



SCHOOL ADMINISTRATIVE UNIT #51

23 Oneida Street, Unit 1
Pittsfield, New Hampshire 03263
Phone: (603) 435-5526 • Fax (603) 435-5331
Dr. Sandie MacDonald, Superintendent

PITTSFIELD SCHOOL BOARD
MEETING AGENDA

October 16, 2025, 5:30 P.M.
PMHS Media Center
Pittsfield Middle High School

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. REVIEW OF MANIFEST COMPLETED
4. ACTION ON AMENDED AGENDA
5. APPROVAL OF MINUTES – public and nonpublic minutes from October 2, 2025
6. PUBLIC INPUT- regarding agenda items only
7. SUPERINTENDENT OF SCHOOLS- Sandie MacDonald
8. REPORTS FROM THE ADMINISTRATION
9. SITE COUNCIL REPORT
10. SCHOOL BOARD ACTION AND INFORMATION ITEMS

Open Enrollment update

Fair Funding update

First Reading of Policies:

- JKAA – Use of Restraints and Seclusion
- BA – School Board Self Evaluation and Goal Setting
- BA-R (1) – School Board Self Evaluation and Goal Setting – Evaluation of School Board
- BA-R (2) - School Board Self Evaluation and Goal Setting – Individual Board Member Self-Evaluation Worksheet
- BBAA – School Board Member Authority
- BBBC – Board Member or District Resignation

- BBBD – Board Member Removal from Office
- BCA – School Board Member Ethics
- BCA-R (1) – School Board Member Ethics
- BGAA – Policy Development Adoption and Review
- BHC – Board Employee Communications

Second Reading and Adoption of Policies:

- AC – Non-Discrimination, Equal Opportunity Employment, Anti-Discrimination Plan
- AC-R (2) Non -Discrimination, Equal Opportunity, Anti-Discrimination Notice Contact Information (replacing former AC-E – Contact Information
- ACE – Procedural Safeguards: Nondiscrimination on the Basis of Disability (amend current policy)
- ACA – Discrimination and Harassment Grievance Procedure
- ACAC – Prohibition of Sexual Harassment: Policy and Grievance Procedure
- ACF – Food and Nutrition Services: Anti-Discrimination and Civil Rights Complaints
- ACN – Nursing Mothers
- JJA – Student Activities and Organizations
- JJA-R (1) – Student Activities and Organizations- Eligibility Standard
- JJIB – School - Sponsored Athletic Programs
- JJIC - Eligibility for Interscholastic Athletics – Grades 5-12
- JJJ – Access to Public School Programs for Nonpublic, Charter and Home-Educated Pupils
- JJ-R (1) – Access to Public School Programs by Nonpublic, Charter School and Home-Educated Pupils – Administrative Regulations

11. COMMITTEE ASSIGNMENTS

- Budget Committee: Sandra/Eric
- CIP and Facilities: Eric/Adam
- Negotiations: Tim and Molly
- Strategic Planning: Adam/Molly/Tim
- Policy Committee: Sandie, Administration team, Sandra

12. OLD BUSINESS: Instructional policies, district signage updates

13. PLAN AGENDA FOR NEXT MEETING – Special Budget Workshop/Work Session Meeting – October 23, 2025 at 5:30 p.m.

14. SELECTBOARD LIAISON

15. ADDITIONAL BUSINESS- To address items that may arise during the meeting or other items not on the agenda that Board members would like to discuss.

16. PUBLIC INPUT – The Board may accept the public's input that is addressed directly to the Chair in a courteous and respectful time frame of three minutes. The Board does not engage in discussion or answer questions during public comment. The Superintendent may be asked to follow up on specific concerns after the meeting.

17. NON-PUBLIC SESSION per RSA 91- A:3 – The Board may enter Nonpublic Session under RSA91-A:3 at any time during the meeting if needed.

18. ADJOURNMENT



SCHOOL ADMINISTRATIVE UNIT #51

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Pittsfield, New Hampshire 03263
Phone: (603) 435-5526 • Fax (603) 435-5331
Dr. Sandie MacDonald, Superintendent

PITTSFIELD SCHOOL BOARD **MEETING MINUTES**

October 2, 2025, 5:30 P.M.
PMHS Media Center
Pittsfield Middle High School

MEMBERS PRESENT: Sandra Adams, Chair
Molly Goggin, Vice Chair
Eric Nilsson
Timothy Robinson

OTHERS PRESENT: Dr. Sandie MacDonald, Superintendent
Dr. Erik Anderson, PMHS Principal
Melissa Brown, PMHS Assistant Principal
Kristen White, PES Principal
Jerrica Smith, M.Ed., Student Services Administrator
7 members of the public

1. CALL TO ORDER – 5:34 p.m. by Sandra Adams
2. PLEDGE OF ALLEGIANCE – led by Sandra Adams
3. ENERGY EFFICIENT INVESTMENTS (EEI) PRESENTATION - by Mike Davey. He described our obsolete 2001 thermostats at the high school, and a manual switch in the attic, so not well-ventilated. PES could use a rubber roof when eventually replaced closer to 2040. Mr. Davey shared a list of projects that we could prioritize in the two buildings and explained that most projects can be phased. Options would be to get a lease and do a whole project or bonding which would need a 3/5 vote and looking at energy rebates/state grants.
4. ACTION ON AMENDED AGENDA – Eric: water at Drake Field and fire drills; Kristen: recognition of the custodial staff on National Custodians Day; Sandie added an additional policy to be rescinded, IGDJ- Eligibility Requirements and adding policies JJA, , JJA-R (1), JJIB, JJIC, JJJ, and JJ-R (1) to First Readings of policies; Adam: who owns the propane tanks at PES? Molly made the motion, seconded by Eric to approve the amended agenda. Vote 4-0.

5. APPROVAL OF MINUTES – public and nonpublic minutes from September 18, 2025: Minutes were approved as amended with a motion by Eric, seconded by Molly. Vote 3-0-1 by adding the entering and exiting non-public times and who made the motions and who seconded. Also added submitted by Donna Keeley Sept. 21, 2025. Nonpublic minutes were read, VLAX changed to VLACS. Eric made the motion, seconded by Molly to approve the nonpublic minutes as amended. Vote 3-0-1. Eric made the motion, seconded by Molly to seal the nonpublic minutes. Vote 4-0.
6. PUBLIC INPUT- regarding agenda items only - Ray Benoit asked about the process re: when manifests were signed by the board members, and asked that we add that item to each agenda. Sandie explained that the manifests were not allowed to leave the office and that at least 2 board members signed after a review by the treasurer. Checks are not issued until the manifests have been signed.
7. BUDGET CALENDAR – 5:30 p.m. on October 23 and November 13th
8. SUPERINTENDENT OF SCHOOLS- Sandie MacDonald – report available with the Oct. 2 agenda
9. REPORTS FROM THE ADMINISTRATION - reports available with the Oct. 2nd agenda
10. SITE COUNCIL REPORT – site council met today – no further updates
11. SCHOOL BOARD ACTION AND INFORMATION ITEMS

Open Enrollment update – see Dr. MacDonald’s report

Fair Funding update – Molly met with Carly Prescott and will meet with the Commissioner of Education next week

The Board rescinded the following current policies on a motion made by Eric and seconded by Sandra. Vote 4-0.:

- ACAA – Harassment of Students
- ACAA-R1 – Student Discrimination and Harassment Complaint Procedure
- ACAA-R2 – Student Sex Discrimination Harassment Procedure
- ACAB – Harassment of Employees
- ACAB-R1 – Employee Discrimination and Harassment Complaint Procedure
- ACAB-R2 – Employee Sex Discrimination and Harassment Complaint Procedure
- AC-E- Contact Information
- IGDJ – Eligibility Requirements

First Reading of Policies:

- AC – Non-Discrimination, Equal Opportunity Employment, Anti-Discrimination Plan
- AC-R(2) Non -Discrimination, Equal Opportunity, Anti-Discrimination Notice Contact Information (replacing former AC-E – Contact Information)
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- JJ-R(1) – Access to Public School Programs by Nonpublic, Charter School and Home-Educated Pupils – Administrative Regulations

Second Readings and Adoption of Policies: On a motion made by Sandra and seconded by Eric, the following policies have been approved. Vote 4-0.

- DIA Fund Balances
- IJOC School Volunteers
- IJOC-R School Volunteers Form

12. COMMITTEE ASSIGNMENTS

- Budget Committee: Sandra/Eric
- CIP and Facilities: Eric/Adam - Retain Rymes propane tanks and lock in at \$1.61 and Rymes will provide an inspection. Mtgs at SAU office at 4:30 on 10/22, 11/12, and 12/10. Upstairs bathroom flooded at PES. Will file claim with Primex tomorrow. 12 foot section leak in the lecture hall – PMHS; no heat in girls' locker room. Jimmy fixed the stairway from Head Start to SAU.
- Negotiations: Tim and Molly – Meeting weekly
- Strategic Planning: Adam/Molly/Tim
- Policy Committee: Sandie, Administration team, Sandra – meeting once monthly rather than twice: 4:15 at the media center - 10/09, 11/13, and 12/11.

13. OLD BUSINESS: Jeff Martel will serve as the McKinney-Vento and Family Services Coordinator; district signage – Sandie shared 2 renderings: one for the SAU office and

one for the Pam Miller suite at PES, no updates on Drake Park signage; Instructional policies and J (student) policies.

14. PLAN AGENDA FOR NEXT MEETING – October 16, 2025 - accurate finance information

15. SELECTBOARD LIAISON – Art St. Laurent shared the \$7 million to fix the sewer treatment plant. Would like to do away with the Budget Committee, or could they be elected, or perhaps have a budget advisory committee instead. Helped with the sones at PMHS skate park; it is budget season; CIP.

16. ADDITIONAL BUSINESS- To address items that may arise during the meeting or other items not on the agenda that Board members would like to discuss. Cash flow is fine – one AC run this month. Any overspending is due to out-of- district expenses for special education.

17. PUBLIC INPUT – The Board may accept the public's input that is addressed directly to the Chair in a courteous and respectful time frame of three minutes. The Board does not engage in discussion or answer questions during public comment. The Superintendent may be asked to follow up on specific concerns after the meeting.

18. On a motion made by Sandra, seconded by Molly, the Board entered into Nonpublic session per RSA 91- A:3, II (b) and II (i) at 7:30 p.m. Roll call vote: Molly, Eric, Sandra, Tim: 4-0.

- 2 nominations brought forward by Dr. MacDonald:
- Julie Hoell for a one-year IDEA funded Special Education Administrator Consultant and to nominate Alex Desroisseaux to serve as the Family Support and Student Readiness Coordinator.
- Sandie also brought forward two Memorandums of Understanding: 1. between the Pittsfield School District and Pittsfield Police Department relative to the District's Emergency Operations Plan and 2. between the School District and Pittsfield Fire Department.
- We discussed progress re: negotiations.
- On a motion made by Sandra and seconded by Molly, we exited non-public at 8:22 p.m. Roll call vote: 4-0.

19. RESTART OF PUBLIC MEETING – 8:23 p.m.

Molly made the motion, seconded by Sandra to accept the 2 nominations; Julie Hoell and Alex Desroisseaux. Vote 4-0.

20. ADJOURNMENT – On a motion made by Eric, seconded by Molly, the meeting was adjourned at 8:24 p.m.

Submitted by Sandra Adams, Chair
October 3, 2025

Superintendent's Report - Pittsfield School Board Meeting

October 16, 2025

Operations and Facilities

The District submitted its updated Emergency Operations Plan (EOP) to the New Hampshire Department of Education and local emergency partners. This comprehensive submission reflects the collaborative work of school and district leadership to ensure our procedures meet current state and federal standards.

We also initiated competitive quote and bid processes for both door replacements and fuel services to maintain cost efficiency and ensure safety and reliability in our facilities. Preparations for winter operations are underway to ensure accessibility and safety through the colder months. Snow removal bids are due this week.

Financial Stewardship

The District has completed the DOE-25 for FY25 and closed all FY23, FY24 and expiring FY25 federal grants. All available federal grant funds were fully and strategically utilized for FY23, FY24, and FY25, ensuring no available funds were forfeited and maximizing the benefit to students.

In FY24, the District maximized \$447,276.10 in grant funding across Title I, Title II-A, Title IV-A, and IDEA allocations. For FY25, the District maximized \$614,382.90 in available federal and state grants, expanding resources for classroom instruction, professional development, student readiness, and special education supports.

We are now preparing for the upcoming federal grant audit and have begun aligning documentation and expenditure reports accordingly. Additional FY26 grant allocations are expected later this week, and preliminary planning has already identified how to best leverage those resources to sustain instructional and support services.

This proactive grant management continues to strengthen Pittsfield's fiscal position while reducing the local tax burden.

3. Policy and Governance

Significant progress has been made on the District's policy alignment initiative. The Restraint and Seclusion Policy (JKAA) has been updated to reflect the May 2024 NHSBA model, and accompanying procedures and forms are in final review. Work also continues on the "B" series of governance policies, which address Board authority, roles, and organizational procedures.

Chair Person Adams will provide an overview of the Policy Committee's progress during the Board meeting this evening. These updates reinforce our commitment to operating transparently and in compliance with current statute and best practice.

4. Teaching, Learning, and Student Services

The District continues to collaborate closely with the Special Education Department to ensure that all accommodations and services are being implemented appropriately and in the least restrictive environment (LRE), consistent with federal and state regulations under IDEA.

We are also reviewing opportunities to return students to in-district placements when appropriate, ensuring we can meet their educational and social-emotional needs while maintaining compliance with each student's individualized plan.

At Pittsfield Middle High School, administrators and staff are exploring innovative program options designed to support students who may need non-traditional pathways to graduation. The goal is to help each student develop both academic competencies and the life and career skills needed for success beyond high school as they approach their 19th birthday.

Community and Legislative Engagement

I met this month with local state representatives and leadership from the New Hampshire Department of Education to discuss issues of fiscal sustainability, local control, and the evolving needs of small rural districts. These conversations continue to emphasize the importance of collaborative problem-solving and maintaining strong relationships between schools, local government, and the state.

The District has also been invited to participate in the Lakes Region Collaborative for Community Schools (LRCCS) application process - a proposed regional special education charter school designed to serve students with intensive needs in a collaborative, cost-effective model. Participation would not require a financial commitment at this stage but would allow Pittsfield to remain part of the founding consortium during the application and planning phases.

If approved, this initiative could expand local access to specialized programming and services for students with significant disabilities, reduce costly out-of-district placements, and strengthen regional capacity to meet students' needs closer to home. I am seeking the Board's approval for Pittsfield to participate in the LRCCS application process.

Next Steps

- Finalize and present the Restraint & Seclusion Compliance Toolkit for Board review and staff training.
- Continue the review and revision of the "B" policy series.
- Begin FY26 budget development, incorporating grant maximization strategies and continued transparency.

- Await and allocate updated FY26 federal funding once released.
- Maintain ongoing collaboration with Special Education, building administrators, and Business Operations to ensure all systems remain aligned and student-centered.

Closing Reflection

October has been a month of steady progress and strengthened systems. From financial compliance to policy updates and program development, each effort contributes to a stable and sustainable foundation for the District. Our work remains guided by three priorities: clarity in governance, responsibility in resource management, and care for every student's success.

Respectfully submitted,

Dr. Sandie MacDonald
Superintendent

PITTSFIELD SCHOOL DISTRICT

SUPERINTENDENT'S ADDENDUM

October 16, 2025

Finance

- Budget Deficit Document Attached

Facilities & Operations

- Heating Fuel:

The District has locked in the FY26 heating oil rate with Burke Oil at \$2.869 per gallon. For comparison, the Town of Pittsfield locked in at \$2.936 with Dead River. The District previously secured a propane lock with Rymes at \$1.62 per gallon.

- Earth Quote:

The Earth quote was received and signed to proceed with the approved project scope.

Nonpublic Session Items

- Resignation:

One item for acceptance of a staff resignation.

- Negotiations:

One item for discussion related to ongoing collective bargaining negotiations.

Respectfully submitted,

Dr. Sandie MacDonald

Superintendent of Schools

Pittsfield School District (SAU 51)

Pittsfield School District		
Anticipated FY25 Budget Deficit		
Prepared: 10/16/25		
Fund Deficit 23/24		-\$220,278.00
Actual Revenue 24/25		\$11,637,116.00
Actual Expenditure 24/25		-\$12,050,200.00
		-\$413,084.00
Combined Fund Deficit		-\$633,362.00
Fund Deficit 23/24		-\$220,278.00
Est. Revenue	\$11,313,012.00	
Actual Revenue	\$11,637,116.00	
Revenue Balance		\$324,104.00
Est. Expenses	\$11,317,955.00	
Actual Expenses	-\$12,050,200.00	
		-\$732,245.00
*Use of Surplus 23/24		-\$4,943.00
**Deficit FY25		-\$633,362.00
*In 23/24 Fund Balance was returned to taxpayers. There was no fund balance so this became an expense to the General Fund		
**Unaudited. The FY25 Annual audit will confirm this amount.		

PES School Board Report

School: Pittsfield Elementary School

Principal Report – October 2025

1. Current Enrollment:

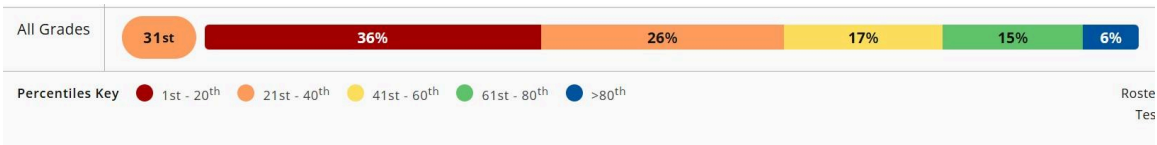
Preschool: 8 PreK 3 and 10 PreK 4

Grade K: 38 Increase from last month/Decrease from last month: +1
Grade 1: 30 Increase from last month/Decrease from last month: - 1
Grade 2: 28 Increase from last month/Decrease from last month: +1
Grade 3: 27 Increase from last month/Decrease from last month: -
Grade 4: 33 Increase from last month/Decrease from last month: +2
Grade 5: 44 Increase from last month/Decrease from last month: -

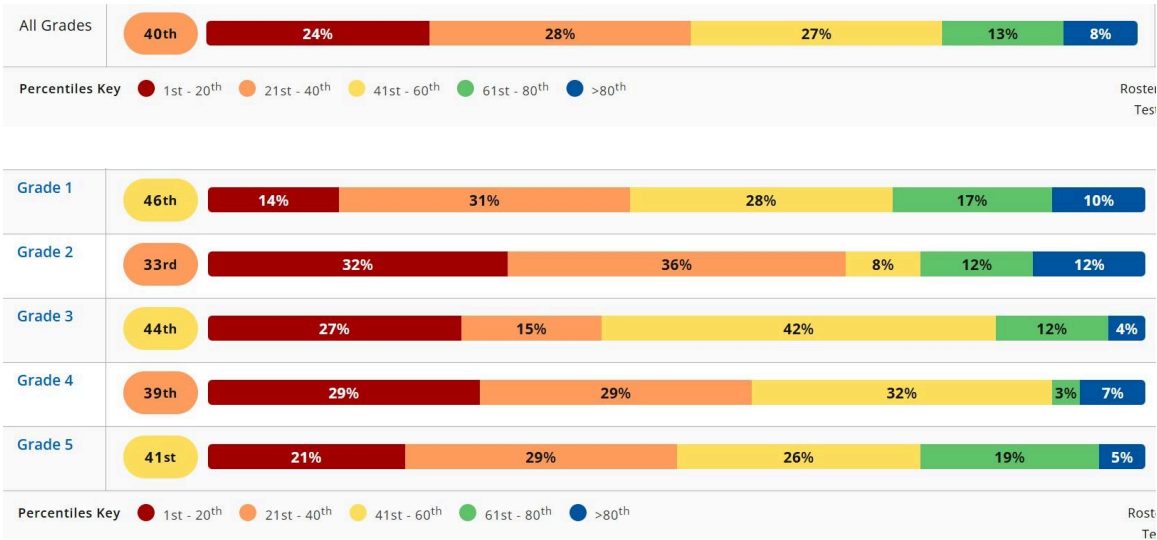
2. Academics – Student Learning & Progress

Math - NWEA

Fall of 2024



Fall of 2025



In 2023, when I began at Pittsfield Elementary, our NWEA Math scores placed us in the 24th percentile. Through two years of focused and intentional work, we have increased to the 40th percentile, reflecting stronger instruction, deeper student understanding, and improved retention of skills.

This growth is the direct result of a coherent instructional strategy that includes:

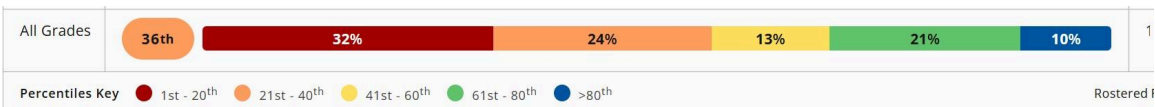
PES School Board Report

- Fidelity to Eureka Math as our core Tier 1 math program to ensure consistent, high-quality instruction across classrooms.
- Strategic use of Zearn to reinforce and deepen learning through structured, individualized practice.
- Monthly professional development to strengthen teacher content knowledge and instructional delivery.
- Data dives every five weeks to identify trends, monitor progress, and make targeted instructional adjustments.
- Small-group instruction, spiral review, and math talks to promote mastery and long-term retention of skills.

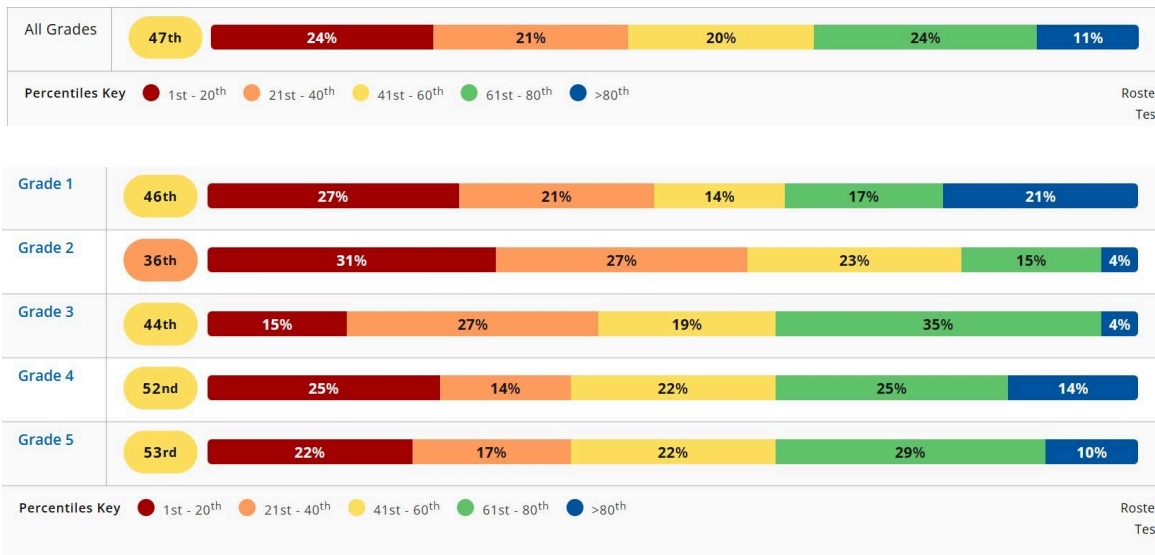
This intentional and aligned approach is moving more students out of the lowest performance bands and increasing the number of students performing in the middle and higher percentiles.

Reading NWEA- 2025

Fall of 2024



Fall of 2025



In 2023, when I began at Pittsfield Elementary, our NWEA Reading scores placed us in the 26th percentile. Two years later, we’ve grown to the 47th percentile, nearly doubling our performance and significantly reducing the number of students in the lowest bands.

This progress reflects a clear, aligned literacy strategy:

PES School Board Report

- Fidelity to HMH Into Reading as our Tier 1 core ensures consistent, high-quality instruction across classrooms.
- Monthly professional development builds teacher capacity and deepens instructional practice.
- Data dives every five weeks guide targeted interventions and instructional adjustments.
- Instructional coaching through our Reading Specialist and Coachly Coach provides modeling and support, with a strong focus on new staff implementation.
- Intentional intervention on the lowest strand of performance, including foundational skills and vocabulary, ensures struggling readers receive explicit, structured instruction.
- Implementation of Reading 180 provides intensive, research-based support for students performing well below grade level.
- Title I summer school reinforces these skills through the science of reading and HMH-aligned instruction, helping students maintain and strengthen their learning during the summer months.
- Daily small-group instruction and progress monitoring build retention and accelerate growth.

Instructional Focus Areas:

This month, our instructional focus is on literacy centers and small-group instruction, a key component of our Tier 1 core implementation. Staff participated in professional development focused on creating purposeful, manageable, and high-impact centers to strengthen daily literacy instruction. Teachers are designing rotations that build spelling and vocabulary skills, fluency, and independent reading stamina, while allowing for targeted small-group work to address specific student needs. Resources such as decodable fluency passages, vocabulary activities, and HMH Teacher's Corner materials are being used to ensure centers are aligned with our literacy goals. This work supports differentiated instruction and provides consistent, structured opportunities to build foundational reading skills across all classrooms

3. Attendance

Average Daily Attendance (YTD): 92%

Actions Taken:

We know that when students are here, they learn, grow, and feel connected. Our 92% attendance rate reflects a strong start to the year, and I'm incredibly proud of the effort from our students, families, and staff to make that happen. Like many schools, we've had some illness over the past few weeks, so our focus right now is on wrapping around students and families when they've missed time, making sure they feel supported, not behind.

What We're Doing to Support Students and Families:

- Meet weekly as a team to review attendance and step in early when concerns arise.
- When a student is out for two or more consecutive days, our school nurse personally reaches out to families to check in and offer support.
- Partner with families to create individualized attendance plans—many of our students who struggled last year are already showing encouraging progress this fall.
- Provide targeted review and small-group instruction so students can catch up without feeling overwhelmed.

PES School Board Report

- Review attendance data in PLCs to spot patterns and address barriers like transportation, health needs, or family challenges.
- Partner with the Boys & Girls Club to support consistent routines beyond the school day.

4. Behavior

Office Referrals (MTD/YTD): 106 / 116

Early data for Month Two shows that the most common behavior concerns are tied to:

Physical aggression

Self-regulation challenges (difficulty managing emotions and impulses)

Defiance/non-compliance

Disciplinary Actions Taken:

Every student who is sent to the office with either a minor or major referral receives a personal phone call home from me. Before making the call, I take time to gather both positive information and the specific behaviors that need to be addressed, and I always end the conversation with a clear action plan developed in partnership with families. This approach helps build trust and reinforces that we're on the same team.

Earlier this fall, our MTSS-B team had to pivot our approach as staff were covering students 1:1, which limited our ability to respond in real time. With the hiring of an RBT this past week, we've been able to increase our presence in classrooms, during transitions, in the lunchroom, and at recess. This has allowed us to address behaviors as they arise, review expectations in the moment, and provide more consistent adult support and supervision across the day.

Since the start of the school year, I've held 21 family meetings focused on supporting students' behavior collaboratively. Staff have also been making positive phone calls home and using PLC and CPT time to share strategies and problem-solve together. Our lunch and recess teams are reinforcing our MTSS-B expectations, helping students reflect on their choices by naming which part of "Be Kind, Be Respectful, Be Responsible, and Be Safe" their behavior didn't align with, and guiding them toward making better choices next time.

Disciplinary actions are not just about consequences; they're about teaching, repairing, and restoring. This may include loss of privileges, family meetings, or suspensions when necessary, but always with the goal of helping students grow and be successful in our school community.

- Rachel Horton led staff in a de-escalation training using real PES data, providing practical strategies to address behaviors in the moment and strengthen our proactive MTSS-B approach.
- Increase structured movement and sensory breaks to help students regulate before challenging moments arise.
- Continue to reteach and model expectations in high-traffic times (transitions, lunch, recess).
- Expand check-in/check-out systems to increase positive connections and accountability for students with repeat behaviors.
- Strengthen student voice and reflection by incorporating behavior reflection sheets and restorative conversations.

PES School Board Report

- Collaborate more closely with families and related service providers to align school and home strategies.

Positive Supports:

At PES, creating a welcoming and supportive environment starts the moment students arrive at school. Staff are out front every morning greeting students as they step off the bus, out of their cars, or walk up to the building. At classroom doors, teachers are ready to welcome each child by name, offer a quick check-in, and make sure they have everything they need for a great day. These small, intentional moments set the tone for connection, belonging, and success.

Our positive supports are built around that same belief, when students feel seen, supported, and celebrated, they thrive. We follow this same philosophy for how we treat staff, families, volunteers and visitors to our school.

- **Zones of Regulation:** Delivering age-appropriate lessons that help students identify emotions, build self-regulation skills, and develop strategies for success.
- **Positive Office Referrals:** Recognizing and celebrating students who demonstrate kindness, responsibility, respect, and safety.
- **Family Connection Calls:** Making daily phone calls to celebrate student successes, with the goal that every family hears something positive from us.
- **Daily Pledge of Allegiance and School Pledge:** Each morning, a different group of students leads our school in the Pledge of Allegiance and our PES School Pledge. This daily tradition builds confidence, gives students leadership opportunities, and reinforces our shared school values.

Opportunities to Celebrate Students:

- End-of-Module Celebrations with HMH Into Reading to highlight class achievements and growth.
- Writer's Workshop Shares: Inviting peers and staff into classrooms to listen to student work, amplifying student voice and confidence.
- Science End-of-Unit Projects: Younger students are invited to learn from older peers, giving our students authentic opportunities to practice listening, speaking, and presenting.
- Postcards, Phone Calls, and Morning Announcements: Daily positive opportunities to highlight students and staff who are modeling our core values.
- Community of Learners: Creating regular, authentic opportunities for students to showcase their learning and feel proud of their progress.

5. Upcoming Focus / Needs

A major focus right now at PES is supporting students with self-regulation. Many of the behaviors we're seeing are connected to students needing help managing big emotions and impulses in the moment. Our staff work hard to stay calm, reteach expectations, and give students space and strategies to reset.

Our MTSS-B team will be digging into this work more deeply during our upcoming meeting by:

- Using real school data to break down incident trends.
- Identifying specific times and locations where behaviors occur most frequently.

PES School Board Report

- Reviewing duty coverage and expectations to make sure students are fully supported during high-traffic times like lunch, recess, and transitions.
- Aligning on consistent language and de-escalation strategies across classrooms and common spaces.
- Strengthening connections between behavior supports, Zones of Regulation, and classroom routines.

At the same time, staff absences due to illness continue to make this work more challenging. Additional substitute coverage would allow us to keep these proactive supports in place consistently, making sure students have trusted adults present during critical times of the day.

6. Celebration of Success

At the time of writing this board report, I'm proud to share that I've personally completed 22 out of 23 staff observations for the educators I supervise under PG&E. SMART goals were set in May for returning staff, with new staff setting theirs during New Staff Orientation, and we revisited those goals in early September to make sure they still aligned with each educator's vision for growth.

What I'm most proud of is the mindset of our staff—they've been reflective and intentional, often asking me to come in during the most challenging times of their day or with groups that push their practice the most. That willingness to grow, to be vulnerable, and to seek feedback speaks volumes about their dedication to students and to their craft. Together, we've outlined clear next steps to keep these goals active and supported all year long. This is what a true growth-minded, student-centered culture looks like.

CariedAway Dental Program: This year, we're celebrating tremendous growth in the CariedAway Dental program at PES. When Nurse Clar joined us in 2023, we had 21 students signed up to participate. This year, that number has grown to 67 students. This increase is a direct result of intentional promotion, trust built with families, and the ongoing education around the importance of dental health. Nurse Clar's consistent communication and relationship-building have played a huge role in this success. By expanding access to dental care right at school, we're not only supporting students' health but also removing barriers to learning.

Respectfully submitted,

Kristen M. White

Pittsfield Elementary School District
NWEA Fall 2025 Results Summary

At a Glance

Measure	ELA	Math
School wide % at or Above 50th Percentile	47%	42%
Key Strength	Grades 3–4 ELA	Grade 5 Math
Key Concern	Grades 2–4 Foundational Skills	Grades 2–4 Foundational Skills
Students Below 20th Percentile	18%	20%
Overall Summary	Nearly half of students are meeting grade-level expectations; continued focus needed on early literacy and numeracy.	

Overview

The Fall 2025 NWEA Measures of Academic Progress (MAP) assessment provides nationally normed data on student performance in English Language Arts (ELA) and Mathematics. Scores are categorized into percentile bands aligned to national norms to indicate how Pittsfield students compare to their grade-level peers nationwide.

Color	Percentile Range	Interpretation
Red	1st–20th	Well below grade level
Orange	21st–40th	Below grade level
Yellow	41st–60th	Approaching / near grade level
Green	61st–80th	On grade level / proficient
Blue	81st and above	Above grade level

Students in **green or blue** are meeting or exceeding grade-level expectations. Students in **yellow** are approaching proficiency. Students in **red or orange** are performing below grade level and may require targeted interventions.

ELA Results

Grade	% of Students at or Above 50th Percentile	Key Observations
Grade 1	N<10	Roughly half are near or above grade level; several students are significantly below the 10th percentile.
Grade 2	N<10	Fewer than half on grade level; multiple students performing in the lowest national percentiles.
Grade 3	N>10	Slightly above half of students are meeting or approaching grade-level expectations.
Grade 4	N>10	About half are on grade level, though six students are below the 10th percentile.
Grade 5	N>10	Moderate performance with both high and very low performers represented.

Summary: ELA results indicate wide variability across grades, with a consistent group of students performing below the 20th percentile. Focused Tier 2 and Tier 3 reading supports remain essential, particularly in Grades 2 and 4.

Math Results

Grade	% of Students at or Above 50th Percentile	Key Observations
Grade 1	N<10	About half are near or above grade level.
Grade 2	N<10	Low overall performance; several students below the 10th percentile.
Grade 3	N>10	Less than half are meeting grade-level expectations.
Grade 4	N>10	Low performance overall, with most students below average.
Grade 5	N>10	Strongest performance across grades; majority near or above grade level.

Summary: Math data indicate declining performance from Grades 1 through 4, with a notable rebound in Grade 5. This suggests a need for strengthened foundational math instruction and intervention supports in primary grades.

Visual School Wide Summary:

Subject	Red (1–20%)	Orange (21–40%)	Yellow (41–60%)	Green (61–80%)	Blue (81%+)
ELA	18%	25%	20%	25%	12%
Math	20%	28%	22%	20%	10%

Interpretation: The majority of Pittsfield Elementary students are concentrated between the 21st and 60th percentiles, **approaching grade level but not yet proficient.**

- **37%** of students are performing **at grade level or beyond** in ELA
- **30%** of students are performing **at grade level or beyond** in Math
- **63%** of students are performing **below grade level** in ELA
- **70%** of students are performing **below grade level** in Math
- **Nearly 20%** of students, across all grade levels assessed, fall below the 10th percentile, signaling the need for intensive individualized supports.
- **Areas of greatest need:** Early literacy (Grade 2) and foundational math (Grades 2–4).

Next Steps

1. **Instructional Focus:** Strengthen Tier 1 instruction in early literacy and foundational math skills.
2. **Targeted Intervention:** Expand Tier 2/Tier 3 supports for students below the 20th percentile.
3. **Progress Monitoring:** Use winter and spring NWEA assessments to measure growth and adjust interventions.
4. **Professional Learning:** Provide ongoing teacher coaching and PLC focus on data-driven instructional strategies.

Grade Subject	Red 1st - 20th percentile	Orange 21st - 40th percentile	Yellow 41st - 60th percentile	Green 61st - 80th percentile	Blue 81st percentile and above	Students at 50% and above
Grade 1 ELA	8 -2 below 10th -3 at 10th	6	4	5	6	13
Grade 2 ELA	8 -2 below 10th -1 at the 10th	7	6	4	1	7
Grade 3 ELA	4 1 student below 10th	7	5	9	1	12
Grade 4 ELA	7 -2 students in the 2nd percentile -4 students below the 10th	4	6	7	4	15
Grade 5 ELA	9 6 below 10th percentile	7	9	12	4	13
Grade 1 Math	6 2 below the 10th percentile	9	8	5	3	11
Grade 2 Math	8 5 below the 10th percentile	9	2	3	3	7
Grade 3 Math	7 5 below the 10th percentile	4	11	3	1	8
Grade 4	8	8	9	1	2	6

Math	4 below the 10th percentile					
Grade 5 Math	9 5 below 10th percentile	12	11	8	2	15

Pittsfield School District Student Services Board Report

Student Services Administrator Report: October 13, 2025

Given the size of our District, and our need to follow FERPA guidelines, the numbers in this report are written using the terms “about”, “around”, “under”, and “just over/under”.

General Education Provision Act (GEPA), which is commonly referred to as the Family Educational Rights and Privacy Act (FERPA). The purpose of this part is to set out requirements for the protection of privacy of parents and students under section 444 of the General Education Provisions Act, as amended.

(Authority: 20 U.S.C. 1232g)

Note to §99.2: 34 CFR 300.610 through 300.626 contain requirements regarding the confidentiality of information relating to children with disabilities who receive evaluations, services or other benefits under Part B of the Individuals with Disabilities Education Act (IDEA). 34 CFR 303.402 and 303.460 identify the confidentiality of information requirements regarding children and infants and toddlers with disabilities and their families who receive evaluations, services, or other benefits under Part C of IDEA. 34 CFR 300.610 through 300.627 contain the confidentiality of information requirements that apply to personally identifiable data, information, and records collected or maintained pursuant to Part B of the IDEA.

[53 FR 11943, Apr. 11, 1988, as amended at 61 FR 59295, Nov. 21, 1996; 73 FR 74851, Dec. 9, 2008]

1. Student Services Overview

Total Students with IEPs (Individualized Education Plan): This number has decreased since September 2025; however, it is still around 130 students.

Total Students with 504 Plans: This number has remained the same since September 2025, which is around 60 students.

Students Targeted for Exit or Service Reduction: We have had under 5 meetings where there have been service reductions. We have had under 5 meetings for students targeted for exit.

New Referrals This Period: We have had just under 5 referral meetings and just under 5 intake meetings. Intake meetings are held for students who already have either a 504 Plan or IEP and move into District.

Evaluations in Progress: We currently have around 5 evaluations in process. The majority of these meetings are part of the triennial evaluation process for special education eligibility.

Pittsfield School District Student Services Board Report

IEP/504 Meetings Held: We have held around 25 IEP/504 meetings since our last board report.

2. Student Supports & Programming

Out-of-District Placements: We have under 20 students in out-of-district placements. Under 10 of these students attend either charter schools or an open enrollment school, and under 5 students are in an Episode of Treatment. We have under 5 students needing a placement. The total number of students who attend out-of-district placements has decreased from September 2025, as students have either moved or unenrolled from school.

Transportation Oversight: Transportation remains the same since the September 2025 report. We have reached out to a surrounding district in need of transportation, but they were unable to ride share at this time.

Highlights: During our most recent Teacher Workshop Day on October 10, 2025, the majority of our special educators gathered together as a district for special education professional development. Debra Flanders, our 3rd and 4th grade special educator, led informative, relevant, and engaging professional development on writing Written Prior Notices, and IEPs. It was a great day of collaboration, comradery, and learning!

Concerns/Challenges: Special Educator and Paraprofessional staffing coverage continues to be a challenge at this time. Given our daily difficulties with staff absences, and our small number of substitute teachers, it is challenging to provide coverage and consistent service delivery.

3. Family & Community Engagement

Parent Outreach or Meetings Held: We have held around 5 parent outreach meetings. We have had a near perfect family attendance rate for all of our meetings.

Community Partnerships: Over the past month we have actively participated in many community partnership meetings; including the start of a monthly meeting with Juvenile Probation and Parole Officers (J.P.P.O) and the Division for Children, Youth and Families (D.C.Y.F.), mandatory court appearances, and around 5 referrals for Riverbend Community Mental Health.

4. Upcoming Focus / Needs

- We continue to review IEP and 504 eligibility with a focus on appropriate coding and services..

Pittsfield School District Student Services Board Report

- We are in the process of developing a proposal in regards to decreasing our out of district placements and high-cost transportation.
- We continue to use data-informed decision-making for support intensity levels and Least Restrictive Environment (LRE) placements. We have meetings scheduled for this upcoming month in regards to students needing either decreased or increased levels of support. At this time, we are finding that across the district, we are in need of curriculum for our special educators to use for specially designed instruction in the areas of reading, writing, and math. We are in the process of evaluating curriculum that may meet the needs of our students, and are able to purchase through the use of monies from the Crotched Mountain Foundation Grant.

6. Celebration of Success

Our Student Services Department continues to work hard to meet the many needs of our students. Schedules are coming together, and students are learning routines. We are sharing resources and collaborating with one another on how to navigate this school year as a department; however, we are also educating others within our district on the many facets of special education. We gathered as a district during our Wednesday professional development time on September 24, 2025 in regards to accommodations, and the barriers both students and teachers face on a daily basis. Together, grade level and unified arts teams did a “data dive” using student IEPs. It was great to see the gymnasium filled with our entire district actively working towards how to best support our students and each other.

Respectfully submitted,

Jerrica L. Smith, M.Ed.

Student Services Administrator

Pittsfield School District

School Board Self Evaluation and Goal Setting

The Board will attempt to conduct an annual self-evaluation. Co-extensive with the Board's self-evaluation, the Board will attempt to establish annual goals and objectives. The Board believes that establishing annual goals and objectives will serve as a benchmark and criteria for the annual self-evaluation.

The following areas of Board operations and relationships are representative of those in which objectives may be set and progress appraised:

1. Relationship with the Superintendent
2. Community relations
3. Board meetings
4. Staff and Personnel Relationships
5. Relationship to Instructional Program
6. Financial Management of Schools
7. Policy development
8. Risk management
9. Other areas the Board determines should be evaluated

While the board may decide to do so, it is not expected that every area listed above will necessarily be annually reviewed.

The Board desires that the annual self-evaluation and goal setting will clarify the Board's role within the school community, address areas for the Board to improve, and address areas for which the Board should be commended.

District Policy History:

First reading: October 16, 2025

Second reading/adopted:

District revision history:

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.*

NH Dept. of Ed Regulation

N.H. Code Admin. Rules Ed 303.01 (g) Substantive Duties of School Boards

Form BA-R(1): School Board Self Evaluation and Goal Setting - Evaluation of School Board

Instructions

Each Board member and each administrator asked to evaluate the Board's effectiveness is to rate the Board on each criterion, using a number on a scale from 1 to 5.

The Key: 1 – Never; 2 – Occasionally; 3 – Sometimes; 4 – Frequently; 5 – Always

The Board Chairperson or Superintendent will collect all copies of the rating instrument, tally the scores, determine the composite average, and record it on the graph provided. Each member of the Board will be given a copy of the composite results.

Individual Composite
Rating Rating

A. RELATIONSHIP WITH SUPERINTENDENT

- _____ 1. Establishes written policies for the guidance of the Superintendent in the operation of the schools.
- _____ 2. Provides the Superintendent with a clear statement of the expectation of performance and personal qualities against which he/she will be measured periodically.
- _____ 3. Creates confidence in the Superintendent by inviting communication from the Superintendent.
- _____ 4. Reaches decisions on the basis of study of available background data and consideration of the recommendation of the Superintendent.
- _____ 5. Requests information through the Superintendent and only from staff members with the knowledge of the Superintendent.
- _____ 6. Provides a climate of mutual respect and trust offering commendation whenever earned and constructive criticism when necessary.
- _____ 7. Matters tending to alienate either Board member or Superintendent are discussed immediately rather than being permitted to fester and deteriorate.
- _____ 8. Provides opportunity and encouragement for professional growth of the Superintendent.
- _____ 9. Provides time for the Superintendent to plan.
- _____ 10. Takes the initiative in maintaining a professional salary for the Superintendent comparable with salaries paid for similar responsibility in and out of the profession.

B. COMMUNITY RELATIONSHIPS

- _____ 11. Encourages attendance of citizens at Board meetings.
- _____ 12. Fosters cooperation with various news media for the dissemination of information about the school program.
- _____ 13. Ensures a continuous planned program of public information regarding the schools.
- _____ 14. Participates in community affairs.
- _____ 15. Channels all concerns, complaints, and criticisms of the school system through the Superintendent with the expectation that he/she will report back to the Board if action is required.
- _____ 16. Protects the Superintendent from unjust criticism and the efforts of vocal special interest groups.
- _____ 17. An individual Board member does not commit him/herself to a position in answer to an inquiry or in public statements unless Board policy is already established and clear or the question

addressed to him/her requires merely a recitation of facts about the school system.

_____ 18. Encourages citizen participation in an advisory capacity in the solution of specific problems.

_____ 19. Is aware of community attitudes and the special interest groups which seek to influence the district's program.

C. BOARD MEETINGS

_____ 20. Has written policies or procedures for conducting meetings.

_____ 21. Conducts meetings in facilities that allow the board's business affairs to be effectively conducted by the Board and administrative.

_____ 22. Selects a chairperson on the basis of his or her ability to properly conduct a meeting; alternatively, selects a chairperson consistent with applicable Board policy.

_____ 23. New items of a complex nature are not introduced for action if they are not listed on the agenda, but are presented for listing on a subsequent agenda.

_____ 24. Definitive action is withheld until asking if there is a staff recommendation and what it is.

_____ 25. Care is used in criticizing a staff recommendation.

_____ 26. The privilege of holding over matters for further study is not abused.

_____ 27. Each member makes a sincere effort to be informed on all agenda items listed prior to the meeting.

_____ 28. Controversial, complex, or complicated matters are held over or placed on the agenda for discussion only, prior to consideration for adoption.

D. STAFF AND PERSONNEL RELATIONSHIPS

_____ 29. Develops sound personnel policies, involving the staff when appropriate.

_____ 30. Authorizes the employment or dismissal of staff members only upon the recommendation of the Superintendent.

_____ 31. Adheres to board policy relative to receiving complaints about school staff and refers such complaints through correct administrative protocol.

_____ 32. Is receptive to suggestions for improvement of the school system.

_____ 33. Encourages professional growth and increased competency through:

a. Attendance by staff members at educational meetings.

b. Training on the job.

c. Salary increments which recognize training and experience beyond minimum qualifications for a given position.

_____ 34. Makes the staff aware of the esteem in which it is held.

_____ 35. Provides a written policy protecting the academic freedom of teachers.

E. RELATIONSHIP TO INSTRUCTIONAL PROGRAM

_____ 36. Understands the instructional program and the general restrictions imposed on it by the Legislature, the State Board of Education, and college and university requirements.

_____ 37. Realistically faces the community to support a quality education for its children.

_____ 38. Resists the efforts of special interest groups to influence the instructional program if the effect would be detrimental to the students.

_____ 39. Encourages the participation of the professional staff in the development of the curriculum.

_____ 40. Weighs all decisions in terms of what is best for the students.

_____ 41. Provides a policy outlining the district's educational objectives against which the

instructional program can be evaluated.

_____ 42. Keeps abreast of new development in course content and teaching techniques through attendance and participation in School Boards association conferences and meetings of other educational groups and by reading of selected books and periodicals.

F. RELATIONSHIP TO FINANCIAL MANAGEMENT OF THE SCHOOLS

_____ 43. Equates the income and expenditures of the district in terms of the quality of education that should be provided and the ability of the community to support such a program.

_____ 44. Takes the leadership in suggesting and securing community support for additional financing when necessary.

_____ 45. Establishes written policies which will ensure efficient administration of purchasing, accounting, and payroll procedures, and the risk management program.

_____ 46. Authorizes individual budgetary allotments and special non-budgeted expenditures only after considering the total needs of the district.

_____ 47. Makes provision for long-range planning for acquisition of sites, additional facilities, and plant maintenance.

G. POLICY DEVELOPMENT

48. The Board had adopted all policies required by law.

49. The Board has developed a policy development system or process to ensure that all board policies are up to date, regularly reviewed, and reflect the goals of the school district.

50. All Board policies are easily accessible by the public, staff, administrators and others.

51. All board members have a current copy of the policy manual.

H. RISK MANAGEMENT

52. The school district has identified and evaluated the risks and loss exposures inherent in District programs and operations to ensure the health and safety of every employee and student in the District.

53. The District acquires, reviews and administers the District's insurance protection programs (including pooled risk management) for liability, property and workers compensation programs.

54. In partnership with its brokers and carriers analyzes and compares the various options that are available to the District to reduce, eliminate or transfer the District's loss exposures and to optimize safety.

District Form History:

First reading: October 16, 2025

Second reading/adopted:

District revision history:

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.*

NH Dept of Ed Regulation
N.H. Code Admin. Rules Ed 303.01 (g)

Description
[Substantive Duties of School Boards](#)

Form BA-R(2): School Board Self Evaluation and Goal Setting - Individual Board Member Self-Evaluation Worksheet

Please complete the following personal assessment of your Boardsmanship before completing Appendix BA-R1 – Evaluation of School Board. This individual evaluation will not be shared.

The Key: 1 – Never; 2 – Occasionally; 3 – Sometimes; 4 – Frequently; 5 – Always

- _____ 1. I familiarize myself with school policies and laws which are important for meetings.
- _____ 2. I attend all School Board Meetings.
- _____ 3. I read the agenda and supporting material prior to the Board meeting.
- _____ 4. I reserve all decisions on matters until the Board is in session.
- _____ 5. I keep personal matters personal and discuss nonrelated concerns at appropriate times and places.
- _____ 6. I use the chain of command and direct questions to the superintendent when contacted by a district resident.
- _____ 7. I attend NHSBA workshops and meetings.
- _____ 8. I read school publications sent to my home.
- _____ 9. I contact the superintendent and make proper arrangements when I visit schools within the district.
- _____ 10. I am informed about community feelings toward the schools.
- _____ 11. I respect the superintendent's office and refrain from unwarranted interferences in the administrator's affairs.
- _____ 12. I believe in long-range planning and recognize that changing trends change school needs.
- _____ 13. I believe the district should place great emphasis on professional growth.
- _____ 14. I know that I have no authority as a Board member except when the Board is legally in session. Board officers have specific duties that are occasionally performed outside of Board sessions.
- _____ 15. I rely on the superintendent to provide the Board with accurate information on the school system.
- _____ 16. I take part in Board in-service and orientation programs.
- _____ 17. Even though I may disagree, I support publicly positions taken by the whole Board.
- _____ 18. I work toward mutual trust between Board members and administration and keep criticism of either to private sessions.
- _____ 19. I recognize that governance and policy duties belong to the Board and administrative duties belong to the district's administrators.
- _____ 20. I support budgetary provisions and encourage the professional growth of the superintendent.
- _____ 21. I support strong professional growth programs for all school personnel.
- _____ 22. I attend PTA, concerts, plays, athletic contests, and other school events.
- _____ 23. I am familiar with the budgeting process of the district.
- _____ 24. I am familiar with the curriculum and graduation requirements of the district.

District Form History:

First Reading: October 16, 2025

Second Reading and Adoption:

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.*

NH Dept of Ed Regulation Description

N.H. Code Admin. Rules Ed 303.01 (g) Substantive Duties of School Boards

School Board Member Authority

The authority of individual Board members is limited to deliberating and voting upon matters during duly noticed and convened meetings of a quorum of the full Board, or when - and only to the extent that - an individual member is given specific authority by action of the Board to act or speak on behalf of the Board or District.

Accordingly, no Board member has power or authority to act or speak on behalf of the Board or District, unless and only to the specific extent that the Board has granted such authority. Even when such authority is given, the authority is limited to (a) the specific action and instructions of the Board, and (b) to matters that are within the Board's own authority (e.g., the Board may not give authority to an individual member to supervise or direct the work of District employees).

Board members wishing to speak (whether orally, on social media, or otherwise) outside of Board or Board committee meetings on matters within the Board/committee's supervision, control, jurisdiction, or advisory power, or other School District matters should make clear that the Board member is speaking/communicating in an individual capacity only.

An individual Board member, including the Chairperson, has power only when the Board by vote, has delegated authority to them. No legal action can be taken except at a duly warned meeting of the Board and by quorum acting as a unit. The decisions of the Board shall be binding until rescinded by the Board at a duly called regular or special meeting.

District Policy History:

First reading/adopted: November 2, 2017

Reviewed: February 8, 2025

District revision history:

Revised: October 16, 2025

Adopted:

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.*

NH Case Law & Lower Court Orders

No. 217-2023-CV-370 (2023)

Description

[In re: Town of Warner, Merrimack County Superior Court](#)

NH Statutes

RSA 91-A:2

Description

[Meetings Open to Public](#)

RSA 91-A:2-a

[Communication Outside Meetings](#)

NH Dept of Ed Regulation

N.H. Code Admin. Rules Ed 303.01

Description

[Substantive Duties of School Boards](#)

Federal Cases

601 U.S. 187 (2024)

Description

[Lindke v. Freed](#)

601 U.S. 205 (2024)

[O'Connor-Ratcliff v. Garnier](#)

School Board Member Authority

The authority of individual Board members is limited to participating in actions taken by the Board as a whole when legally in session. Board members shall not assume responsibilities of administrators or other staff members. **The authority of individual Board members is limited to deliberating and voting upon matters during duly noticed and convened meetings of a quorum of the full Board, or when - and only to the extent that - an individual member is given specific authority by action of the Board to act or speak on behalf of the Board or District.** The Board or staff shall not be bound in any way by any action taken or statement made by any individual Board member except when such a statement or action is pursuant to specific instructions and official action taken by the Board.

Accordingly, no Board member has power or authority to act or speak on behalf of the Board or District, unless and only to the specific extent that the Board has granted such authority. Even when such authority is given, the authority is limited to (a) the specific action and instructions of the Board, and (b) to matters that are within the Board's own authority (e.g., the Board may not give authority to an individual member to supervise or direct the work of District employees).

Board members wishing to speak (whether orally, on social media, or otherwise) outside of Board or Board committee meetings on matters within the Board/committee's supervision, control, jurisdiction, or advisory power, or other School District matters should make clear that the Board member is speaking/communicating in an individual capacity only.

An individual Board member, including the Chairperson, has power only when the Board by vote, has delegated authority to them. No legal action can be taken except at a duly warned meeting of the Board and by quorum acting as a unit. The decisions of the Board shall be binding until rescinded by the Board at a duly called regular or special meeting.

Each Board member shall review the agenda and any study materials distributed prior to the meeting and be prepared to participate in the discussion and decision-making for each agenda item. Each agenda will provide an opportunity for Board members to comment on district activities and/or educational issues. These comments may become topics for future Board discussions.

Board members may occasionally serve on committees or organizations for the purpose of reciprocal communication and reporting back to the Board. Committee assignments will be made by the chairperson with Board approval.

Each member is obligated to attend Board meetings regularly. Whenever possible, each Board member shall give advance notice to the chairperson or superintendent of his/her inability to attend a Board meeting.

District Policy History:

Adopted: November 2, 2017

District revision history:

Reviewed: February 8 2024

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.

NH Case Law & Lower Court Orders No. 217-2023-CV-370 (2023) In re: Town of Warner, Merrimack County Superior Court

NH Statutes

RSA 91-A:2
RSA 91-A:2-a

Description

Meetings Open to Public
Communication Outside Meetings

NH Dept of Ed Regulation

N.H. Code Admin. Rules Ed 303.01

Description

Substantive Duties of School Boards

Federal Cases

601 U.S. 187 (2024)
601 U.S. 205 (2024)

Description

Lindke v. Freed
O'Connor-Ratcliff v. Garnier,

Board Member or District Officer Resignation

Any citizen who files for and seeks election to the Board or other District office should do so with full knowledge of and appreciation for the investment in time, effort, and dedication expected of District officers and that the citizen's intent is to serve a full term of office.

However, if, for reasons of health, change in domicile, or any other compelling reason a Board member or other officer does decide to terminate service, the Board requests the earliest possible notification of intent to resign so that the Board may plan appropriately for filling the vacancy per Board policy.

- A. **Tender of Resignation.** Ideally, a board member intending to resign will provide a written letter of resignation to the School District Clerk, c/o the Superintendent¹, with a copy to the School Board Chair (or Vice Chair if the Chair is the one submitting the resignation). Alternatively, a board member may tender a resignation orally only during a duly called and convened public meeting of the Board. In the event that a board member attempts to tender a resignation orally outside of a public meeting, the Board member will be required to confirm the resignation in writing, and submit the same as stated above failing which, the Superintendent or Chair shall consult with the School Board/District's attorney as to the appropriate course of action.
- B. **Board Acknowledgment.** Whether submitted in writing or not, the Board shall address the tendered resignation either at the meeting at which the tender is received or at the next public meeting of the Board. There is no need for the Board to formally “approve” the resignation, as a Board may not compel a member to serve a full term by way of a negative vote on a motion to “accept”. However, the Board, through the Chair or presiding officer, should acknowledge the tendered resignation at the meeting and assure that the same is reflected in the minutes.
- C. **Effective Date.** The letter/statement of resignation should indicate when the resignation will be effective. If the tendered resignation does not state a date, then the letter shall be deemed to express an intent that the resignation take immediate effect. Once the stated date/immediate resignation has occurred, the officer shall be deemed to have resigned, the resignation is effective, and a vacancy is created. Note also that pursuant to RSA 652:12, some vacancies (e.g., moving out of the district, conviction of a felony while in office, etc.) arise by operation of law upon a specific occurrence, and therefore are effective upon the occasion of that occurrence, whether or not the officer has provided notice of the event or tendered a resignation.
- D. **Withdrawal of a Resignation.** A tendered resignation that has not yet taken effect may only be withdrawn either at a duly called and convened meeting of the Board (to be noted in the minutes) or by providing written notice of the withdrawal to the District Clerk, c/o the Superintendent with a copy to the Board Chair.f, however, the resignation has taken effect, the resigned member may only be appointed to fill the vacancy subject to Board policy (see also RSA 671:33).
- E. **Copies to District Clerk.** The Superintendent shall as soon as practicable assure that the District Clerk is provided with a copy of any letter of resignation and/or of the minutes of the meeting at which the resignation is acknowledged by the Board.
- F. **Filling of Vacancy Upon Resignation.** Once a resignation has taken effect, a vacancy exists under RSA 652:12, I, and therefore may only be filled in accordance with-Board policy and RSA 671:33).

District Policy History:

First reading: _____

Second reading/adopted: _____

District revision history:

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.*

NH Statutes	Description
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RSA 652:12	Vacancy (applicable by way of RSA 652:1, Elections).
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RSA 671:33	Vacancies
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Board Member Removal from Office

School Board members may only be removed from office as provided in RSA 32:12 and RSA 42:1-a. RSA 32:12 prohibits School Board members from violating the provisions of RSA 32 relating to the expenditures of school district money. RSA 42:1-a prohibits school board members from breaching confidentiality standards. Violations of either of these statutes may result in the board member being removed from office.

District Policy History:

First reading: October 16, 2023

Second reading/adopted:

District revision history:

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.*

NH Statutes	Description
RSA 32:12	Municipal Budget Law: Penalty
RSA 42:1-a	Oaths of Town Officers: Manner of Dismissal, Breach of Confidentiality

School Board Member Ethics

In order to fulfill its duty under state law to provide education to pupils within the District, the Board adopts the following expectations for each of its members.

AS A MEMBER OF THE SCHOOL BOARD, AND IN ACCORDANCE WITH MY OATH OF OFFICE, I WILL STRIVE TO IMPROVE PUBLIC EDUCATION BY STRIVING TO ADHERE TO THE FOLLOWING EXPECTATIONS:

1. Attend all regularly scheduled Board meetings, insofar as possible, and become informed concerning issues to be considered at those meetings.
2. Understand that the Board, as governing body, does not manage the District, but rather sets the broad goals and standards for the District by way of policies adopted by a quorum of the Board at proper meetings under the Right-to-Know law.
3. Be informed about current educational issues by individual study and through information, such as those sponsored by my state and national school board associations.
4. Make decisions and take votes based upon the available facts, the full deliberation of the Board, and my independent judgment, and refuse to surrender or subordinate that judgement to any individual or special interest group.
5. Work respectfully with other Board members by encouraging the free expression of differing opinions and ideas.
6. Seek opportunities for the Board to establish systematic communication channels with students, staff, and members of the community.
7. Recognize that as a general principle the District and its students benefit when Board decisions, which have been made following consideration of all sides and vote of a quorum, receive the subsequent support of the whole Board, whenever practicable.
8. Respect the confidentiality of information that is privileged under applicable law or is received in confidence or non-public session.
9. Recognize that individual Board members are without authority to act relative to School District business, and that I may not individually commit the Board to any action except as specifically designated to do so by Board action.
10. Understand the chain of command and refer problems or complaints to the proper administrative office per applicable School Board policies.
11. Work with the other Board members to establish effective Board policies, and foster a relationship with the District administration toward the effective implementation of those policies and management of the District operations, personnel and facilities.
12. Communicate to the Superintendent and to the Board (only as consistent with the Right-to-Know law) expressions of public reaction to Board programs, policies and other Board actions.

13. Present personal criticisms concerning District operations, staff, etc. to the Superintendent, not to District staff, the public, or unnecessarily at a Board meeting.
14. Establish policies and protocols for systematic communications with students, staff, and members of the community. Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff.

District Policy History:

First reading: October 16, 2025

Second reading/adopted:

District revision history:

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.*

NH Statutes

RSA 189:1

RSA 189:1-a

Description

[Days of School](#)

[Duty to Provide Education](#)

School Board Member Ethics

I, _____, have read _____ School Board Policy BCA – School Board Ethics.

I shall, to the best of my ability, adhere to all ethical statements and considerations contained within that policy.

Signature of School Board member

Date

Signature of School Board Chair

Date

Witness: _____
Superintendent

Form First Reading: October 16, 2025

Form Adoption:

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.*

NH Statutes

RSA 189:1

RSA 189:1-a

Description[Days of School](#)[Duty to Provide Education](#)

Policy Development, Adoption, and Review

The development and adoption of policies that govern the Pittsfield School District is one of the School Board's most important functions. Board policies establish the goals, direction and structure of the district under the authority of applicable statutes and regulations. In addition to policies required by state and federal laws and regulations, the Board adopts policies to provide direction to the Superintendent and other administrators in the management of the district, to guide the education program, and to provide clear expectations for school staff, students and parents.

Board policies are intended to provide the framework for district operations and the educational system. In general, the operational details as to how policies will be implemented are contained in administrative procedures developed by the administration. However, the Board may adopt administrative procedures concerning its own operations, or when an issue is of sufficient legal importance to warrant a Board-level procedure.

- A. Policy Committee Responsibilities and Meetings. The Board's Policy Committee with the advice and counsel of the Superintendent, is responsible for recommending policies and policy actions to the full Board for its consideration, including adopting new policies, revising existing policies and deleting obsolete policies.
- B. Policy Committee Meetings and Agendas. The Superintendent or his/her designee, in consultation with the Policy Committee Chair shall prepare all agendas for the meetings of the Policy Committee.
- C. Review of Existing Manual. The Policy Committee shall establish a schedule for reviewing existing Board policies, and forming recommendations regarding the same for the Board.
- D. Procedures for Policy Development and Review.
 - 1. Individual Board members, Board standing or special committees, the Superintendent or other interested persons may submit policy suggestions, concerns, and/or drafts to the Policy Committee, in care of the Superintendent.
 - 2. The Superintendent and/or Policy Committee Chairperson is responsible for notifying the Board and the Policy Committee of all policy updates and revisions provided by the New Hampshire School Boards Association. The Policy Committee will review such updates and make recommendations deemed appropriate under this policy.
 - 3. The Policy Committee, with the assistance of the Superintendent, will review and research policy suggestions and prepare draft policies, as appropriate. The Policy Committee may delegate research and initial drafting to other Board standing committees, to District staff or others at the discretion of the Policy Committee and the Superintendent. If a policy is referred to a committee, staff, professional or other person for initial review/drafting, the policy shall be reviewed by the Policy Committee before submission to the full Board.
 - 4. The Superintendent, should seek counsel of the School Board's attorney or the New Hampshire School Boards Association when there may be a question of legality or proper legal procedure in the substance of any proposed or current board policy.
 - 5. The Policy Committee may also seek input from other affected persons and/or groups as appropriate.

6. The Policy Committee will provide reports to the full Board monthly. The reports will include the Policy Committee's recommendations for new policies (including full text of policies/revisions to be considered for action by the Board), as well as recommendations for repeal of existing policies. Policy Committee reports should also include any information requested by the full board, and any other information deemed appropriate by the Policy Committee.
- E. Board Actions Required to Approve, Revise or Repeal Policies. Any final action regarding the approval of a new policy, or revision or repeal of an existing policy, requires a majority vote of a quorum of the board at a public meeting.
1. Policy Committee reports shall be placed on the agenda of a regular Board meeting and will be made part of the agenda package for that meeting.
 2. All new policies, and/or revisions to existing board policies are subject to a "first reading" by the full board to occur at a regular board meeting. There is no requirement that proposed policies/revisions be read aloud at the meeting.
 3. The Board will allow opportunity for public comment on policy proposals per Board policy BEDH. Any changes agreed upon or requested by the Board during the first reading shall be made by the *Board Chair* prior to the second reading.
 4. At the next Board meeting (or a later meeting if so agreed by the Board), the policy shall be placed on the agenda for a second (or additional) reading, and action. Amendments may be made and acted upon at that meeting, or may be referred for further revision, etc.
 5. Prior to final approval by the Board, each policy will be titled, dated, and *coded consistent with the classification system used by the New Hampshire School Boards Association*.
 6. Board action regarding the adoption, revision or repeal of policies will be included in the minutes of the meeting at which the official action is taken.
 7. Approved policies become effective immediately unless the motion to approve the policy, or the policy itself, includes a specific implementation date.

F. Minor Revisions by Policy Committee.

The Board authorizes the Policy Committee to make non-substantive corrections and minor changes to existing policies provided that the Policy Committee shall document such modifications and report the same at the next meeting of the School Board. For the purposes of this policy, "non-substantive changes" shall include: grammatical, typographical or other clerical changes; addition or deletion of legal, cross or other references; policy code or policy class designation changes; or correcting misidentified or modified job titles (e.g., "school counselor" in place of "guidance counselor"). Upon review of such a report from the Policy Committee, the Board may take such action as the Board deems appropriate, including accepting the report without objection or other formal action.

G. Suspension or Waiver of Policy Process.

1. The Board may adopt, amend, or repeal written policies at any meeting by a majority vote of Board members in attendance, provided that each Board member was notified of the proposed action. For purposes of notification, a meeting agenda delivered to each Board member is deemed sufficient if it identifies the policy to be acted upon.
2. On matters of unusual or unexpected urgency, the Board may waive the second meeting limitation and take immediate action to adopt a new policy, or to suspend or revise an existing policy. In such instances, the meeting minutes should reflect the nature of the circumstances warranting the suspension of the normal procedures.

H. Policy Dissemination, Records and Manual Updates.

1. All Board policies, and any written administrative rules and regulations implementing such policies constitute governmental records and are subject to the provisions of RSA 91-A.
2. All current Board policies shall be readily available, including on the School District's website.

District Policy History:

First reading: October 23, 2025

Second reading/adopted:

District revision history:

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.*

NH Statutes

Description

RSA 189:74

School Board Public Comment Period

RSA 91-A:2

Meetings Open to Public

NH Dept of Ed Regulation

Description

N.H. Code Admin. Rules 306.04(a)

Availability of School Policy

N.H. Code Admin. Rules 306.04(b)

Required Policies

Board-Employee Communications

The Board desires to maintain open channels of communication between itself and the employees. The basic line of communication will, however, be through the Superintendent of Schools.

Staff Communications to the Board

All communications or reports to the Board or any Board committee from principals, supervisors, teachers, or other employee members shall be submitted through the Superintendent.

Board Communications to Staff

All official communications, policies, and directives of employee interest and concern will be communicated to employee members through the Superintendent, and the Superintendent will employ all such media as are appropriate to keep employee fully informed of the Board's actions and concerns.

Visits to Schools

Individual Board members interested in visiting schools or classrooms will inform the Superintendent of such visits and make arrangements for visitations through the principals of the various schools. Such visits shall be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes. Official visits by Board members will be carried on only under Board authorization and with the full knowledge of the Superintendent and principals.

Social Interaction

Staff and Board members share a keen interest in the schools and in education generally, and it is to be expected that when they meet at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations and general District problems. However, employees are reminded that individual Board members have no special authority except when they are convened at a legal meeting of the Board or vested with special authority by Board action. Therefore, discussions of personalities or personnel grievances by either party will be considered unethical conduct.

District Policy History:

First reading: October 23, 2025

Second reading/adopted:

District revision history:

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.*

See Also Policy GBD

Pittsfield School District

BOARD – EMPLOYEE COMMUNICATIONS

The Board desires to maintain open channels of communication between itself and the staff. The basic line of communication will, however, be through the superintendent of schools.

Staff Communications to the Board. All communications or reports to the Board or any Board committee from administrators, supervisors, teachers, or other staff members shall be submitted through the superintendent.

Board Communications to the Staff. All official communications, policies, and directives of staff interest and concern will be communicated through the superintendent.

Visits to Schools. Individual Board members interested in visiting schools or classrooms will inform the superintendent of such visits and make arrangements for visitations through one of the principals. Such visits shall be regarded as informal expressions of interest in school affairs and not as “inspections” or visits for supervisory or administrative purposes. Official visits by Board members will be carried on only under Board authorization and with full knowledge of the superintendent and deans.

Social Interaction. Staff and Board members share a keen interest in the schools and in education generally, and it is to be expected that, when they meet at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations, and general district issues. However, individual Board members have no special authority excepting when they are convened at a legal meeting of the Board or vested with special authority by Board action. Therefore, discussions by either party of personalities or personnel grievances will be considered as evidence of unethical conduct.

Adopted: June 28, 2018

Revised: July 7, 2022

Pittsfield School District

USE OF RESTRAINTS AND SECLUSION

Definitions,

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

“Restraint” shall not include:

- a. Brief touching or holding to calm, comfort, encourage, or guide a child, so long as limitation of freedom of movement of the child does not occur.
- b. The temporary holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a child to stand, if necessary, and then walk to a safe location, so long as the child is in an upright position and moving toward a safe location.
- c. Physical devices, such as orthopedically prescribed appliances, surgical dressings and bandages, and supportive body bands, or other physical holding when necessary for routine physical examinations and tests or for orthopedic, surgical, and other similar medical treatment purposes, or when used to provide support for the achievement of functional body position or proper balance or to protect a person from falling out of bed, or to permit a child to participate in activities without the risk of physical harm.
- d. The use of seat belts, safety belts, or similar passenger restraints during the transportation of a child in a motor vehicle.
- e. The use of force by a person to defend himself/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/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.

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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/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/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 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 or his / her designee is authorized to establish procedures for managing the behavior of students. Such procedures shall be consistent with this policy and all applicable laws. The superintendent or his / her designee 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 used as punishment for the behavior of a student.

Restraint will not be imposed for longer than is necessary to protect the student or others from the substantial and imminent risk of serious bodily harm. No period of restraint of a student may exceed fifteen minutes without the approval of a supervisory employee designated by the director of student services to provide such approval. No period of restraint of a student may exceed thirty 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 Board recognizes the statutorily imposed conditions of seclusions and hereby adopts those conditions as defined by RSA 126-5-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 only be used

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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 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 dean of operations will, no later than the end of the school day, verbally notify the student’s parent / guardian of the occurrence.

The dean of operations will, within five 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, 11. The superintendent may develop a reporting form or other documents necessary to satisfy these reporting requirements.

Unless prohibited by court order, the superintendent or his / her designee will, within two business days of the receipt of the notification required in the above paragraph, send by first class mail to the child’s parent / guardian the information contained in the notification / report. Each notification / report prepared under this section shall be retained by the school for review in accordance with the 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, director of student services or the dean of operations will make reasonable efforts to inform the student’s parent / guardian as soon as possible, but no later than the end of the school day. The director of student services or dean of operations will also prepare a written report of the incident within two business days of the incident. The report will include information required under RSA 126-U:7, V.

Transportation. The 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 his / her designee will ensure that all reasonable and appropriate measure consistent with public safety are made to transport or escort the student in a manner which prevents physical and psychological trauma, respects the privacy of the student, and represents the least restrictive means necessary for the safety of the student.

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

JKAA

Reading: September 9, 2010
Adopted: September 22, 2010
Amended: November 20, 2014
Reviewed: December 20, 2018
Amended: November 7, 2019
Reviewed: February 3, 2022
Reviewed: November 16, 2023

Use of Restraints and Seclusion

Purpose

The Pittsfield School District is committed to maintaining a safe and supportive environment for all students and staff.

The use of restraint or seclusion is strictly limited to situations involving a substantial and imminent risk of serious bodily harm.

These interventions are crisis responses, never disciplinary or routine measures, and shall always protect the student's safety, dignity, and rights.

Definitions

Restraint means any bodily physical restriction, mechanical device, or apparatus that immobilizes 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. Restraint applies only to actions taken by school or facility staff or contractors acting under school authority.

Medication restraint – Giving medication involuntarily for the immediate control of a student's behavior.

Mechanical restraint – Using any physical device or material to restrict a student's movement or the normal function of part of their body.

Physical restraint – Using a manual method to restrict a student's freedom of movement or normal access to their body.

Prone restraint – Prohibited. Intentionally placing a child face-down and applying physical force to keep the child in that position.

Brief contact while transitioning a student from a prone position to a safer posture is not considered prone restraint.

Exceptions to "restraint." The following do not constitute restraint:

- Brief touching or holding to calm, comfort, encourage, or guide a child, provided the child's freedom of movement is not restricted.
- Temporarily holding a hand, wrist, arm, shoulder, or back to induce the child to stand and walk to safety.
- Orthopedic or medical supports used for treatment or balance.
- Seat belts or other passenger restraints used during transportation.
- Reasonable physical force used in self-defense or to protect another person, consistent with RSA 627:4.

Dangerous restraint techniques – The following practices are strictly prohibited:

- Prone or any restraint that obstructs breathing or blood circulation.
- Pressure on the chest, lungs, sternum, diaphragm, back, or abdomen.
- Pushing into the mouth, nose, or eyes or covering the face.
- Use of painful, noxious, or toxic stimuli to obtain compliance.
- Any action that humiliates, ridicules, or endangers a child.

Seclusion means the involuntary confinement of a student alone in a room or area from which the student is unable to exit—whether by lock, physical barrier, or a reasonable belief that leaving would result in restraint—or confinement with an adult who uses their physical presence to prevent egress.

Seclusion does not include voluntary separation for self-regulation, brief removal to regain control, or separation where the student is free to leave.

Training Requirements

In accordance with RSA 126-U:5 and 126-U:5-a, the Superintendent shall ensure that:

- Each school building maintains personnel trained and certified in safe restraint and seclusion techniques.
- At least one trained staff member in each building is authorized to assess the physical, mental, and emotional well-being of any student restrained longer than 30 minutes.
- All employees, designated volunteers, and contracted personnel required to undergo background checks receive general training on this policy, legal limitations, and de-escalation and crisis-prevention strategies.

Personnel who have not completed approved training may not use restraint or seclusion.

Use of Restraint

Restraint may be used only:

- To ensure the immediate physical safety of the student or others when there is a substantial and imminent risk of serious bodily harm; and
- By personnel trained in its safe application.

Restraint shall never be used for discipline, punishment, or staff convenience.

No restraint may exceed 15 minutes without supervisory approval.

No restraint may exceed 30 minutes unless a trained and authorized employee conducts and documents an assessment of the student's well-being.

Assessments must be repeated and documented every 30 minutes while restraint continues.

Restraint must cease immediately if the student exhibits distress such as difficulty breathing, choking, loss of consciousness, or other signs of physical compromise.

Use of Seclusion

Seclusion may be used only:

By personnel trained in its safe use;

- When a student's behavior poses a substantial and imminent risk of physical harm; and
- After other de-escalation strategies have been attempted or reasonably deemed ineffective.

Seclusion shall never be used as punishment, coercion, or in a manner that humiliates or traumatizes a student.

Room and Safety Standards:

- The room must be appropriate in size for the student's age and developmental level and have comparable heating, lighting, and ventilation as other rooms in the building.
- It must be free of unsafe objects and equipped so doors automatically unlock in an emergency (medical event, fire, or lockdown).
- Each instance of seclusion must be continuously and directly visually and auditorily monitored by trained staff.

No separate seclusion shall be established or maintained in the school district.

Co-Regulator Requirement:

A "co-regulator" shall be designated to support the student's return to self-regulation and transition to a less restrictive setting.

When possible, this person should be a trusted adult chosen by the student, a counselor or clinician trained in trauma-informed practices, or a staff member not directly involved in the incident.

Prohibition of Dangerous Techniques

All dangerous restraint techniques are prohibited.

Mechanical restraints are prohibited except during transportation when absolutely necessary for safety and documented in writing.

Medication restraints are prohibited.

Reporting and Parental Notification

Whenever restraint or seclusion is used:

1. Immediate verbal report – The employee involved shall inform the Principal or supervising administrator as soon as the student is safe.
2. Parent notification – The Principal or designee shall make reasonable efforts to contact the parent/guardian as soon as practicable, but no later than the end of the school day.
3. Written report – Within five business days, a written notification (DOE/DHHS form) shall be submitted to the Superintendent describing the incident.
4. Parent mailing – Within two business days of receipt, the Superintendent or designee shall send a copy of the written report to the parent/guardian by first-class mail or electronic means.
5. Administrative review – The Superintendent shall review each incident for compliance with this policy, RSA 126-U, and Ed 1200.

Complaints and Investigations

Any individual may file a complaint with the Superintendent alleging a violation of this policy or RSA 126-U.

The Superintendent shall promptly investigate and issue written findings and conclusions.

No person shall be subjected to retaliation or harassment for filing a complaint or cooperating in an investigation.

Students with IEPs or 504 Plans

When restraint or seclusion is used for the first time on a student with an Individualized Education Program (IEP) or Section 504 Plan, the IEP or 504 team shall review and, if necessary, revise the plan to reduce or eliminate future use.

Additional reviews shall occur upon parental request if multiple incidents occur.

Record Retention

All reports and related documentation shall be retained for the duration of the student's enrollment plus three years, unless a longer period is required by DOE or DHHS regulations.

Dissemination

This policy shall be provided to parents/guardians upon student enrollment and annually thereafter.

It shall be printed in student handbooks and posted on the District website.

District Policy History:

Reading: September 9, 2010

Adopted: September 22, 2010

Amended: November 20, 2014

Reviewed: December 20, 2018

Amended: Reviewed: Reviewed: November 7, 2019; February 3, 2022; November 16, 2023

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.*

NH Statute	Description
RSA 126-U	Limiting the Use of Child Restraint Practices
RSA 169-B	Delinquent Children
RSA 169-C:29-39	Reporting Law
RSA 186-C	Special Education
NH Dept. of Ed Regulation	Description
N.H. Code Admin. Rules Ed 1200 (Chapter)	Restraint and Seclusion for Children
N.H. Code Admin. Rules Ed 1202.02 Report	Restraint and Seclusion for Children, Duty to
Federal Statutes	Description
20 U.S.C. § 1400-1417	Individuals with Disabilities Education Act (IDEA)
29 U.S.C. 794	Rehabilitation Act of 1973 (Section 504)
42 U.S.C. 12101, et seq.	Title II of The Americans with Disabilities Act of 1990

Non-Discrimination, Equal Opportunity Employment, Anti-Discrimination Plan

A. INTRODUCTION AND GENERAL POLICY AGAINST DISCRIMINATION AND HARASSMENT

The District recognizes the right of all students and staff members to learn and work in an environment free from discrimination or harassment, and likewise, that persons participating or attempting to participate in District programs, employment or activities have the right to do so free from discrimination or harassment.

Accordingly, the District prohibits any type of unlawful harassment or discrimination based on age, race, color, religion, creed, sex, national or ethnic origin, gender identity, sexual orientation, marital status, familial status, physical or mental disability, pregnancy, genetic information, or veteran status by employees, students, members of the school community, or by vendors or visitors on school property or at school-sponsored events. No person shall be excluded from or denied the benefits of educational programs or activities on the basis of any of the above classes or economic status.

As described above, the blanket prohibition afforded under this policy, as well as other Board policies, reflects, but goes further than, some of the same protections afforded under multiple State and Federal statutes or regulations, such as, but not limited to, NH RSA 354-A, and NH RSA 193:38-39, Titles IV, VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1972, the Americans with Disabilities Act of 1990, the Age Discrimination in Employment Act of 1967, and the Pregnant Worker Fairness Act. Additionally, bullying or general harassment of students unrelated to any of the characteristics ("protected classes") identified above, is further prohibited under Board policy JICK and RSA 193-F. Statutory and regulatory statements and notices of nondiscrimination are included in this policy.

The District has determined that the most effective way to limit harassing or discriminating statements or conduct that is illegal or unlawful under those statutes is to treat it as misconduct under Board policies even when such conduct or statements might not rise to the level of discrimination or harassment prohibited under federal or state law.

B. DEFINITIONS

The definitions found here apply to each Board policy unless and to the extent that such definition is contrary to specific language or context of that policy or other legal authority.

"Days" means calendar days, but excludes 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).

"Discrimination" is conferring benefits upon, refusing or denying benefits to, or providing differential treatment to a person or class of persons in violation of law based on race, color, religion, sex, national origin, ancestry, disability, age, genetic information, or any other characteristic protected by law, or based on a belief that such a characteristic exists.

A "*Grievance*" or "*Complaint*" is a verbal or written report or complaint of discrimination, harassment, or retaliation that objectively can be understood as a request for the District to investigate and make a determination about alleged discrimination. The required form and the specific process for making a report may vary depending on the nature of the conduct or issue. See Section D, below, for further information.

"*Harassment*" generally refers to the use of words or engaging in behaviors that annoy, threaten, intimidate, or demean a person without a legitimate purpose. Harassment will often constitute bullying prohibited under Board policy JICK. Additionally, harassment may constitute illegal discrimination if the harassing statements or behaviors include explicit or implicit reference to age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion or national origin.

"*Retaliation*" means intimidation, threats, coercion, or discrimination against any person by the District, a student, or an employee or other person authorized by the District to provide aid, benefit, or service under the District's education program or activity, for the purpose of interfering with any right or privilege secured by state or federal law, or District policies, procedures, regulations or rules, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, hearing, or appeal under such policies, procedures, etc.

C. POLICY APPLICATION

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

D. REPORT, COMPLAINT, AND GRIEVANCE PROCEDURES

1. Reports or complaints of sex discrimination, including sex-based harassment, or sexual violence should be made under Board policy ACAC;
2. Reports or complaints by students of discrimination on the basis of educational disability under the IDEA should be made under Board policy ACE;
3. Reports or complaints of bullying or other harassment of pupils should be made under Board policy JICK;
4. Reports or complaints of discrimination, harassment, or retaliation not specified above, including, without limitation, claims relating to race, ethnicity, disability (e.g., ADA or 504), religion, access to

the Boy Scouts of America or other Title 36 youth group listed in Title 36, Subtitle II, Part B of the United States Code (as a patriotic society) that is intended to serve young people under the age of 21, and not involving or relating to the District's food services (see number 5 below) should be made under the grievance procedure in Board policy ACA; and

5. Reports or complaints of discrimination based upon protected classes relative to any of the District's food and nutrition services (FNS) programs (school lunches, etc.) should be made under Board policy ACF, unless the alleged discriminatory conduct relates to a class identified in Sections D.1 or D.2.
- Any person who believes that he or she has been discriminated against, harassed, or bullied in violation of this policy by any student, employee, or other person under the supervision and control of the school system, or any third person who knows or suspects conduct that may constitute discrimination, harassment, or bullying, should contact the Pittsfield Superintendents office, or otherwise as provided in the policies referenced above under this same heading.

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

Investigations and resolution of any complaints shall be according to the policies listed above and related administrative procedures or regulations. Complaints or reports regarding matters not covered in those policies should be made to the Pittsfield Superintendents office.

E. ALTERNATIVE COMPLAINT PROCEDURES AND LEGAL REMEDIES

At any time, whether or not an individual files a complaint or report under this policy or policy ACA, an individual may file a complaint with an external agency, such as the Office for Civil Rights ("OCR") of the United States Department of Education, the New Hampshire Commission for Human Rights, or another relevant authority. The contact information for such agencies is located in AC-R(2). Complaints to the OCR, however, must be made within 180 days of the last act of alleged discrimination, harassment or retaliation giving rise to the complaint or from the date the Complainant could reasonably become aware of such occurrence.

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

F. RETALIATION PROHIBITED

No reprisals or retaliation of any kind will be taken by the Board or by any District employee against the complainant or other individual on account of his or her filing a complaint or report or making statements in the course of an investigation or grievance procedure. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of an investigation, a disciplinary proceeding, or grievance proceeding does not constitute retaliation, provided, however, that a finding explicitly or implicitly negating a statement, alone, is not sufficient alone to conclude that the person made a materially false statement in bad faith.

G. HUMAN RIGHTS OFFICER, TITLE IX AND 504/ADA COORDINATORS

The Superintendent shall assure that District and or building personnel are assigned to the positions listed below. Each year, and more often when personnel change, the Superintendent shall prepare and disseminate as a supplement to this policy AC-R(2) an updated list of the person or persons acting in those positions, along with their District contact information, including telephone number, email, and postal and physical addresses:

- Human Resource Officer: Rheana Anderson
- Title IX Coordinator: Melissa Brown
- 504/ADA Coordinator: Erik Anderson

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

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

H. DISTRICT ANTI-DISCRIMINATION PLAN

The District Anti-Discrimination Plan shall be reviewed every two years.

I. STATUTORY AND REGULATORY NONDISCRIMINATION STATEMENTS AND NOTICES

1. Comprehensive Prohibition Against Discrimination in Educational Programs and Activities.

Under State or Federal law and Board policy, no person shall be excluded from, denied the benefits of, or subjected to discrimination or harassment in the District's public schools because of their age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion or national origin.

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

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

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

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

3. **USDA Nondiscrimination Statement (copied from Policy ACF).**

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or 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 discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: [USDA Form AD-3027](#) (linked tested 2024/5/9), from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

a. **Mail:**

U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

b. **Fax:** (833) 256-1665 or (202) 690-7442; or

c. **Email:** Program.Intake@usda.gov

J. COLLABORATION WITH OUTSIDE AGENCIES

Information may be disclosed if necessary to further the investigation, appeal or resolution of a grievance, or if necessary to carry out interim or disciplinary measures. The District will disclose information to the District's attorney, law enforcement, and others when necessary to enforce this policy or when required by law. In implementing this policy, the District will comply with state and federal laws regarding the confidentiality of student and employee records. Information regarding any resulting employee or student disciplinary action will be maintained and released in the same manner as any other disciplinary record. The District will keep any documentation created in investigating the complaint including, but not limited to, documentation considered when making any conclusions, in accordance with Board policy, state and federal laws, and as advised by the District's attorney.

K. ADDITIONAL REPORTING REQUIREMENTS

Reports under this Policy are in addition to and do not replace other reporting requirements mandated by law or other policies - see, e.g., Educator Code of Conduct, abuse or neglect of children (see RSA 169-C:29 and District policy), acts of "theft, destruction, or violence" (see RSA 193-D:4, I (a) and Ed 317.06), incidents of "bullying" (see RSA 193-F and policy JICK), and hazing (see RSA 671:7).

L. ADMINISTRATIVE PROCEDURES, REGULATIONS AND TRAINING PROGRAMS

The School District shall develop such other procedures and regulations, and shall ensure that training programs are provided as are necessary and appropriate to implement this policy as well as the other policies referenced above.

M. NOTICE OF COMPLIANCE

The School District will provide notice of the nondiscrimination statements and notices, the Anti-Discrimination Plan, to all applicants for employment, employees, students, parents, and other interested persons as required by statute, policy or regulation, or as the Superintendent may otherwise deem appropriate.

District Policy History:

First reading: 10/2/2025

Second reading/adopted:

District revision history:

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.

NH Statutes

RSA 186:11, XXXIII

Description[Discrimination](#)

RSA 193-F

[Pupil Safety and Violence Prevention](#)

RSA 193:38

[Discrimination in Public Schools](#)

RSA 275:71

[Prohibited Conduct by Employer](#)

RSA 275:78-83

[Policies Relating to Nursing Mothers \(Scroll down to sections 275:78-83\)](#)

RSA 354-A

[State Commission for Human Rights](#)

RSA 354-A:1

[\(Human Rights\) Title and Purposes of Chapter](#)

RSA 354-A:27

[Opportunity for Public Education without Discrimination a Civil Right](#)

RSA 354-A:6

[Opportunity for Employment without Discrimination a Civil Right](#)**NH Dept of Ed Regulation**

N.H. Code Admin. Rules Ed 303.01 (i)

Description[School Board Substantive Duties](#)**Federal Regulations**

34 CFR 108

Description[Equal Access to Public School Facilities for the Boy Scouts of America and Other Designated Youth Groups](#)

89 FR 29182

[Pregnant Workers Fairness Act \("PWFA"\)](#)**Federal Statutes**

20 U.S.C 1681, et seq

Description[Title IX of the Education Amendments of 1972](#)

20 U.S.C. § 1400-1417

[Individuals with Disabilities Education Act \(IDEA\)](#)

20 U.S.C. § 7905

[Equal access to public school facilities \("Boy Scouts of America Equal Access Act"\)](#)

29 U.S.C. 621, et seq.

[The Age Discrimination in Employment Act of 1967](#)

29 U.S.C. 705

[The Rehabilitation Act of 1973 - Definitions](#)

29 U.S.C. 794

[Rehabilitation Act of 1973 \(Section 504\)](#)

36 U.S.C. Subtitle II Part B

[Organizations](#)

42 U.S.C. 12101, et seq.

[Title II of The Americans with Disabilities Act of 1990](#)

42 U.S.C. 2000c

[Title IV of the Civil Rights Act of 1964](#)

42 U.S.C. 2000d et seq.

[Title VI of the Civil Rights Act of 1964](#)

42 U.S.C. 2000e et seq.

[Title VII of the Civil Rights Act of 1964](#)

42 U.S.C. 2000gg

[Pregnant Worker Fairness Act \("PWFA"\)](#)

42 U.S.C. 218d

[Pump for Nursing Mothers Act \("PUMP Act"\)](#)

Discrimination and Harassment Grievance Procedure

A. Purpose

As described in Board policy AC and other policies referenced there, the District is committed to maintaining a workplace and educational environment that is free from discrimination, harassment, and retaliation* in admission or access to, or treatment or employment in, its programs, services, activities, and facilities.

***NOTE:** Definitions for these terms can be found in policy AC.

This policy provides a grievance process for any complaints of illegal discrimination, harassment, or retaliation that are not addressed by other Board policies. For example, while race-based or ethnicity-based harassment or discrimination could be addressed through the grievance process in this policy, sex discrimination or sex-based harassment must be addressed under policy ACAC.

The District does not assume responsibility or liability for actions that are unrelated to the District's programs or activities. However, the District may investigate any behavior that occurs on or off District property to the extent that such an investigation is necessary for the District to meet its legal obligations to address discrimination, harassment, and retaliation that negatively impact the education or work environment in the District. The District can address such behavior only when and to the extent that the District has the legal authority to do so.

B. Reports and Complaints of Discrimination or Harassment

Under this policy, a **report** is nothing more than providing information to the District regarding conduct or statements that might constitute discrimination, harassment, or retaliation ("Discriminatory Conduct") as described below. A **grievance** or **complaint** (referred to in this policy as a "**Complaint**") is a verbal or written report or complaint of Discriminatory Conduct that objectively can be understood as a request for the District to investigate and make a determination about alleged Discriminatory Conduct. A Complaint is required to initiate the formal Grievance Process as described below.

C. Reports – Informal Process

Contact information for the District's Human Rights Officer, Title IX Coordinator, and 504/ADA Coordinator can be found in AC-R(2).

District employees and volunteers are required to report such conduct as soon as possible, but not later than the end of the next school or work day. This requirement does not apply if the employee or volunteer is the subject of the conduct, unless any student witnessed or was otherwise impacted by the conduct.

Upon receiving a report, the Human Rights Officer may determine that the incident has been appropriately addressed or may recommend additional action.

1. Reports of prohibited or illegal Discriminatory Conduct should be made to the District Human Rights Officer or the Building Principal under this policy unless:
 - a. The report is about the Human Rights Officer, Title IX Coordinator, 504/ADA Coordinator, in which case the report may be made directly to the Superintendent or Superintendent's designee, who shall then appoint an alternate to act in place of the disqualified officer.
 - b. The report concerns potential sex discrimination, sex-based harassment, or retaliation, in which case the report should be made to the Title IX Coordinator under policy ACAC.
 - c. The report concerns potential discrimination, harassment, or retaliation related to a real or perceived disability, in which case the report should be made to the District's 504/ADA Coordinator under this policy.
 - d. The report concerns harassment that does not involve a protected class (included in AC), in which case the report shall be made to the Building Principal under policy JICK.
2. Any person who believes they have been subjected to prohibited or illegal Discriminatory Conduct may report the alleged acts to the District Human Rights Officer in accordance with this policy.

If a student is more comfortable reporting to a person other than the Human Rights Officer (e.g., guidance counselor, teacher, Principal), the student may tell any school district employee or volunteer. The employee or volunteer shall then make a report as discussed above and below in this Section C.

3. Any person who witnesses or receives a report of behavior they believe to be Discriminatory Conduct should report the alleged acts immediately to the Human Rights Officer.

If a student is more comfortable reporting to a person other than the Human Rights Officer (e.g., guidance counselor, teacher, Principal), the student may tell any school district employee or volunteer. The employee or volunteer shall then make a report per the following paragraph.

D. Definitions

For the purposes of this policy and only this policy, terms are defined as follows.

"Complaint" means a document filed by a complainant, alleging discrimination or harassment against a respondent or the District, and requesting that the District investigate the allegation of harassment or discrimination. ("Complaint" is to be distinguished from a "Report" as defined below.)

- Complaints involving sex discrimination, sexual harassment (whether under Title IX or other), or retaliation must be referred to the Title IX Coordinator. See policy ACAC for the Title IX Grievance Procedure.
- Complaints involving discrimination, harassment, or retaliation relative to a real or perceived disability must be referred to the 504/ADA Coordinator. Such complaints will be addressed in accordance with this policy and "Human Rights Officer" below shall refer to the 504/ADA

Coordinator.

- Complaints of harassment that do not involve protected classes as identified in policy AC should be processed under policy JICK, the District's anti-bullying policy and procedures.

All other Complaints will be managed by the Human Rights Officer.

"Complainant" is the person making a complaint. The Complainant may or may not be the Victim. If the Complainant is under 18 years of age, the Complainant's parent(s) or legal guardian(s) shall also receive any communication regarding the Complaint or Grievance Process to which the Complainant is entitled.

"Discriminatory Conduct" refers to discrimination, harassment, or retaliation.

"Grievance Process" is the formal investigation and determination of whether prohibited or illegal discrimination, harassment, or retaliation occurred, and may include appeals.

Human Rights Officer is the person assigned to that role in the District; contact information for this person can be found in policy AC-R(2). If the Human Rights Officer designates another person to act as the Human Rights Officer, "Human Rights Officer" shall refer to that designee. Similarly, if the Human Rights Officer directs a Complaint to the 504/ADA Coordinator, "Human Rights Officer" as used in this policy refers to the 504/ADA Coordinator. If the report or Complaint of alleged discrimination, harassment, or retaliation involves the Human Rights Officer, "Human Rights Officer" shall refer to a person assigned by the Superintendent or the Superintendent's designee to handle the report or Complaint.

"Report" is information provided to the District regarding conduct or statements that might constitute discrimination, harassment, or retaliation. A report does NOT prompt the Grievance Process; only a Complaint initiates the formal Grievance Process.

"Respondent" is the person who allegedly engaged in the prohibited or illegal discrimination, harassment, or retaliation. If a District policy, procedure, rule, custom, or practice is the subject of a report or Complaint and not a specific person, the District is considered the Respondent. If a Respondent is under 18 years of age, the Respondent's parent(s) or legal guardian(s) shall also receive any communication regarding the Complaint or Grievance Process to which the Respondent is entitled.

"Victim" is the person who was allegedly subjected to the prohibited or illegal discrimination, harassment, or retaliation. The Victim may or may not be the Complainant. If a Victim is under 18 years of age, the Victim's parent(s) or legal guardian(s) shall also receive any communication regarding the Complaint or Grievance Process to which the Victim is entitled.

"Witness" is a person who may have information regarding the alleged discrimination, harassment, or retaliation.

E. Complaints and Initiation of the Formal Grievance Process.

A person begins the formal grievance process by making a Complaint with the Human Rights Officer. If the Complaint is against the Human Rights Officer, the Title IX Coordinator, or the 504/ADA Coordinator, or if some other conflict of interest exists, the Complaint may be made to the Superintendent or Superintendent's designee, who shall then appoint an alternate to act in place of the disqualified officer. For Complaints against the Human Rights Officer, the appointed alternate shall be deemed the "Human Rights Officer" for purposes of all the duties and powers of the Human Rights Officer as described below.

Written Complaints are strongly encouraged, as a written record provides certainty regarding the nature of the Complaint. If an oral Complaint is made, the Human Rights Officer will offer to assist in the preparation of a written Complaint or, if assistance is refused, to create a recording of the oral Complaint. If both assistance and recording are refused by the Complainant, the District will investigate the expressed oral Complaint but, again, notes that an undocumented or unrecorded Complaint may result in uncertainty regarding the nature of the Complaint. The submission of a Complaint initiates Level 1 of the Grievance Process as described below. Upon receiving the Complaint, the Human Rights Officer will review the Complaint to determine whether it concerns allegations more appropriately addressed under a different procedure in accordance with policy AC.

Complaints should be made as soon as possible. Complainants are advised that complaints to the Office for Civil Rights of the United States Department of Education ("OCR") must be made within 180 days of the last act of alleged discrimination, harassment, or retaliation giving rise to the complaint or from the date the Complainant could reasonably have become aware of such occurrence.

If the person making the Complaint (the "Complainant") or the person alleged to have committed the discriminatory conduct (the "Respondent") is under 18 years of age, the Human Rights Officer shall notify their parent(s)/guardian(s) of the Complaint.

In determining whether the alleged actions constitute prohibited or illegal Discriminatory Conduct, the District will consider the surrounding circumstances, the nature of the behavior, the relationships between the parties involved, past incidents, the context in which the alleged incidents occurred, and all other relevant information. If, after investigation, school officials determine that it is more likely than not (the preponderance of the evidence standard) that Discriminatory Conduct or other prohibited behavior has occurred, the District will take prompt and effective corrective action in accordance with law and Board policy.

Level I – Investigation and Initial Determination:

The Human Rights Officer will initiate an impartial investigation within five days of receiving the Complaint. The Human Rights Officer may appoint another qualified person (e.g. Building Principal, etc.) to undertake the investigation. The Human Rights Officer or the appointed designee shall be known as the Investigator. The Investigator shall coordinate with the Superintendent with respect to assignment of persons or resources to fulfill the District's obligations, both general and case specific, relative to this policy (e.g., supplemental

investigators, specialists); this may involve the retention of third-party personnel or additional expenditure of resources.

The Investigator shall conduct a prompt, impartial, adequate, reliable, and thorough investigation, including the opportunity for the Complainant and other parties involved to identify witnesses and provide information and other evidence. The Investigator will evaluate all relevant information and documentation relating to the Complaint.

Within 30 working days of receiving the Complaint, the Investigator will complete a written report that summarizes the investigation and makes determinations as to whether the facts indicate a violation of this policy based on the appropriate legal standard. If someone other than the Human Rights Officer served as Investigator, the Human Rights Officer will receive the report and either adopt the report as submitted or modify and complete the report upon further investigation and/or review of applicable policy and law. If the determination is that prohibited or illegal Discriminatory Conduct occurred, the Human Rights Officer will recommend corrective action to the Superintendent to address the discrimination, harassment, or retaliation; prevent recurrence; and remedy its effects.

The Complainant(s), the victim(s) (if someone other than the victim(s) filed the Complaint), and the Respondent(s) will be notified of the determination in writing, within five working days of the completion of the investigatory report.

An extension of the investigation and any other deadlines/periods identified in this Section may be warranted if extenuating circumstances exist as determined by the Investigator. The Complainant(s), the victim(s) (if someone other than the victim(s) filed the Complaint), and the Respondent(s) will be notified when deadlines are extended.

Level II – Appeal:

Within five working days after receiving the Level I decision, the Complainant(s), the victim(s) (if someone other than the victim(s) filed the Complaint), or any Respondent may appeal the Investigator's decision to the Superintendent by notifying the Superintendent in writing. The Superintendent shall impartially review the matter or may designate another qualified person to conduct a prompt and impartial review.

Within ten working days, the Superintendent or designee will complete a written decision on the appeal, stating whether a violation of District policy is found and, if so, stating what corrective actions will be implemented, or, the Superintendent/designee may determine to remand the matter to the Investigator for further investigation or consideration. If someone other than the Superintendent conducts the appeal, the Superintendent will review and sign the report before it is given to the person appealing. A copy of the appeal and decision will be given to the Level I Investigator. The Complainant(s), the victim(s) (if someone other than the victim(s) filed the Complaint), and any Respondent will be notified in writing, within five working days of the Superintendent's decision, regarding whether the Superintendent or designee upheld, overturned, or modified the Level I decision.

Level III – Appeal:

Within five working days after receiving the Level II decision, the Complainant(s), the victim(s) (if someone other than the victim(s) filed the Complaint), or any Respondent may appeal the Superintendent's decision by notifying the Superintendent and School Board Chair in writing.

Level III appeals may only be based upon one or more of the following grounds, which must be stated specifically in the party's written appeal:

1. Procedural irregularity that affected the outcome of the matter;
2. 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
3. The Investigator, or Superintendent/designee had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Appeals for any other reason not included in the written appeal will not be heard.

Appeals that pertain only to 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.

Upon receiving a written appeal, the School Board Chair will promptly confer with the School Board's attorney for guidance as to whether assigning the appeal to an outside hearing officer is in the best interests of the District. This conference may occur with the Board in the context of a consultation with counsel under 91-A:2, II (b)

Within 21 days, the School Board will determine whether to hear the appeal or submit it to an outside hearing officer.

The Complainant(s), the victim(s) (if someone other than the victim(s) filed the Complaint), and each Respondent will be allowed to address or otherwise submit information to the Board/hearing officer, and the Board/hearing officer may call for the presence of other persons the Board/hearing officer deems necessary. The Board/hearing officer will issue a decision within 30 working days after the hearing or submission of information for implementation by the administration. The Complainant(s), the victim(s) (if someone other than the victim(s) filed the Complaint), and each Respondent will be notified in writing, within five working days of the Board/hearing officer's decision, subject to such confidentiality as is consistent with applicable policy and law. **The Level III decision is final.**

F. Confidentiality

Information contained in reports or Complaints, or the records relating to a formal grievance process, including, e.g., the identities of the Complainant(s), victim(s), Respondent(s), or witness(es), will only be disclosed as reasonably necessary in connection with the investigation or

as required by law or policy. The District will make reports to appropriate authorities as necessary or as required by law.

G. District Actions in Absence of Formal Complaint

Even if the person who is the subject of the alleged discriminatory conduct does not file a Complaint under this policy, if the District otherwise learns about possible discrimination, harassment, or retaliation, including violence, the Human Rights Officer will conduct a prompt, impartial, adequate, reliable, and thorough investigation to determine whether conduct in violation of law, District policy, or District expectations and Code of Conduct occurred, and will consult with the Building Principal and/or Superintendent regarding recommended supportive measures, remedies, and/or disciplinary consequences as deemed necessary or appropriate.

H. Interim and/or Supportive Measures

When a report or Complaint is made or the District otherwise learns of potential discrimination, harassment, or retaliation, the District will take immediate action to protect the alleged victim(s), including implementing interim and/or supportive measures. Such measures may be provided on a temporary, long-term, or permanent basis and include, but are not limited to, altering a class seating arrangement, providing additional supervision, or suspending an employee pending an investigation. The District will also take immediate steps to prevent retaliation against the alleged victim(s) and/or Complainant(s), any person associated with the alleged victim(s) and/or Complainant(s), or any witness(es) or participant(s) in the investigation. These steps may include, but are not limited to, notifying students, employees and others that they are protected from retaliation, ensuring that they know how to make reports or Complaints, and initiating follow-up contact with the alleged victim(s) and/or Complainant(s) to determine if any additional acts of discrimination, harassment, or retaliation have occurred.

I. Consequences and Remedies

If the District determines that prohibited or illegal Discriminatory Conduct has occurred, the District will take prompt, effective and appropriate action to address the behavior, prevent its recurrence, and remedy its effects.

Employees who violate this policy will be disciplined, up to and including employment termination. Students who violate this policy will be disciplined in accordance with applicable policies, Codes of Conduct, or school/classroom rules and regulations. Patrons, contractors, visitors, or others who violate this policy may be prohibited from District property or otherwise restricted while on District property. The Superintendent, Human Rights Officer, Building Principal, or designees will contact law enforcement or seek a court order to enforce this policy when necessary or when actions may constitute criminal behavior.

J. Training

The District will provide training to employees on identifying and reporting acts that may constitute discrimination, harassment, or retaliation. The District will instruct employees to make all reports to proper personnel, specifically the Building Principal. The Building Principal will refer reports of illegal discrimination, harassment, or retaliation to the proper personnel, as found in policies AC and AC-R(2). The District will inform employees of the consequences of violating this policy and the remedies the District may use to rectify policy violations. All employees will have access to the District's current policies, required notices, and complaint forms. The District will provide training to any person responsible for investigating potential discrimination, harassment, or retaliation.

The District will provide information to parents/guardians and students regarding this policy and will provide age-appropriate instruction to students.

District Policy History:

First reading: October 2, 2025

Second reading/adopted:

District revision history:

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.*

NH Statutes	Description
RSA 141-C:20-d	<u>Exclusion During Outbreak of Disease</u>
RSA 189:1-b	<u>Freedom of Assembly, Freedom of Religion</u>
RSA 193-F	<u>Pupil Safety and Violence Prevention</u>
RSA 193:38	<u>Discrimination in Public Schools</u>
RSA 200:39	<u>Exclusion from School</u>
RSA 275:78-83	<u>Policies Relating to Nursing Mothers (Scroll down to sections 275:78-83)</u>
RSA 354-A:1	<u>(Human Rights) Title and Purposes of Chapter</u>

NH Statutes	Description
RSA 354-A:27	<u>Opportunity for Public Education without Discrimination a Civil Right</u>
RSA 354-A:6	<u>Opportunity for Employment without Discrimination a Civil Right</u>
NH Dept of Ed Regulation	Description
N.H. Code Admin. Rules Ed 1100	<u>Standards for the Education of Students With Disabilities</u>
N.H. Code Admin. Rules Ed 1107.02(b)	<u>Evaluation Requirements for Children With Specific Learning Disabilities</u>
N.H. Code Admin. Rules Ed 303.01 (j)	<u>Substantive Duties of School Boards; Sexual Harassment Policy</u>
N.H. Code Admin. Rules Ed 306.04(b)(23)	<u>Meeting the Special Physical Health Needs of Students</u>
N.H. Code Admin. Rules Ed 306.04(b)(7)	<u>Student Harassment</u>
Federal Regulations	Description
28 CFR Part 35	<u>Nondiscrimination on the Basis of Disability in State and Local Government Services</u>
34 C.F.R. §§ 110.25	<u>Designation of responsible employee, notice, and grievance procedures</u>
34 CFR 104	<u>Nondiscrimination on the Basis of Handicap</u>
34 CFR 104.7(b)	<u>Adoption of Grievance Procedures</u>
34 CFR 106.30	<u>Definitions</u>
34 CFR 106.44	<u>Recipient's response to sexual harassment</u>
34 CFR 106.45	<u>Grievance process for formal complaints of sexual harassment</u>
34 CFR 106.71	<u>Retaliation</u>
34 CFR 108	<u>Equal Access to Public School Facilities for the Boy Scouts of America and Other Designated Youth Groups</u>

Federal Regulations	Description
34 CFR 300.307-.309	<u>Additional Procedures for Identifying Children With Specific Learning Disabilities</u>
7 CFR Part 15, Subpart A	<u>Nondiscrimination</u>
89 FR 29182	<u>Pregnant Workers Fairness Act (“PWFA”)</u>
89 FR 31320 (28 CFR 35)	<u>Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities</u>
20 U.S.C 1681, et seq	<u>Title IX of the Education Amendments of 1972</u>
20 U.S.C. § 1400-1417	<u>Individuals with Disabilities Education Act (IDEA)</u>
20 U.S.C. § 7905	<u>Equal access to public school facilities (“Boy Scouts of America Equal Access Act”)</u>
20 U.S.C. §§1400 et seq.	<u>Individuals with Disabilities Education Law</u>
20 U.S.C. §1232g	<u>Family Educational Rights and Privacy Act (FERPA)</u>
20 U.S.C. 1401(3)(B)	<u>Child with a Disability, Child Aged 3 through 9</u>
20 U.S.C. 1701-1758	<u>Equal Educational Opportunities Act of 1974 – “EEOA”</u>
29 U.S.C. 621, et seq.	<u>The Age Discrimination in Employment Act of 1967</u>
29 U.S.C. 705	<u>The Rehabilitation Act of 1973 - Definitions</u>
29 U.S.C. 794	<u>Rehabilitation Act of 1973 (Section 504)</u>
36 U.S.C. Subtitle II Part B	<u>Organizations</u>
42 U.S.C. 12101, et seq.	<u>Title II of The Americans with Disabilities Act of 1990</u>
42 U.S.C. 1751 et seq.	<u>National School Lunch Act</u>

Federal Regulations	Description
42 U.S.C. 2000c	<u>Title IV of the Civil Rights Act of 1964</u>
42 U.S.C. 2000d et seq.	<u>Title VI of the Civil Rights Act of 1964</u>
42 U.S.C. 2000e et seq.	<u>Title VII of the Civil Rights Act of 1964</u>
42 U.S.C. 2000gg	<u>Pregnant Worker Fairness Act ("PWFA")</u>
42 U.S.C. 218d	<u>Pump for Nursing Mothers Act ("PUMP Act")</u>
42 USC 1751 – 66	<u>National School Lunch Act</u>
P.L. 110-233	<u>Genetic Information Nondiscrimination Act of 2008</u>

Prohibition of Sexual Harassment: Policy and Grievance Procedures

Non-Discrimination, Equal Opportunity Employment, Anti-Discrimination Plan

INTRODUCTION AND GENERAL POLICY AGAINST DISCRIMINATION AND HARASSMENT

This policy and grievance procedure applies to all reports or complaints of sexual harassment, whether prohibited by Title IX ("Title IX sexual harassment") or sexual harassment prohibited/governed by other policies or state or federal laws ("Non-Title IX sexual harassment"). Definitions for both Title IX and Non-Title IX sexual harassment are found in Section II.C of this policy.

Instructions for making a report of either form of sexual harassment are found in Section II.K, and instructions for making a "Formal Complaint" initiating the Title IX investigation and determination process are found in Section III.A. The "Title IX Grievance Process" (or sometimes simply the "Grievance Procedure") is Section III.

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. DEFINITIONS AND OTHER PROVISIONS APPLICABLE TO PROHIBITED SEXUAL HARASSMENT.

A. **Prohibited Sexual Harassment.** Sexual harassment is a form of sex discrimination and is strictly prohibited by the District. Behaviors that will often constitute prohibited sexual harassment include:

1. Sexually suggestive remarks or jokes;
2. Verbal harassment or abuse;
3. Displaying or distributing sexually suggestive pictures, in whatever form (e.g., drawings, photographs, videos, irrespective of format);
4. Sexually suggestive gesturing, including touching oneself in a sexually suggestive manner in front of others;
5. Harassing or sexually suggestive or offensive messages that are written or transmitted electronically;
6. Subtle or direct propositions for sexual favors or activities; or
7. Touching of a sexual nature or groping will always constitute a violation of school policies, and such touching or groping that occurs without consent (i.e. sexual assault) will constitute sexual harassment prohibited under Title IX.

Such behaviors are prohibited and, depending on the context, the repetition, and/or the severity, may also violate one or more state or federal laws. The most severe, pervasive, and offensive of these behaviors are governed by Title IX. Less severe sexual harassment may still constitute a violation of this policy, Board policy AC and/or JICK, as well as one or more A:6 and - A:27. More detailed definitions of "Title IX sexual harassment" and other prohibited sexual harassment ("non-Title IX sexual harassment") are set out in the definitions section in II.C, below.

While all reports of sexual harassment are to be processed in the first instance under Sect. II.K.1 of this Policy, only formal complaints regarding alleged conduct that could constitute Title IX sexual harassment are subject to the Complaint and Grievance Procedure found in Sect. III, below. If the alleged conduct does not appear to meet - or has been determined under the Title IX Grievance Procedure of Sect. II not to meet - the definition of sexual harassment under Title IX, then the report will be investigated and processed in accordance with Board policy ACA.

B. Application of Policy.

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 will 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 Sect. II.C, below. The name and contact information for the Title IX Coordinator is set forth in Board Policy AC-R(2), which policy shall be updated and disseminated annually with the Title IX Coordinator's name as set forth in Board policy AC.

C. 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 this policy includes sexual harassment specifically prohibited and defined under regulations implementing Title IX (“Title IX sexual harassment”) and other sexual harassment defined or governed by other policies, or state or federal laws (“non-Title IX Sexual Harassment”).

The context and severity of behavior can make a difference between conduct prohibited under Title IX, and conduct of a sexual nature that violates Board policy and/or other statutes. The nature of the allegations will determine whether the allegations are to be processed under provisions relating to Title IX or under Board policy ACA. The Title IX Grievance Process found in Sect. III, below, will only be used upon the filing of a formal complaint (discussed in Sections II.K.3 and III.A, below.

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

“Title IX sexual harassment” is conduct on the basis of sex occurring in a school system, education program or activity that constitutes 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. Sexual assault, dating violence, domestic violence, or stalking as defined in state or federal law; OR
 3. 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. *(Note: conduct that meets some but not all the elements of this type of sexual harassment would not be Title IX sexual harassment, but, may, nonetheless, constitute Non-Title IX sexual harassment.)*)
- Conduct that meets one or more of the above will not constitute Title IX sexual harassment 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. The same conduct, may, however, be addressed under policy ACA.

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 Title IX 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 Title IX sexual harassment within that program, may not be subject to this policy.

“Non-Title IX sexual harassment” prohibited under this policy, Board policies AC and ACA and one or more of Title VII of the Civil Rights Act of 1964, RSA 193:38, RSA 354-A:1, -A:6 or -A:27 is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature in the following situation

- i. Submission to such conduct is made either explicitly or implicitly a term or condition of a student’s educational benefits, a term of an employee or prospective employee’s employment, or any other person’s access to District programs or activities;

- ii. Submission to or rejection of such conduct is used as the basis for decisions on educational benefits, district employment, or access to programs or facilities; or
- iii. Such conduct has the purpose and effect of substantially interfering with a student's academic performance, an employee's work performance, any person's access to district programs or facilities, **OR** creates an intimidating, hostile or offensive learning or work environment.

"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

Supportive 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 and required in Sect. II.F, below.

D. Title IX Coordinator.

The Title IX Coordinator shall respond promptly to all general reports as well as formal complaints of sexual harassment, whether the report concerns Title IX sexual harassment or Non-Title IX 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 Sect. II.E 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 Sect. II.H, 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.

E. Training.

All District employees shall receive regular training relative to mandatory reporting obligations under this policy, 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 Sect. II.I of this Policy.

F. 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 (if allegations concern Title IX sexual harassment, or a formal complaint has been filed instituting the Title IX Grievance Process under Sect. III.A);
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 in this Section, the District shall keep confidential the identity of:

- i. Any individual who has made a report or complaint of sex discrimination;
- ii. Any individual who has made a report or filed a formal complaint of sexual harassment;
- iii. Any complainant;
- iv. Any individual who has been reported to be the perpetrator of sex discrimination;
- v. Any respondent; and
- vi. 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.

G. Retaliation Prohibited.

Retaliation against any person who makes a report or complaint, or against any person who assists, participates, or refuses to participate in any investigation of an act alleged in this Policy is prohibited. Actions taken in response to materially false statements made in bad faith, or to submitting materially false information in bad faith, as part of a report or during the Title IX

Grievance Process do not constitute retaliation. A finding of responsibility alone is insufficient to conclude that a person made a materially false statement in bad faith. Complaints of retaliation with respect to reports or formal complaints of sexual harassment shall be filed under the District's general grievance process.

H. 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.

I. Dissemination and Notice.

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

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

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

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

J. 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.

K. 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.K.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 conduction 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.

2. District Response to Report of Sexual Harassment.

The district will promptly respond when there is actual knowledge of sexual harassment, even if a formal complaint has not been filed. The district shall treat complainants and respondents equitably by providing supportive measures to the complainant 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:

- a. discuss the availability of and offer supportive measures;
- b. consider the complainant’s wishes with respect to supportive measures;
- c. inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
- d. explain to the complainant the process for filing a formal complaint.

3. Formal Complaints.

Pursuant to federal regulations, and this Policy, a formal complaint that contains allegations of conduct that may constitute Title IX sexual harassment and a request that the District investigate the allegations is required before the District may conduct a formal investigation of Title IX sexual harassment or take any action (other than supportive measures) against a person accused of Title IX sexual harassment. Once a formal complaint of Title IX sexual harassment is received by the Title IX Coordinator, s/he shall commence the Title IX Grievance Process set out in Sect. III below. The process for filing a formal complaint is set forth in Sect. III.A. If the alleged conduct does not appear to meet the definition of Title IX sexual harassment, AND no formal complaint is filed under Sect. III.A, then the matter may be processed under Board policy ACA.

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 Title IX 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.

II. **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 Sect. III.A, below. The provisions of Sections I and II of this Policy are incorporated as part of the Title IX Grievance Process. However, as used in this Section III, "sexual harassment" shall only refer to "Title IX sexual harassment" unless otherwise specifically indicated. 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.

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 Sect. 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 Sect. III.G, below.
 6. If the complaint is not dismissed, then Title IX Coordinator will consult with the Superintendent as to whether the Title IX Coordinator should act as the investigator or whether a different District or other employee shall act in that capacity. At the same time, the Title IX Coordinator and the Superintendent shall appoint the person who shall make the initial determination of responsibility (initial decision maker). In all cases, the investigator and the initial decision maker must be properly trained and otherwise qualified (see Sect. II.E "Training", and Sect. II.H "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 Finance Manager/Human Rights Coordinator, 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.K.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.

- a. Investigation (as described in Sect. III.E.1) 20 +/- days as the complexity of the case demands
 - 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)
 - a. 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 Sect. III.B.6.

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:
 - . 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.)
 - a. 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;

- b. Provide an equal opportunity for the parties to present witnesses, and other inculpatory and exculpatory evidence;
 - c. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
 - d. 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;
 - e. 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 Sect. III.D, below.
 - f. 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 Sect. III.E.2. Not more frequently than every other week, any party may request the Title IX Coordinator to obtain and provide the parties with a basic status report on the investigator's progress toward completion. In most cases, the investigator should conclude the investigation within 10-20 days after receiving a Formal Complaint.

F. Determination of Responsibility and Initial Decision Maker.

The determination of responsibility of the respondent shall be made by the initial decision maker as appointed pursuant to Sect. III.B.6.

1. Prior to making a determination of responsibility, the initial decision maker will afford each party 10 days to submit written, relevant questions to the initial decision maker that the party wants asked of any party or witness.
2. The initial decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the question and evidence concern specific incidents of the complainants prior sexual behavior with respect to the respondent and are offered to prove consent.
3. The initial decision maker will provide the questions to the party/witness, with copies to each party, and provide no less than 10 days for written responses, likewise to be provided to each party.
4. The initial decision maker will provide 5 days each for supplementary, limited follow-up questions and 5 days 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 Sect. III.C.7, above.
8. The standard to be used for formal complaints in determining whether a violation has occurred and/or that the respondent is responsible is the preponderance of the evidence standard, which is only met when the party with the burden convinces the fact finder (the initial decision maker) that there is a greater than 50% chance that the claim is true (i.e., more likely than not).
9. The initial decision-maker must issue a written determination/decision within 10 days after the close of the period for responses to the last round of follow-up questions. The written "Initial Determination of Responsibility" must include:
 - . Identification of the allegations potentially constituting sexual harassment;
 - a. 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;
 - b. Findings of fact supporting the determination;

- c. Conclusions regarding the application of the District's applicable codes of conduct, policies, administrative regulations or rules to the facts;
 - d. 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
 - e. The District's procedures and permissible bases for the complainant and respondent to appeal (as set forth in Sect. 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:
 - . Would not constitute Title IX sexual harassment, even if proved;
 - a. Did not occur in the District's education program or activity; or
 - b. 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 complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
 - a. The respondent is no longer enrolled or employed by the District; or
 - b. 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 relative to Non-Title IX sexual harassment or otherwise under Board policy ACA, other applicable 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. (See discussions in Sect. II.A and the definitions under "sexual harassment" in Sect. II.C).

H. Appeals Process.

1. Either party may appeal the Initial Determination of Responsibility or the dismissal of a formal complaint or any allegation in a formal complaint by notifying the Superintendent in writing (“written appeal”), with a copy to the Title IX Coordinator. If there are multiple determinations of responsibility, the written appeal shall specify which ones are included in the appeal. The written appeal must be received by the Superintendent within 10 days of the Initial Determination of Responsibility or written notice of dismissal being communicated to the parties.
2. An appeal under this Policy may only be based upon one or more of the following bases, which must be stated specifically in the party’s written appeal:
 - a. Procedural irregularity that affected the outcome of the matter;
 - b. 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;
 - c. Additional bases may be added by a district if made available equally to both parties;
 - d. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.Appeals for any other reason or upon any determination of responsibility not included in the written appeal will not be heard.

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

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

the outcome, the party shall submit such evidence or a summary of such evidence along with the party's appeal statement.

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

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

District Policy History:

First reading: October 2, 2025

Second reading/adopted:

District revision history:

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.

NH Statutes	Description
RSA 193:38	<u>Discrimination in Public Schools</u>
RSA 354-A:1	<u>(Human Rights) Title and Purposes of Chapter</u>
RSA 354-A:27	<u>Opportunity for Public Education without Discrimination a Civil Right</u>
RSA 354-A:6	<u>Opportunity for Employment without Discrimination a Civil Right</u>
NH Dept of Ed Regulation	Description
N.H. Code Admin. Rules Ed 303.01 (i)	<u>School Board Substantive Duties</u>
N.H. Code Admin. Rules Ed 303.01 (j)	<u>Substantive Duties of School Boards; Sexual Harassment Policy</u>
Federal Regulations	Description
34 CFR 106.30	<u>Definitions</u>
34 CFR 106.44	<u>Recipient's response to sexual harassment</u>
34 CFR 106.45	<u>Grievance process for formal complaints of sexual harassment</u>
34 CFR 106.71	<u>Retaliation</u>
34 CFR 106.8	<u>Designation of responsible employee and adoption of grievance procedures.</u>
34 CFR. Part 99	<u>Family Educational Rights and Privacy Act Regulations</u>
Federal Statutes	Description
20 U.S.C 1681, et seq	<u>Title IX of the Education Amendments of 1972</u>
42 U.S.C. 2000e et seq.	<u>Title VII of the Civil Rights Act of 1964</u>

PROCEDURAL SAFEGUARDS: NONDISCRIMINATION ON THE BASIS OF DISABILITY

The Pittsfield School District will ensure that all students with a disability are provided all necessary procedural safeguards as are required by law. Such procedural safeguards are found in pertinent federal state laws and regulations. In addition, all staff, students, parents, and other interested persons are directed to the New Hampshire Department of Education Procedural Safeguards Handbook. (relative to the Individuals with Disabilities Education Act), or to the Model Process for 504 Plan Development (Section 504 of the Rehabilitation Act of 1973). For reporting or making a complaint of discrimination or harassment relative to a disability or perceived disability, see Board policy ACA.

District Policy History:

First reading: June 1, 1995

Second reading/adopted: June 17, 1996

District revision history:

Reviewed: January 8, 2009

Amended: January 22, 2009, October 19, 2017

Reviewed: March 7, 2024

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.*

NH Statutes

RSA 354-A:27

Description

[Opportunity for Public Education without Discrimination a Civil Right](#)

NH Dept of Ed Regulation

N.H. Code Admin. Rules Ed 1120

Description

[Procedural Safeguards](#)

Federal Regulations

34 CFR 104

Description

[Nondiscrimination on the Basis of Handicap](#)

Federal Statutes

20 U.S.C. § 1400-1417

Description

[Individuals with Disabilities Education Act \(IDEA\)](#)

29 U.S.C. 794

[Rehabilitation Act of 1973 \(Section 504\)](#)

42 U.S.C. 12101, et seq.

[Title II of The Americans with Disabilities Act of 1990](#)

USDA Nondiscrimination Statement

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or 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 discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: [USDA Form AD-3027](#) (linked tested 2024/5/9), from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted 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:** (833) 256-1665 or (202) 690-7442; or
3. **Email:** Program.Intake@usda.gov

****NOTE:** the above listed classes are those for which protections are extended under USDA regulations. Although the USDA only receives complaints relative to claims of discrimination based upon those classes, additional state and federal laws, as well as Board policy AC extend protections against discrimination to additional classes of persons. See policy AC for further information regarding those additional classes and related grievance procedures.*

B. Additional Discrimination Complaint Information.

1. Any person or representative alleging discrimination based on a prohibited basis relative to any of the District's food service programs has the right to file a complaint within 180 days of the alleged discriminatory action.
2. District staff who receive a complaint alleging illegal discrimination in the district's nutrition program will forward the complaint to the District's Human Rights

Coordinator immediately, who shall note whether the allegation was made verbally or in person and will transcribe the complaint if it is not provided in writing. As required by the USDA, the Human Rights Coordinator will forward the complaint to the USDA Office of the Assistant Secretary for Civil Rights immediately and will not first attempt to resolve the complaint prior to contacting the USDA.

A. Notice of Non-Discrimination Statement and Program Rights.

The Superintendent shall ensure that all materials and resources that are used to inform the public about any USDA supported Food and Nutrition Service (FNS) program include the complete, most current USDA nondiscrimination statement in its exact wording. The statement may be accessed at: [USDA Non-discrimination Statement \(Other Programs\)](#) (link tested 2024/5/9).

At a minimum, the full USDA non-discrimination statement must be included on the following materials related to USDA programs:

- FNS Application Form(s)
- Notification of Eligibility or Ineligibility
- Expiration of Certification Notification
- Discontinuance Notification
- Program (Home) Web Page
- Other Public Information

B. Display of "And Justice for All" Poster.

The USDA requires that its "And Justice for All" nondiscrimination poster is prominently displayed in each location where FNS meals are most frequently provided (e.g., school cafeteria). Each poster must be no smaller than 11" x 17" and placed in a location that enables program participants to read the text regarding civil rights complaints without obstruction.

District Policy History:

First reading: October 2, 2025

Second reading/adopted:

District revision history:

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.*

<i>NH Statutes</i>	<i>Description</i>
<i>RSA 354-A:1</i>	<i>(Human Rights) Title and Purposes of Chapter</i>
<i>RSA 354-A:27</i>	<i>Opportunity for Public Education without Discrimination a Civil Right</i>
<i>RSA 354-A:6</i>	<i>Opportunity for Employment without Discrimination a Civil Right</i>

Nursing Mothers

A. Statement of Purpose

The District provides a supportive environment as to time and place for employees "nursing mothers" to express milk and address other lactation related needs. Subject to the terms and exceptions set forth in this policy, the District will accommodate the needs of nursing mothers by providing reasonable times and suitable spaces for nursing mothers to express milk during school and work hours for one year after pregnancy. Lactation for purposes of this policy will include expression of milk by manual or mechanical means, medical conditions related to lactation, and other lactation related needs.

No person will be discriminated against for milk expression or related activities as provided in this policy, and reasonable efforts will be made to assist people with lactation needs in meeting their lactation needs while at work or school.

Accommodation Notice and Plans.

A nursing mother should contact the building Principal, school nurse, or employee's supervisor at least two weeks before the need for lactation accommodations arises. The District will endeavor to meet the break and space needs of each person with such needs. However, when ordinary accommodations (as discussed below) create undue hardship for the operations of the school/workplace, the District will work with the nursing mother to determine whether other reasonable accommodations may be made. Such other accommodations could include items like a change in work/class assignments, or schedules, additional break periods, permitted absences for medical appointments, or access to extra food and water throughout the day. When reasonable accommodations are unattainable, the school nurse, building Principal or other administrator working with the nursing mother should consult with the District's Title IX Coordinator.

A lactation accommodation plan should be revisited upon request of the individual who requested the accommodations, or at least every three months, with adjustments made to the accommodations for lactation breaks as lactation needs change.

B. Reasonable Time to Express Milk during the School Day.

Absent other accommodations as established under Section B, above, a nursing mother will have a minimum of three opportunities ("lactation period") during a work or school day, at agreed upon intervals (which should include flexibility as appropriate and practicable) for the purpose of lactation or to address other needs relating to lactation. An employee can choose to use usual break and meal periods.

A nursing mother who is an hourly employee will not be paid during lactation periods unless either the lactation period falls during a regular paid break (e.g., a paid lunch), or the individual is not completely relieved of duties during the lactation break. Nursing mothers shall not be required to "make up" time relating to the use of unpaid lactation periods.

C. Suitable Private Areas for Lactation.

Nursing mothers will be provided with a private place, other than a bathroom, in each school

district building in which an individual with such needs spends the working or school day. The lactation area:

1. May be temporary or permanent;
2. Shall be shielded from view and free from intrusion by other persons, including without limitation other staff or students;
3. Shall be within a reasonable walk of the workstation or classroom of the individual requesting lactation accommodations, unless otherwise agreed by that individual;
4. Have at a minimum:
 - i. An electrical outlet;
 - ii. Appropriate seating;
 - iii. A surface sufficient to place a breast pump;
 - iv. A sink with running water or be in reasonable proximity to one;
 - v. A refrigerator for milk storage or be in reasonable proximity to one;
 - vi. Shall be cleaned regularly by District staff assigned to that duty.

D. Responsibilities of the Person with Lactation Needs.

A nursing mother will:

1. Provide at least two weeks' advance notice of the need for lactation accommodations, preferably prior to their return to school. This will allow school administrators the opportunity to establish a location and work out scheduling issues. Note that, notwithstanding the requested two weeks' notice, an unnecessary delay in making a reasonable accommodation for a person with lactation needs could constitute a violation of the PWFA.
2. Maintain the lactation area by wiping down surfaces with antibacterial wipes so the area is clean for the next user.
3. Provide their own supplies as is necessary.

E. Prohibited conduct.

Any intentional act which violates a nursing mother's privacy, aims to frustrate a nursing mother's intentions to use the lactation space, or constitutes harassment on account of a nursing mother's needs or lactating status is prohibited, and shall be treated as violation of the applicable code of conduct with possible disciplinary consequences, and may constitute sex discrimination and shall be reported to the Title IX Coordinator in accordance with policy ACAC.

F. Dissemination of Policy.

This policy shall be printed or summarized in applicable employee and student handbooks. For employees, if the handbook is not provided at the time of hire, then the District will provide a copy of this policy at the time of hire.

District Policy History:

First reading: October 2, 2025

Second reading/adopted:

District revision history:

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.*

NH Statutes

RSA 275:78-83

Description

[Policies Relating to Nursing Mothers \(Scroll down to sections 275:78-83\)](#)

RSA 354-A:1

[\(Human Rights\) Title and Purposes of Chapter](#)

RSA 354-A:27

[Opportunity for Public Education without Discrimination a Civil Right](#)

RSA 354-A:6

[Opportunity for Employment without Discrimination a Civil Right](#)

Federal Regulations

89 FR 29182

Description

[Pregnant Workers Fairness Act \("PWFA"\)](#)

Federal Statutes

20 U.S.C 1681, et seq

Description

[Title IX of the Education Amendments of 1972](#)

42 U.S.C. 2000gg

[Pregnant Worker Fairness Act \("PWFA"\)](#)

42 U.S.C. 218d

[Pump for Nursing Mothers Act \("PUMP Act"\)](#)

Non-Discrimination, Equal Opportunity Employment, Anti- Discrimination Contact Information

Pursuant to Board policy AC, *Nondiscrimination, Equal Opportunity Employment, and District Anti-Discrimination Plan*, the District administration is directed to update and publish a list of current personnel and contact information for various positions and outside agencies relating to the District's anti-discrimination policies.

DISTRICT PERSONNEL:

Human Rights Officer

Name: Rheana Anderson
Address: 23 Oneida Street, Pittsfield, NH
Telephone: 603-435-5526
Email Address: randerson@sau51.org

Title IX Coordinator

Name: Melissa Brown
Address: 23 Oneida Street, Pittsfield, NH
Telephone: 603-435-6701
Email Address: mbrown@sau51.org

504/ADA Coordinator

Name: Erik Anderson
Address: 23 Oneida Street, Pittsfield, NH
Telephone: 603-435-6701
Email Address: eanderson@sau51.org

OUTSIDE AGENCIES:

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

Office of the Assistant Secretary for Civil Rights, U.S. Department of Agriculture; 1400 Independence Avenue, SW, Washington, D.C., 20250-9410; Telephone - 866-632-9992; Email - program.intake@usda.gov

Boston Area Office, U.S. Equal Employment Opportunity Commission; JFK Federal Building, 15 New Sudbury Street, Room 475, Boston, MA 02203-0506; Telephone - 1-800-669-4000; ASL Videophone - 1-844-234-5122; Email - info@eeoc.gov

New Hampshire Commission for Human Rights; 57 Regional Drive, Suite 8, Concord, NH 03301; Telephone - 603-271-2767; Email - humanrights@hrc.nh.gov

New Hampshire Department of Justice, Civil Rights Unit; 33 Capitol Street, Concord, NH 03301; Telephone - 603-271-3650; Email - doj.civilrights@doj.nh.gov

Policy AC-R(2): Non-Discrimination, Equal Opportunity Employment, Anti- Discrimination Notice of Contact Information **Required**

N.H. Department of Education, Commissioner of Education; 25 Hall Street, Concord, NH 03301; Telephone - 603-271-3494; Email - info@doe.nh.gov

District revision history:

First Reading: 10/2/2025 AC-R(2) replaces the former AC-E which has been rescinded.

Second Reading/Adoption:

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.*

NH Statutes	Description
RSA 186:11, XXXIII	Discrimination
RSA 193-F	Pupil Safety and Violence Prevention
RSA 193:38	Discrimination in Public Schools
RSA 275:71	Prohibited Conduct by Employer
RSA 275:78-83	Policies Relating to Nursing Mothers (Scroll down to sections 275:78-83)
RSA 354-A	State Commission for Human Rights
RSA 354-A:1	(Human Rights) Title and Purposes of Chapter
RSA 354-A:27	Opportunity for Public Education without Discrimination a Civil Right
RSA 354-A:6	Opportunity for Employment without Discrimination a Civil Right
NH Dept of Ed Regulation	Description
N.H. Code Admin. Rules Ed 303.01 (i)	School Board Substantive Duties
Federal Regulation	Description
34 CFR 108	Equal Access to Public School Facilities for the Boy Scouts of America and Other Designated Youth Groups
89 FR 29182	Pregnant Workers Fairness Act ("PWFA")
20 U.S.C 1681, et seq	Title IX of the Education Amendments of 1972
20 U.S.C. § 1400-1417	Individuals with Disabilities Education Act (IDEA)
20 U.S.C. § 7905	Equal access to public school facilities ("Boy Scouts of America Equal Access Act")
29 U.S.C. 621, et seq.	The Age Discrimination in Employment Act of 1967
29 U.S.C. 705	The Rehabilitation Act of 1973 - Definitions

Policy AC-R(2): Non-Discrimination, Equal Opportunity Employment, Anti- Discrimination Notice of Contact Information ***Required***

29 U.S.C. 794	<u>Rehabilitation Act of 1973 (Section 504)</u>
36 U.S.C. Subtitle II Part B	<u>Organizations</u>
42 U.S.C. 12101, et seq.	<u>Title II of The Americans with Disabilities Act of 1990</u>
42 U.S.C. 2000c	<u>Title IV of the Civil Rights Act of 1964</u>
42 U.S.C. 2000d et seq.	<u>Title VI of the Civil Rights Act of 1964</u>
42 U.S.C. 2000e et seq.	<u>Title VII of the Civil Rights Act of 1964</u>
42 U.S.C. 2000gg	<u>Pregnant Worker Fairness Act ("PWFA")</u>
42 U.S.C. 218d	<u>Pump for Nursing Mothers Act ("PUMP Act")</u>

Pittsfield School District

ELIGIBILITY REQUIREMENTS

Participating in extra-curricular and co-curricular activities may demand a large portion of a student's out-of-school time. It is necessary for students to demonstrate that they can afford to devote the time necessary for participation in these activities.

Extra-Curricular Participation Guidelines:

1. Eligibility Requirements. To be eligible to participate in any extra-curricular activity, the student must be passing a minimum of four credit-bearing courses (not including driver education, ELO's, learning studios, or advisory) during the previous PMHS reporting period. An "incomplete" does not qualify as a passing grade.

For on-line courses to be applied to eligibility, they must meet the following criteria:

- A. Student must be "passing" the course;
- B. For a semester (.5 credit) course, student must be:
 - 40% course completed by mid-semester (first or third progress report);
 - 100% course completed by end-of-semester.
- C. For full-year (1 credit) course, the student must be:
 - 20% course completed by first progress report;
 - 40% course completed by second progress report;
 - 60% course completed by third progress report;
 - 100% course completed by fourth progress report.

"Passing" is defined by the granting of credit by the responsible institution. The progress report "snapshot" is taken at 8:00 a.m. on the "snapshot date" determined by the school administration.

2. Ineligibility. A student who is considered ineligible may not participate or attend any activity, meeting, practice, or team event until the subsequent reporting period or the beginning of the subsequent season.
3. Summertime Competency Recovery. Students must meet eligibility requirements at least one week prior to the fall season start date to be considered eligible.

Co-Curricular Participation Guidelines:

1. Students are expected to be in good academic standing to be eligible for participation. Club advisors are expected to review each student's academic performance to ensure that good standing is maintained. Due to the missed instructional time required for participation in the ski club, members must meet the extra-curricular requirement by the first scheduled ski activity.

Adopted: August 4, 1997
Reviewed: March 16, 2006
Amended: April 6, 2006
Amended: March 3, 2016
Reviewed: September 20, 2018
Reviewed: December 1, 2022

Student Activities & Organizations

It is the policy of the Board to allow opportunities for all students residing in the District to participate in co/extra-curricular activities and programs designed to meet their needs and interests. Co/extra-curricular activities include, but are not necessarily limited to field trips, excursions, athletics (including intramurals), band, chorus, clubs, organizations, school dances, and others.

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

Any student organization or school/District sanctioned team, club, or activity must be recommended by the building Principal and approved by the Board.

A. Eligibility.

To participate in co-curricular and extra-curricular activities, all students must meet eligibility requirements, and understand that such participation is a privilege, not a right. The School District has established eligibility standards and procedures for acceptable academic performance, good citizenship/sportsmanship, parental permission, fees, and physical exams/health requirements. The building Principal, or his/her designee(s), will verify that all students meet eligibility standards and procedures prior to the students' participation in the activity.

In addition, participation in interscholastic sports or other school activities affiliated with outside organizations (e.g., the New Hampshire Interscholastic Athletic Association, or the New Hampshire Music Educators Association, etc.) is subject to the rules and eligibility requirements of those organizations. Additional Board policies, administrative regulations, or activity rules may apply to specific programs, clubs, and activities. See, e.g., Board policy, regarding interscholastic athletics.

In the event that a program has reached capacity, determinations must be made in the same manner as described in Section A of Board policy JJJ.

B. Participation by Home Education and Other Non-Enrolled District Students.

Participation in student activities and organizations must have the same eligibility and participation requirements for both district students and for home educated, charter school, or non-enrolled district school resident students ("non-enrolled district students"). See Board policy JJJ for information on participation by such students.

C. Appeals.

Any student/parent who believes that the district's policies/regulations or the State's laws/regulations have not been appropriately or fairly interpreted regarding eligibility or participation in a school a course or program may appeal in the same manner as provided in Section E of Board policy JJJ.

D. Administrative Regulations or Procedures.

The Superintendent or designee may adopt such administrative regulations or procedures as s/he deems appropriate in order to implement this policy. Such regulations or procedures must also comply with Board policy JJJ.

District Policy History:

First reading: 10-2-2025

Second reading/adopted:

District revision history:

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.

NH Statutes	Description
RSA 193-A:6	<u>(Home Education), Records; Evaluation</u>
RSA 193:1-c	<u>Access to Public School Programs by Nonpublic or Home Educated Pupils</u>
NH Dept of Ed Regulation	Description
N.H. Code Admin. Rules Ed 306.04(b)(21)(f)	<u>World Languages, K-8</u>
N.H. Code Admin. Rules Ed 306.21(c)(2)(k)	<u>World Languages, Middle School (applies after July 1, 2017)</u>
N.H. Code Admin. Rules Ed 306.22(c)(4)	<u>High School Curriculum, Credits, and Cocurricular Programs</u>
N.H. Code Admin. Rules Ed 306.22(d)	<u>Reasonable Accommodations for Students with Disabilities</u>

Student Activities & Organizations - Eligibility Standard

Participation in school-sponsored activities, clubs, teams and organizations shall be in accordance with Board policies JJA and JJJ. In addition to requirements of those policies, the following minimum eligibility standards will govern participation, whether by students enrolled in the district's schools, or by home educated, charter or private school students.

A. Elementary and Middle School Students. Elementary and middle school students shall be eligible to participate in school-sponsored organizations and activities based upon age-appropriate criteria approved by the principal. Students/parents will be provided copies of such criteria prior to student participation. Any league requirements shall also apply.

B. High School. High school students shall be eligible for participation in school-sponsored organizations and activities under the following guidelines:

1. Academic.

1. Eligibility for participation is based upon review of grades from the previous academic quarter.
2. Students failing in more than 4 course(s) in a full course load shall be ineligible for participation the following academic quarter. Students taking less than a full class load must pass all courses to maintain eligibility. A failing grade is defined as lower than a numerical grade of 75%.
3. Students may re-establish eligibility for fall semester organizations/activities through successful completion of an approved summer school program in the area previously failed.
4. Some specific organizations (e.g. National Honor Society) may impose additional academic requirements.

2. Conduct

1. Conduct expectations for participation in school organizations and activities are specified in the behavioral and disciplinary policies established by the Board policies.
2. Should serious or chronic behavioral infractions occur, students participating in school-sponsored organizations/activities will be subject to a probationary hearing. This hearing will be conducted by the relevant advisor/coach and attended by an administrator, the student and parent(s). Eligibility for further participation will be determined following the hearing.

3. Attendance.

1. Students participating in school-sponsored activities/organizations shall comply with all attendance requirements mandated by State law and regulation as well as Board policies, and those of any applicable outside organization.
2. Should serious or chronic attendance infractions occur, students participating in school-sponsored organizations/activities will be subject to a probationary hearing. This hearing will be conducted by the relevant advisor/coach and attended by an administrator, the student and parent(s). An appeals shall be conducted in accordance with board policy JJA, and, if applicable, JICD.

4. Athletics.

In addition to the minimum eligibility requirements above, those students participating in school-sponsored athletics must comply with rules and standards established by the New Hampshire Interscholastic Athletic Association (NHIAA), Board policies, the school's athletic code, and the school district's policies regarding physical examinations and transportation.

District Policy History:

First reading: _____

Second reading/adopted: _____

District Policy Revision History:

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.*

NH Statutes

RSA 193-A:6

Description

[\(Home Education\), Records; Evaluation](#)

RSA 193:1-c

[Access to Public School Programs by Nonpublic or Home Educated Pupils](#)

NH Dept of Ed Regulation

N.H. Code Admin. Rules Ed 306.04(b)(21)(f)

Description

[World Languages, K-8](#)

N.H. Code Admin. Rules Ed 306.21(c)(2)(k)

[World Languages, Middle School \(applies after July 1, 2017\)](#)

N.H. Code Admin. Rules Ed 306.22(c)(4)

[High School Curriculum, Credits, and Cocurricular Programs](#)

N.H. Code Admin. Rules Ed 306.22(d)

[Reasonable Accommodations for Students with Disabilities](#)

School Sponsored Athletic Programs

The School Board recognizes the value of athletic participation to the development of well-rounded students. Significant evidence exists to show that students who participate in extracurricular activities often perform better academically than those who do not. The School Board promotes athletic participation in the belief that successful athletic programs promote individual and team potential by helping to develop high standards of competence, character, civility and citizenship for student-athletes. The School Board recognizes that in addition to promoting the physical and social well-being of participating students, athletic programs offered can be a potent factor in both establishing a positive school climate and nurturing strong community-school bonds.

It is the Board's policy, therefore, to provide opportunities for interscholastic athletic competition in a variety of sports as budgetary considerations allow. Such opportunities should encourage participation by as many students as reasonably possible and should be carried on with the best interests of the participants as the first consideration.

All school/district sponsored athletic programs shall require the approval of the School Board, and shall be administered by the Principal and Athletic Director subject to the supervision of the Superintendent. Different programs that the Board may from time-to-time approve, can include fully sponsored school teams, club teams, and/or intramural teams. Competitions offered as part of otherwise approved instructional programs do not require specific Board approval.

Qualified personnel should be provided for coaching and supervising all athletic programs.

Participation in interscholastic athletics is subject to the rules adopted by the New Hampshire Interscholastic Athletic Association, other similar sponsoring organizations or leagues, other Board policies (e.g., JJA, JJIC, JJJ, etc.), and any rules adopted by the Superintendent, the Athletic Director, the Principal, or a team coach.

District Policy History:

First reading: 10-2-2025

Second reading/adopted:

District revision history:

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.*

NH Statutes	Description
RSA 193:41	School Athletics

Eligibility for Interscholastic Athletics – Grade 5-12

Students who desire to participate on interscholastic athletic teams do so on a volunteer basis with the understanding that it is a privilege and not a right to be a member of a school team. Students shall be allowed to participate in school-sponsored interscholastic sports on the basis of their physical condition, skill and desire, subject to appropriate, non-discriminatory selection procedures, such as tryouts, fitness tests, etc.

I. Eligibility: Before participating on any interscholastic athletic team (including any school-sponsored club team) students must meet and satisfy the following eligibility requirements.

A. General:

1. All standards of eligibility under rules or guidelines of the New Hampshire Interscholastic Athletic Association (NHIAA) or other such governing organization.
2. All standards of eligibility for co- or extracurricular activities as set forth in:
 - i. any rules that may be school, athletic program or team specific;
 - ii. applicable administrative regulations or procedures (e.g., JJA-R(1));
 - iii. applicable Board policies (e.g., JJA).

B. Registration Documentation:

1. Registration form with emergency contact and any special medical information,
2. Parental consent form,
3. Participation fee (parents may request a fee waiver), and
4. Student's original birth certificate:

For purposes of this policy, an "original birth certificate" is one issued at or near the time of the student's birth. If a copy is indicated as "modified", it must clearly show that any modification to sex related only to correction of a scrivener or clerical error.

If the submitted birth certificate does not appear to be the original birth certificate, or it does not indicate the student's sex at birth, then the student/parent/guardian must provide other evidence indicating the student's sex at birth. Such evidence may include such things as: hospital records, photo or video materials, newspaper, social or publications produced near the time of birth, notarized statements from the parent or guardian regarding the student's biological sex at birth. The student or the student's parent or guardian must pay any costs associated with providing such alternative evidence.

1. Physical:

1. A completed "Physical Pre-participation Evaluation" signed by a physician, nurse practitioner or physician's assistant in collaboration with a physician. The district may require additional information from a healthcare provider before allowing a student to participate in athletics if the district is aware of an injury or illness that could be exacerbated by participation.

2. Baseline Test - High School Students: All high school students must take an ImPACT Neuropsychological test prior to participation (including tryouts) in any school sponsored athletic teams, and any other NHIAA sport or sanctioned activity. The test must also be administered two years after the first. Generally, the tests will occur in the 9th and 11th grades, but may be different for transfer students, or students who first participate in the 10th grade.
2. **Academic:** In addition to the academic requirements set forth the requirements of the NHIAA, Board policy JJA and administrative procedure JJA-R, students must meet the following academic requirements below to participate in interscholastic athletics. Eligibility for each marking period is determined by grades received in the previous marking period. Semester and/or yearly grades have no effect on eligibility.
 1. Eligibility Requirements. To be eligible to participate in any extra-curricular activity, the student must be passing a minimum of four credit-bearing courses (not including driver education, ELO's, learning studios, or advisory) during the previous PMHS reporting period. An "incomplete" does not qualify as a passing grade.
 - A. Student must be "passing" the course;
 - B. For a semester (.5 credit) course, student must be:
 - 40% course completed by mid-semester (first or third progress report);
 - 100% course completed by end-of-semester.
 - C. For full-year (1 credit) course, the student must be:
 - 20% course completed by first progress report;
 - 40% course completed by second progress report;
 - 60% course completed by third progress report;
 - 100% course completed by fourth progress report.

"Passing" is defined by the granting of credit by the responsible institution. The progress report "snapshot" is taken at 8:00 a.m. on the "snapshot date" determined by the school administration.

 2. Ineligibility. A student who is considered ineligible may not participate or attend any activity, meeting, practice, or team event until the subsequent reporting period or the beginning of the subsequent season.
 3. Summertime Competency Recovery. Students must meet eligibility requirements at least one week prior to the fall season start date to be considered eligible.
 4. Transfer students' academic eligibility for participation in an athletic activity will be determined initially by their incoming GPA. These eligibility criteria will apply through and include the student's first marking period of attendance in the school district. Transfer students whose incoming GPA does not meet the academic requirements will be denied academic eligibility during their first marking period in the school district, after which, the academic requirements above shall apply.
 5. A special education student who is working toward a special diploma/certificate must make standard progress in those courses taken as determined by the student's Individualized Educational Program (IEP). A special education student who is working toward a standard diploma must meet the same academic standards for participation in athletic activities.

6. The Superintendent or his/her designee may develop additional procedures intended to monitor academic performance of student-athletes, with the object of early intervention.

III. Severability: If any provision of this policy is held to be invalid for any reason, such action shall not invalidate the remainder of this policy. If any provision of this policy conflicts with any provisions in any other Board policies, the provisions of this policy shall prevail, except to the extent such provisions contravene any applicable state or federal law.

IV. Records: The Superintendent shall establish regulations and procedures to ensure:

- A. records supporting a student's eligibility consistent with this policy are collected and maintained (in original or summary form);
- B. necessary data related to ineligible students is collected and reported as required by law;
- C. cultural traditions of students are considered when establishing or enforcing rules related to participation in extracurricular activities; and
- D. other requirements of this policy are met.

V. Co-Curricular Participation Guidelines:

Students are expected to be in good academic standing to be eligible for participation. Club advisors are expected to review each student's academic performance to ensure that good standing is maintained. Due to the missed instructional time required for participation in the ski club, members must meet the extra-curricular requirement by the first scheduled ski activity.

District Policy History:

First reading: 10-2-2025

Second reading/adopted:

District revision history:

Policy to replace IGDJ

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.*

NH Statutes	Description
RSA 193:41	School Athletics

Access to Public School Programs by Nonpublic, Charter School and Home Educated Pupils

All pupils residing in the District, whether they are home educated, or are attending public chartered school or nonpublic schools (collectively, “non-enrolled district students”), shall have access to curricular courses and co/extra-curricular programs offered by the District in accordance with RSA 193:1-c.

A. Equal Access to District Courses and Programs.

Non-enrolled district students will have the same access as do enrolled students to the District’s courses and programs. Non-enrolled district students shall not be subject to any policies, procedures or standards with respect to participation in the District’s courses or programs that are more restrictive than those governing the District’s enrolled students. Non-enrolled district students, however, must meet the same eligibility criteria as the District’s students as described in paragraph B below.

The district allows non-enrolled district students to participate on an equal basis in courses and programs offered by the district provided they meet the eligibility requirements for participation (e.g., deadlines for registration, academic progress/performance, parental permission, third party (e.g., NHIAA) requirements, physical exams/health requirements, etc).

In the event that a course or program has reached capacity, selection between enrolled students and non-enrolled district students must be made using the same criteria, such as registration deadlines, registration dates, audition/tryout, seniority by grade, etc. If, after applying such criteria the course/program remains overenrolled, the determination should be made randomly.

If a student or their parent/guardian believes that they have not been given equal opportunity for participation in district programs, then they may appeal as outlined in Board policy JJA-R.

B. Participation in Curricular Courses.

In order to participate in the District’s curricular courses, non-enrolled district students must meet the eligibility criteria that applies to students enrolled in the school district. The building Principal will provide this eligibility criteria to parents or guardians of non-enrolled district students upon request.

Parents/guardians shall submit requests for participation in District courses in writing to the building Principal consistent with Board procedures JJJ-R. The building Principal will verify that the eligibility standards are the same as those that apply to students enrolled in the school district.

The Principal will determine if a non-enrolled district student has satisfied eligibility criteria and prerequisites in the same manner as s/he would:

1. for determining whether a course satisfies requirements for awarding credits; and
2. for assigning to classes or grade levels and for students transferring from other schools.

Policy JJJ: Access to Public School Programs by Nonpublic, Charter School and Home Educated Pupils

Required

In making the determination, the Principal should consider home education evaluation materials (see RSA 193-A:6, III), course descriptions, syllabi, and/or any other relevant information offered by the parent/guardian of the student.

Requests for the related services including, but not limited to, physical therapy, occupational therapy, speech therapy, counseling, psychological, guidance, and/or special education services shall be referred to the Student Services Administrator. If a dispute arises between the parent/guardian and the District as to the pupil's right to these services, the Student Services Administrator shall inform the Superintendent, who shall consult the District's attorney for a legal opinion.

C. Use of School Texts and Library Materials.

Non-enrolled district students will be permitted to use the school library, borrow school texts and borrow library materials under the same conditions and rules as pupils enrolled in the District.

D. Participation in Activities and Co/extra-curricular Programs.

Requests by non-enrolled district students for participation in District co-curricular/extra-curricular activities or programs ("activities") shall be made in writing by the parent/guardian to the building Principal. The building Principal shall ensure that there is equal treatment and opportunity of non-enrolled district students relative to their participation in District activities.

In order to participate in District activities, non-enrolled district students must:

1. Meet the eligibility criteria for participation in the activity that apply to students enrolled in the school district, with the exception of school attendance;
2. Meet any tryout criteria or their equivalent for participation in the activity that apply to students enrolled in the school district; and
3. Comply with all policies, rules and regulations or their equivalent of the governing organization of the activity.

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

E. Appeals.

Any student/parent/guardian who believes that the district's policies/regulations or the State's laws/regulations pertaining to a non-enrolled district student's access to a course or program have not been appropriately or fairly interpreted may appeal as follows:

If the original decision being appealed was made by the Principal, then the "Principal" as used in steps 1-4 shall refer to the "Superintendent", and the Superintendent's decision shall be final. Step 5 shall not apply.

1. Submit a letter to the building Principal stating the nature of the concern and requesting a hearing.
2. Within five (5) school days the Principal will convene a meeting with him/herself, the student and/or parents, the coach/advisor, and a teacher(s).

Policy JJJ: Access to Public School Programs by Nonpublic, Charter School and Home Educated Pupils

Required

3. The student/parent will be given an opportunity to explain why they believe the student should be eligible for participation. Additionally, the student/parent may present information, documents or other material in support of their position. The Principal shall prepare minutes of the meeting.
4. The Principal will consider all information available and will make a final decision within three (3) school days following the meeting. The Principal will notify and inform the student/parents of his/her decision in writing via email. When time is of the essence, the Principal should first convey the basic conclusion as soon as practicable via telephone or email.
5. The student/parent/guardian may within 3 days of the Principal's email of the decision submit a written request for further review by the Superintendent. The written request should describe why the Principal's decision should not be upheld. The Superintendent may decide without further information to uphold the Principal's decision, or may determine a further meeting is necessary. In either event, the Superintendent's decision will be final. If the parent/guardians do not request a review by the Superintendent, then the Principal's decision will be final as of the fourth day after the Principal's written decision was transmitted to the parents/guardians.

F. Administrative Regulations or Procedures.

The Superintendent or designee may adopt such administrative regulations or procedures as s/he deems appropriate in order to implement this policy.

District Policy History:

First reading: October 2, 2025

Second reading/adopted: June 17, 1996

District revision history:

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.*

NH Statutes

RSA 193-A:6

RSA 193:1-c

Description

[\(Home Education\), Records; Evaluation](#)

[Access to Public School Programs by Nonpublic or Home Educated Pupils](#)

***Access to Public School Programs by Nonpublic, Charter School and Home Educated Pupils -
Administrative Regulations***

A. Participation in District Programs. Participation in District curricular courses or co/extra-curricular programming and activities by home educated, public chartered school, or nonpublic school pupils ("non-district students") is governed by Board policy JJJ.

B. Participation in Curricular Courses. The following additional criteria and conditions are established:

1. Transportation to and from school is only provided when the transportation falls within the ordinary school bus schedule or is otherwise required under state law. The Principal may make an exception to this condition based on a review of all pertinent circumstances.
2. All pupils participating in curricular courses are expected to maintain punctual attendance and complete all required coursework, homework, exams, etc., as established by the teacher or instructor for all students.
3. If the pupil is taking the course for credit or grade, such credit or grade will be granted only after the completion of the class.
4. Requests for participation that are received after class schedules have been made will be granted only if there is space available.

C. Participation in Co/Extra-Curricular Activities. Requests by non-district students for participation in co/extra-curricular activities shall be made in writing by the parent/guardian to the building. Co/extra-curricular activities include, but are not necessarily limited to field trips, excursions, athletics (including intramurals), band, chorus, clubs, organizations, school dances, and others. See Board policies JJA, JJJ and JJIB regarding school activities, organizations, and athletics.

The following criteria and conditions are hereby established:

The parent/guardian must provide prior written permission for participation.

1. The participating pupil agrees to abide by all Board policies relative to student code of conduct and eligibility.
2. Participation in the activity is developmentally appropriate for the pupil.
3. The building Principal, advisor, coach may ask the parent/guardian to chaperone an event if the same applies to parent/guardians of enrolled students.
4. Coaches, teachers and group/club supervisors may establish their own rules relative to participation, attendance, and expectations, provided such rules are not contrary to these regulations corresponding policy JJJ. Participating non-district students are expected to abide by those rules as well.
5. Home educated or other non-district school students may be required to provide proof of a recent physical examination from their physician for participation in athletic activities, consistent with other Board policies relative to athletic participation.

District Policy History:

First reading: 10-2-2025

Second reading/adopted:

District revision history:

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NH Statutes	Description
RSA 193-A:6	<u>(Home Education), Records; Evaluation</u>
RSA 193:1-c	<u>Access to Public School Programs by Nonpublic or Home Educated Pupils</u>
NH Dept of Ed Regulation	Description
N.H. Code Admin. Rules Ed 306.04(b)(21)(f)	<u>World Languages, K-8</u>
N.H. Code Admin. Rules Ed 306.21(c)(2)(k)	<u>World Languages, Middle School (applies after July 1, 2017)</u>
N.H. Code Admin. Rules Ed 306.22(c)(4)	<u>High School Curriculum, Credits, and Cocurricular Programs</u>
N.H. Code Admin. Rules Ed 306.22(d)	<u>Reasonable Accommodations for Students with Disabilities</u>