within ten (10) business days of the date of the Superintendent's written decision in level-two. The Superintendent will inform the School Board of the request for a hearing and will work with the School Board to schedule a hearing within forty five (45) days of receipt of the request. Once the meeting is scheduled, the Superintendent will inform the parents/eligible student in writing of the date, time and place of the hearing.

The hearing will be held in a non-public session consistent with the provisions of RSA 91-A:3, unless the parent/eligible student requests that the hearing be held in public session. The School Board will give the parent/eligible student a full and fair opportunity to present evidence relevant to the issues raised under their request. The parents/eligible students may be assisted or represented by one or more individuals of their own choice, including an attorney.

The School Board will issue its final decision in writing within thirty (30) days of the hearing, and will notify the parents/eligible student thereof via certified mail, return receipt requested. The School Board will base its decision solely on the evidence presented at the hearing. The School Board's written decision will include a summary of the evidence and the reasons for its decision.

If the School Board determines that the student record should be corrected, it will direct the Superintendent to do so as soon as possible. The Superintendent will then contact the parents/eligible student for a meeting so they can review and inspect the records to verify that they have been corrected. At this meeting, both parties shall sign a document/form stating the date the records were corrected and that the parent/eligible student is satisfied with the correction.

The School Board's decision will be final.

4. **Parent/Eligible Student Explanation to be Included in Record.** Notwithstanding the resolution of any request to correct a student's record(s), in accordance with section (a)(2) of FERPA, a parent or eligible student may insert into that student's educational record a written explanation respecting the content of the record.

**H. Disclosure of Student Records and Student Information.** In addition to directory information, the District may disclose student records and student information without consent to the following parties on the condition that the recipient agrees not to permit any other party to have access to the released information without the written consent of the parents of the student, and under the conditions specified.

1. *School officials with a legitimate educational interest.* School officials with a legitimate educational interest may access student records. "Legitimate education interest" refers to school officials or employees who need to know information in a student's education record in order to perform the employee's employment responsibilities and duties.
2. *Other schools into which a student is transferring or enrolling,* upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record. This exception continues after the date that a student has transferred
3. *Officials for audit or evaluation purposes.*
4. *Appropriate parties in connection with financial aid.*
5. *Organizations conducting certain studies for, or on behalf of the School District.* Student records or student information will only be provided pursuant to this paragraph if the study is for the purpose of: developing, validating or administering predictive tests; administering student aid programs; or improving instruction. The recipient organization must agree to limit access to the information and to destroy the information when no longer needed for the purpose for which it is released.

6. *Accrediting organizations.*
7. *Judicial orders or lawfully issued subpoenas*, upon condition that parents and the student are notified of all such orders or subpoenas in advance of compliance therewith by the District, except when a parent is a party to a court proceeding involving child abuse or neglect or dependency. The Principal shall consult with the Superintendent and legal counsel as needed to ensure compliance with the judicial order and applicable law.
8. *Health and safety emergencies.*

**I. Maintenance of Student Records and Data.** The Principal of each building is responsible for record maintenance, access and destruction of all student records. All school district personnel having access to records shall place great emphasis upon privacy rights of students and parents.

All entries into student records must be dated and signed by the person access such records.

The principal will ensure that all records are maintained in accordance with applicable retention schedules as may be established by law.

**J. Disclosures Made From Education Records.** The District will maintain an accurate record of all requests for it to disclose information from, or to permit access to, a student's education records and of the information it discloses and persons to whom it permits access, with some exceptions listed below. This record is kept with, but is not a part of, each student's cumulative school records. It is available only to the record custodian, the eligible student, the parent(s) of the student or to federal, state or local officials for the purpose of auditing or enforcing federally supported educational programs.

The record includes:

1. The name of the person who or agency which made the request;
2. The interest which the person or agency has in the information;
3. The date on which the person or agency made the request;
4. Whether the request was granted and, if it was, the date access was permitted or the disclosure was made; and
5. In the event of a health and safety emergency, the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and the parties to whom the agency or institution disclosed the information.

The District will maintain this record as long as it maintains the student's education record. The records do not include requests for access or information relative to access which has been granted to parent(s) of the student or to an eligible student; requests for access or access granted to officials of the District who have a legitimate educational interest in the student; requests for, or disclosures of, information contained in the student's education records if the request is accompanied by the prior written consent of a parent/eligible student or if the disclosure is authorized by such prior consent or for requests for, or disclosures of, directory information designated for that student.

The records of a request for the correction of an educational record, including any appeal of a denial of that request, if the educational record is ultimately corrected shall not be treated as part of the educational record of the student and shall be preserved separately.

**Legal References:**

*RSA 91-A:5,III, Exemptions, Pupil Records*

*RSA 189:1-e, Directory Information*

*RSA 189:66, IV, Data Inventory and Policies Publication*

*20 U.S.C. §1232g, Family Educational Rights and Privacy Act*

*34 C.F.R. Part 99, Family Educational Rights and Privacy Act Regulations*

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**NHSBA history:** Revised – May 2018; September 2009; November 2006; March 2005; April 2004

**NHSBA revision note, May 2018:** This update to JRA includes several important modifications to reflect (1) a state requirement that Districts respond to parent requests for access to their student's records within **fourteen (14)** days; (2) to remove birth date/place of birth information from the list of "directory information"; and several other content changes to better reflect the requirements of FERPA and applicable regulations. We have also added "post-high school plans" to the list of items included as directory information.

**NHSBA adoption considerations:** As noted, this update includes a removal of a student's birth date and place of birth from the list of data included as "directory information" (section C). The reason for this is to limit the potential for identity theft. There is, however, no prohibition to including that information. Also, neither FERPA, nor State law, require that a request to inspect records or for copies of records be submitted in writing. **Staff should be trained (as they should be with Right to Know requests)** to direct parents/eligible students to appropriate forms, procedures and/or personnel, but to also be prepared to process the request whether it is in writing or not.

w/p-update/2018spring/JRA Student Records 2018-5(f)

First Reading: August 28, 2018

Second Reading: September 11, 2018

Approval: September 11, 2018

### **GRADE PLACEMENT**

The following is a summary of what are the most reasonable means of assigning the students to classrooms, some of which may contain students of two grades. This is an effort to lower the pupil/teacher ratio, thereby more adequately serving all students' needs.

1. The current teacher will recommend classroom placement and promotion of students on the basis of a combined evaluation of individual classroom performance, current reading level, math level, achievement tests (where appropriate) and peer relations
2. The administrator will consult with the teachers and make the final administrative placement.
3. Classroom assignments will be indicated in August.
4. If the school team (teachers, counselors, principal) recommends that a student be retained but the parents refuse permission for the retention, the student will be placed in the grade desired by the parent. A letter stating the school's position and recommendation will be placed in the student's file.

### **HAZING POLICY**

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

Hazing is defined as 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.

"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 is conditioned, directly or indirectly, shall be presumed to be a forced activity, even if the student willingly participates in such activity.

Students or employees who violate this policy will be subject to disciplinary action, which may include expulsion for students and employment termination for employees.

**Legal Reference:**

*RSA 631:7, Student Hazing*

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

## **INSURANCE**

School insurance is available to all students on a school-time plan or a twenty-four hour plan. Forms are sent home early in the school year and parents are given the choice of taking or rejecting the insurance. The school has no direct connection with the insurance company. All claims are handled by the parents, except for the portion to be completed by the Principal.

## **NOTICE OF RIGHTS PURSUANT TO RSA 186-c:16-B STATUTE OF LIMITATIONS FOR SPECIAL EDUCATION CLASSES**

The state and federal education laws (NH Revised Statutes Annotated Chapter 186-C and Title 20, United States Code, Sections 1400-1415) require that the school district offer a "free and appropriate public education" to all educationally disabled children.

These statutes define educationally disabled children as children suffering from certain enumerated disabilities who are between the ages of three and twenty-one and who have not yet obtained a high school diploma.

A "free and appropriate education" consists of specially designed instruction and educationally related services in accordance with an "individualized education program" developed by the school district in consultation with the student's parents.

If you suspect that your child is educationally disabled and qualifies for such special services, you may make a written referral requesting that the school district determine your child's eligibility. Such referrals should be addressed to the Special Education Contact Person at your local school.

Allison Culver or Abbie Vashaw  
Special Education Coordinator  
Bethlehem Elementary School  
2297 Main St., Bethlehem, NH 03574  
603-869-5842

## **PARENT'S RIGHT-TO-KNOW**

*Title I, Part A of ESSA (Every Student Succeeds Act of 2015)*

### **Parent's Right to Know- (Section 1112(e)(1)(A-B))**

**Qualifications:** At the beginning of each school year, A LEA that receives Title I funds must notify parents of each student attending any Title I school that the parents may request, and that the agency will provide the parents on request (and in a timely manner) information regarding the professional qualification of the student's classroom teachers, including at minimum the following:

- Whether the teacher has met State qualifications for the grade levels and subject areas in which the teacher provides instruction;
- Whether the teacher is teaching under emergency or other professional status that the State has waived;
- Whether the teacher is teaching in the field of discipline of the certification of the teacher; and
- Whether the child is provided services by paraprofessionals and if so their qualifications.

**Additional Information-** A school that receives Title I funds **must provide to each individual parent-**

- Information on the level of achievement and academic growth the child, if applicable and available, has made on each of the state assessments required under this part; and
- Timely notice that the parent's child has been assigned or taught for 4 or more consecutive weeks by a teacher who does not meet the applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

**Format:** The notice and information provided to parents under this paragraph shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.

## **PROGRAM OF STUDIES**

### **Competency and Standards Based Grading**

The purpose of the new reporting system is to provide parents, teachers and students with more accurate information about students' progress toward meeting the specific content standards for the various subjects taught at each grade level. By monitoring the concrete skills and knowledge listed on the report card, we will know whether all students are being exposed to the same curriculum and learning what they should in each grade.

The new system also should help us close the gap in achievement among different groups of students. And, parents will be more aware of what their children should know and be able to do by the end of each grade level.

### **What is competency-based education?**

Under a competency-based education system, learners advance through content or earn credit based on demonstration of proficiency of competencies rather than seat time.



**What is standards-based grading?**

Standards-based grading “involves measuring students’ proficiency on well-defined course objectives.” (Tomlinson & McTighe, 2006). Standards-based reporting involves reporting these course objectives rather than letter grades at the end of each grading/reporting period.

A standards-based grading (SBG) philosophy is similar, but not synonymous with, the idea of competency-based education (CBE). SBG is a way of thinking about grading and assessment that more clearly communicates with parents and students how well learners currently understand the course objectives/standards/competencies. CBE is a system in which students move from one level of learning to the next based on their understanding of pre-determined competencies without regard to seat time, days, or hours. A competency-based system may utilize a standards-based report card to communicate student learning; however, the two educational terms are not, by definition, the same.

The visual below compares traditional grading with standards-based grading practices.

Traditional Grading System	Standards-Based Grading System
1. Based on assessment methods (quizzes, tests, homework, projects, etc.). One grade/entry is given per assessment.	1. Based on learning goals and performance standards. One grade/entry is given per learning goal.
2. Assessments are based on a percentage system. Criteria for success may be unclear.	2. Standards are criterion or proficiency-based. Criteria and targets are made available to students ahead of time.
3. Use an uncertain mix of assessment, achievement, effort, and behavior to determine the final grade. May use late penalties and extra credit.	3. Measures achievement only OR separates achievement from effort/behavior. No penalties or extra credit given.
4. Everything goes in the grade book – regardless of purpose.	4. Selected assessments (tests, quizzes, projects, etc.) are used for grading purposes.
5. Include every score, regardless of when it was collected. Assessments record the average – not the best – work.	5. Emphasize the most recent evidence of learning when grading.

Adapted from O’Connor K (2002). How to Grade for Learning: Linking grades to standards (2nd ed.). Thousand Oaks, CA: Corwin Press.

**GRADING RUBRIC- FOR BES HABITS OF LEARNING**

**Collaboration**

4 Exceeds expectations	Acts as a leader or exemplary team member Consistently provides thoughtful ideas in teams
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	Consistently values and encourages all members of teams
3 Meets expectations	A strong team member Provides thoughtful ideas in teams Values and encourages all team members
2 Emerging expectations	Participates minimally and requires some prompting as a team member Sometimes provides thoughtful ideas in teams Sometimes values and encourages all team members
1 Below expectations	Rarely participates in team activities Rarely provides thoughtful ideas in teams Rarely values and encourages team members

### Ownership

4 Exceeds expectations	Always punctual and prepared Consistently displays a positive attitude Always on task; Always strives to reach full potential Spends extra time to ensure tasks are well done Consistently follows directions accurately
3 Meets expectations	Punctual and prepared for class Stays on task; Strives to meet potential Completes tasks and meets deadlines Usually follows directions accurately
2 Emerging expectations	Occasionally punctual and prepared Shows improvement in displaying a positive attitude Sometimes stays on task; Beginning to strive to meet potential Inconsistent with task completion Occasionally follows directions accurately
1 Below expectations	Seldom punctual and prepared Rarely displays a positive attitude Needs to remain focused on task; Does not strive to meet potential Needs to complete tasks and meet deadlines Seldom follows directions accurately

### Achievement

4 Exceeds expectations	Initiates curiosity and interest in learning Independently engages in learning activities Consistently perseveres and problem solves Demonstrates resourcefulness and seeks assistance as necessary
3 Meets expectations	Demonstrates curiosity and interest in learning Engages in learning activities Demonstrates perseverance Demonstrates resourcefulness and seeks assistance as necessary

2 Emerging expectations	Occasionally demonstrates curiosity and interest in learning Sometimes engages in learning activities Occasionally perseveres Sometimes demonstrates resourcefulness and seeks assistance
1 Below expectations	Seldom demonstrates curiosity in learning activities Rarely engages in learning activities Lacks perseverance Rarely uses alternate resources to assist with learning

### **Respect**

4 Exceeds expectations	Seeks and accepts the opinions and input of others Consistently demonstrates both respectful and helpful behavior
3 Meets expectations	Listens and accepts the opinions of others Demonstrates both respectful and helpful behavior
2 Emerging expectations	Sometimes accepts others Sometimes demonstrates respectful and helpful behaviors
1 Below expectations	Usually ignores the opinions and input of others Needs improvement in demonstrating respectful and helpful behavior

### **SECTION 504 NON-DISCRIMINATION POLICY**

It is the policy of White Mountain School Administrative Unit SAU #35 not to discriminate on the basis of disability. SAU 35 adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act. Section 504 prohibits discrimination on the basis of disability in any program or activity receiving Federal financial assistance. The Law and Regulations may be examined in the office of, Sue Greenlaw, Interim Student Services Coordinator, 504 Coordinator, who has been designated to coordinate the efforts of Bethlehem Elementary School to comply with Section 504.

Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for anyone from Bethlehem Elementary School to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

**Procedure:**

- Grievances must be submitted to the Section 504 Coordinator within 10 days of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- The Section 504 Coordinator (or her/his designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 504 Coordinator will maintain the files and records of Bethlehem Elementary School relating to such grievances.
- The Section 504 Coordinator will issue a written decision on the grievance no later than 30 days after its filing.

- The person filing the grievance may appeal the decision of the Section 504 Coordinator by writing to the Superintendent within 15 days of receiving the Section 504 Coordinator's decision. The Superintendent shall issue a written decision in response to the appeal no later than 30 days after its filing.
- The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U. S. Department of Health and Human Services, Office for Civil Rights.

Bethlehem Elementary School will make appropriate arrangements to ensure that disabled persons are provided other accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements.

Section 504 Grievance Procedure. (n.d.) Retrieved from

<http://www.hhs.gov/ocr/civilrights/clearance/exampleofasection504grievanceprocedure.html>

Any person having inquiries regarding the compliance of Bethlehem Elementary School with the regulations or implementing of *Section 504 of the Rehabilitation Act of 1973* and the *Americans with Disabilities Act* is directed to contact:

Tammy Sanborn  
Section 504 Coordinator  
Bethlehem Elementary School  
2297 Main St., Bethlehem, NH 03574  
603-869-5842

## **SEXUAL HARASSMENT POLICY AND COMPLAINT PROCEDURE**

### **GENERAL STATEMENT OF POLICY:**

It is the goal of the Bethlehem School District to maintain a teaching and learning environment free from discrimination of any kind. Sexual harassment of any person is a form of discrimination and it will not be tolerated. Any person who sexually harasses another violates the law and risks disciplinary action that may include expulsion or termination of employment.

### **DEFINITION OF SEXUAL HARASSMENT:**

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment, academic standing or advancement, or participation in a school activity or program;

A person's submission to or rejection of such conduct is used as the basis for a decision affecting that person's employment, academic standing or advancement, or participation in a school activity or program; or

Such conduct has the purpose or effect of unreasonably interfering with a person's employment, academic progress or achievement, or school program or activity participation, or creating an intimidating, hostile, or offensive environment.

### **EXAMPLES OF SEXUAL HARASSMENT:**

Sexual harassment includes, but is not necessarily limited to, the following conduct:

Verbal harassment or abuse of a sexual nature;

Display of drawings, photos, cartoons, graffiti or other pictorial or written communication of a sexual nature;

Unwelcome touching of a sexual nature, including pinching, stroking, or grabbing;

Demands or requests for sexual contact or favors;

Unwelcome lewd remarks, stories, or jokes.

## **REPORTING PROCEDURES:**

Any person who witnesses or experiences an act of sexual harassment should report the act immediately.

**Initial Reports:** Any student who witnesses or experiences an act of sexual harassment should report it to a teacher or the district's Guidance Counselor. Any employee who witnesses or experiences an act of sexual harassment should report it directly to the Guidance Counselor. This initial report, whether by a student or an employee, may be verbal or in writing, and the use of a report form is not required. An act of sexual harassment should be reported as soon as possible after it occurs, and in any case within three (3) months after it occurs.

**Documentation of Initial Reports:** Any teacher, who receives a written report of sexual harassment, whether from a student or a district employee, shall within one (1) school day thereafter provide it to the Guidance Counselor or his designee. Any teacher, who receives a verbal report of sexual harassment, whether from a student or a district employee, shall within one (1) school day thereafter reduce it to writing and provide the written report to the Guidance Counselor. Failure to comply with the terms of this paragraph shall constitute a violation of this policy, and may be cause for disciplinary action

**Identification of the Guidance Counselor:** The district's Guidance Counselor is Tammy Sanborn. Her office is located on the main floor and her phone number is 869-5842. The Guidance Counselor shall have the authority to designate another member of the district administration or district faculty to accept or respond to specific complaints, and she shall have the obligation to do so if the complaining party requests it. In the event that a complaint involves the alleged conduct of the Guidance Counselor, the complaint should be made or reported directly to the Superintendent. Whenever this policy refers to the Guidance Counselor, the term includes her designee or successor. The district's Title IX Coordinators are Sue Greenlaw and Tammy Sanborn. Their office locations and phone numbers are the same as the Guidance Counselor's. In accordance with federal law, Sue Greenlaw and Tammy Sanborn have final responsibility for district compliance with this policy.

## **INVESTIGATIONS OF COMPLAINTS:**

**Informal Investigation:** The district recognizes that certain complaints, though serious, may be resolved without extensive and involved investigation. The Guidance Counselor may, within his or her discretion, do one or more of the following: discuss the complaint with the involved parties, mediate a resolution, obtain verbal or written apologies, and/or obtain assurances of future appropriate conduct. Regardless of the result, the Guidance Counselor shall make a written report of the steps taken and the result achieved.

**Formal Investigation:** In the event that an informal investigation fails to resolve a complaint to the satisfaction of the parties involved, or in any case in which the Guidance Counselor, because of the seriousness or repeated nature of the alleged conduct, determines that an informal investigation is not

appropriate or adequate, a formal investigation shall be undertaken. Such investigations may be undertaken or supervised by the Guidance Counselor, or in the appropriate case, the Superintendent. They may involve the use of outside professionals, such as attorneys or investigators, or in some cases, law enforcement personnel. In every case the Guidance Counselor or the Superintendent shall make a written report of the investigation and this report shall include all facts concerning the matter, the substance of statements made by the parties and witnesses, a summary of relevant documents, if any, and a description of the final determination recommended or imposed.

**Timetable for investigations:** Informal investigations shall be completed within ten (10) school days after the Guidance Counselor receives a complaint. Formal investigations shall be completed within thirty (30) school days after the Guidance Counselor receives a complaint. These time periods may be extended, in appropriate circumstances, and the reason for the extension shall be stated in the final report.

**Disclosure of Results of investigations:** Within ten (10) school days after the completion of an investigation, the Guidance Counselor or the Superintendent shall advise the complainant and the alleged perpetrator in writing of the steps taken in the investigation, whether the complaint was upheld, and if it was upheld, whether appropriate measures have been or will be taken to prevent a recurrence of the conduct. This report to the complainant shall not include the names of witnesses or the substance of their statements; in appropriate cases, it may disclose to the complainant the nature of the disciplinary or preventive measures taken against the perpetrator. The Guidance Counselor shall keep on file complete reports of all investigations of sexual harassment.

#### **THE RIGHT OF APPEAL:**

A person who complains of sexual harassment who is not satisfied with the result of an investigation may appeal in writing to the Superintendent, who will review the details of the report to determine the adequacy of the process and the conclusions reached. The Superintendent may, within his or her discretion, authorize or conduct further investigation. The Superintendent will advise the appealing party of his/her decision within thirty (30) school days after receipt of the appeal. If the appealing party is not satisfied with the Superintendent's determination, he or she may, within fifteen (15) calendar days after receiving the Superintendent's determination, request a hearing before the school board. Any such notice of a request for a hearing before the school board shall be in writing, shall be delivered to the Superintendent, and shall state the reasons for the appeal. The school board may, within their sole discretion, either convene as a committee-of-the-whole, or they may appoint a subcommittee for the purpose of conducting the hearing and rendering a decision. The hearing before the school board shall take place within thirty (30) days after delivery of the appealing party's request therefore, unless the appealing party waives this timeline. This policy shall not limit such reporting or appeal rights as any person may have under state or federal law. Nor shall this policy limit the right of any person to file a claim with the U.S. Department of Education Office of Civil Rights (John McCormack Post Office and Courthouse Building, Room 222, Boston, MA 02109) or the New Hampshire Human Rights Commission (163 Loudon Road, Concord, NH 03301-6053) or to seek redress in court under applicable state or federal laws or statutes.

#### **CONFIDENTIAL NATURE OF REPORTS AND INVESTIGATIONS:**

All reports and investigations of sexual harassment are confidential. This means that no district employee or administrator shall disclose the names of alleged victims and perpetrators to anyone except as may be necessary to conduct an appropriate investigation or to comply with state or federal law.

**RETALIATION:**

Retaliation against any person who complains of sexual harassment or assists in an investigation of a complaint of sexual harassment is a violation of this policy and may result in disciplinary action.

**SEXUAL HARASSMENT AS ABUSE:**

In certain circumstances, sexual harassment may also constitute child abuse or some other crime against the person of another. The district is subject to reporting obligations under the New Hampshire Child Protection Act and other state criminal codes, and nothing in this sexual harassment policy limits the school's obligation to report criminal conduct or to cooperate in criminal investigations conducted by law enforcement authorities.

**NOTICE OF NONDISCRIMINATION**

The Bethlehem School District does not discriminate on the basis of race, color, national origin, age, sex, or handicap in admission to, access to, treatment in, or employment in its programs and activities. The following person has been designated to handle inquiries regarding nondiscrimination policy:

Kate Segal, Superintendent  
262 Cottage Street, Suite 301  
Littleton, NH 03561  
(603) 444-3925

Inquiries concerning the application of nondiscrimination policies may also be referred to the Regional Director, Office for Civil Rights, CT.S. Department of Education, J.W. McCormack POCH, Room 222, Boston, MA 02109-4557.

**SUSPENSION AND EXPULSION**

The Superintendent of Schools authorizes the Principal to act on his behalf if it is necessary to suspend students. Students are responsible for making up the work missed while on suspension, and teachers may assist students when asked.

**TESTING**

Standardized testing is one measure used to assist teachers in planning instructional programs to meet the needs of students. Students' test results are shared with parents when received. Nationally normed, curriculum-based, formative assessments STAR and DIBELS may be administered three times yearly to help inform and enhance the level of instruction for each student.

**TITLE IX GRIEVANCE PROCEDURE**

Any student or employee of this district who believes he or she has been discriminated against, denied a benefit, or excluded from participating in any district education program or activity may file a written complaint with the Superintendent of Schools, who is the designated Title IX compliance administrator.

The compliance administrator shall review the complaint and respond to the complainant within ten days after receipt of the written complaint. A copy of the written complaint and the compliance administrator's

response shall be provided each member of the *Bethlehem Board of Education*. If the complainant is not satisfied with such response, he or she may submit a written appeal to the board.

The *Board of Education* shall consider the appeal at its next regularly scheduled board meeting following the receipt of the response. The *Board of Education* shall permit the complainant to address the Board in a public or closed session, as appropriate and lawful, concerning his or her complaint and shall provide the complainant with its written decision in the matter as expeditiously as possible following completion of the hearing.

### **USDA NON-DISCRIMINATION STATEMENT**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

1. mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;
2. fax: (202) 690-7442; or
3. email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

### **USE OF RESTRAINTS AND SECLUSION**

#### **JKAA**

#### **Definitions:**

1. (a) "**Restraint**" means bodily physical restriction, mechanical devices, or any device that immobilizes a person or restricts the freedom of movement of the torso, head, arms, or legs. It includes mechanical restraint, physical restraint, and medication restraint used to control behavior in an emergency or any involuntary medication. It is limited to actions taken by persons who are school or facility staff members, contractors, or otherwise under the control or direction of Bethlehem Elementary School.

(b) "Restraint" shall not include:

(1) Brief touching or holding to calm, comfort, encourage, or guide a child, so long as limitation of freedom of movement of the child does not occur.



(2) The temporary holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a child to stand, if necessary, and then walk to a safe location, so long as the child is in an upright position and moving toward a safe location.

(3) Physical devices, such as orthopedically prescribed appliances, surgical dressings and bandages, and supportive body bands, or other physical holding when necessary for routine physical examinations and tests or for orthopedic, surgical, and other similar medical treatment purposes, or when used to provide support for the achievement of functional body position or proper balance or to protect a person from falling out of bed, or to permit a child to participate in activities without the risk of physical harm.

(4) The use of seat belts, safety belts, or similar passenger restraints during the transportation of a child in a motor vehicle.

(5) The use of force by a person to defend himself or herself or a third person from what the actor reasonably believes to be the imminent use of unlawful force by a child, when the actor uses a degree of such force which he or she reasonably believes to be necessary for such purpose and the actor does not immobilize a child or restrict the freedom of movement of the torso, head, arms, or legs of any child.

2. "**Medication restraint**" occurs when a child is given medication involuntarily for the purpose of immediate control of the child's behavior.
3. "**Mechanical restraint**" occurs when a physical device or devices are used to restrict the movement of a child or the movement or normal function of a portion of his or her body.
4. "**Physical restraint**" occurs when a manual method is used to restrict a child's freedom of movement or normal access to his or her body.
5. "**Seclusion**" means the involuntary placement of a child alone in a place where no other person is present and from which the particular child is unable to exit, either due to physical manipulation by a person, a lock, or other mechanical device or barrier. The term shall not include the voluntary separation of a child from a stressful environment for the purpose of allowing the child to regain self-control, when such separation is to an area which a child is able to leave. Seclusion does not include circumstances in which there is no physical barrier between the child and any other person or the child is physically able to leave the place. A circumstance may be considered seclusion even if a window or other device for visual observation is present, if the other elements of this definition are satisfied.

### **Procedures for Managing The Behavior of Students:**

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

### **Circumstances in Which Restraint May Be Used:**

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

Restraint will only be used by trained school staff.

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

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

No period of restraint of a student may exceed 15 minutes without the approval of a supervisory employee designated by the director to provide such approval. No period of restraint of a student may exceed 30 minutes

unless an assessment of the mental, emotional, and physical well-being of the student is conducted by a trained and authorized employee.

**Circumstances in Which Seclusion May Be Used:**

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

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

Seclusion will be used only by trained school staff.

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

**Prohibition of Dangerous Restraint Techniques:**

The Bethlehem School Board recognizes and hereby prohibits the use of "dangerous restraint techniques" as defined in RSA 126-U:4.

**Reporting Requirements and Parental Notification:**

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

The building principal will, within 5 business days after the occurrence, submit a written notification/report to the Superintendent. The notification shall contain all the requirements and information as mandated by RSA 126-U:7, II. The Superintendent may develop a reporting form or other documents necessary to satisfy these reporting requirements.

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

If a school employee has intentional physical contact with a student in response to a student's aggressive misconduct or disruptive behavior, the building principal will make reasonable efforts to inform the student's parent or guardian as soon as possible, but no later than the end of the school day. The building principal will also prepare a written report of the incident within five (5) business days of the incident. The report will include information required under RSA 126-U:7, V.

**Transportation: (RSA 126-U:12)**

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

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

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

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

**NHSBA Note, September 2014:** Numerous changes to this policy are necessitated by legislative changes to RSA 126-U. Changes include:

Title of policy has changed.

"Seclusion" added to definitions.

Section titled "Circumstances in Which Restraint May Be Used" amended and redrafted in its entirety.

Section titled "Authorization and Monitoring of Extended Restraint" deleted in its entirety.

New section titled "Circumstances in Which Seclusion May Be Used" added.

Section titled "Prohibition of Dangerous Restraint Techniques" amended and redrafted in its entirety.

New paragraph added to end of section titled "Reporting Requirements and Parental Notification."

**Legal References:**

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

Revised: September 2014

Revised: May 2012

New Policy: September 2010

First Reading: June 3, 2015

Second Reading: November 16, 2015

Approval: November 16, 2015

## **WEAPONS ON SCHOOL PROPERTY**

### **Guns and Firearms - Students:**

Any pupil who brings or possesses a firearm as defined in section 921 of Title 18 of the United States Code in a safe school zone as defined in RSA 193-D:1 shall be expelled from school by the local school board for a period of not less than 12 months. This expulsion may be modified by the Superintendent upon review of the specific case in accordance with other applicable law.

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

Weapons under control of law enforcement personnel are permitted.

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

### **Other weapons:**

For the purposes of this policy, "weapon" includes but is not limited to: sling shot, metallic knuckles, billies, knives, electric defense weapons (as defined in RSA 159:20), aerosol self-defense spray weapons (as defined in RSA 159:20), and martial arts weapons (as defined in RSA 159:24).

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

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

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

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

The superintendent or other building administrator may exercise his/her best judgment in determining the scope of this policy as it relates to inadvertent or unintentional violations of this policy by adults, provided such inadvertent or unintentional violation of this policy does not affect the safety of students, school staff or the public.

**Legal References:**

*18 U.S.C. § 921, Et seq., Firearms*

*20 U.S.C. § 7151, Gun-Free Schools Act*