This manual is not intended to be a comprehensive substitution for published Board of Education policies. Complete Board policies may be found at: [https://www.sau3.org/Page/129](https://www.sau3.org/Page/129)

*This manual is a working document and will be updated online as necessary.*
VISION AND MISSION

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

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

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

Be respectful! Be responsible! Be safe!

Approved 3/03/16
HOW TO COMMUNICATE EFFECTIVELY WITH SCHOOLS

Many parents and community questions are easily and completely answered by communicating directly with the educator in charge of the class, program or building level. Each situation should first be addressed at whatever level the initial action was taken with appeals moving on to the next level on the chain of command. To prevent frustration, parents should be informed about the “chain of command”, or where to begin the communication sequence regarding their problem or concern.

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

N.H. RSA 193:11 Disturbance. Any person not a pupil who shall wilfully interrupt or disturb any school shall be guilty of a misdemeanor.
### SAU 3 School Year Calendar
#### 2021-2022

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Tues Aug 31- Thurs Sept 2 Staff Inservice
Mon Sept 6 Labor Day - No School
Tues Sept 7 - First Day of School
Mon Oct 11 Columbus Day - No School
Thur Nov 11 Veteran's Day - No School
Wed Nov 24 Early Dismissal (Staff PD hrs online at beginning of yr)
Thurs Nov 25 & Fri Nov 26 Thanksgiving Break - No School
Fri Dec 3 Parent Conference Day - No School
Dec 23-Dec 31 Christmas Break - No School
Mon Jan 17 Martin Luther King Jr Day - No School
Feb 28 - March 4 Winter Break - No School
April 25-29 Spring Break - No School
Mon May 30 Memorial Day - No School
Fri June 10 - BHS & GHS Graduation (tentative)
Fri June 17 - Last Day Students - early dismissal
Fri June 17 - Staff Close Up (full day)
(T) Tentative Make-Up Days - June 20-30, 2022

1/2 Day Students 1/2 Staff Inservice Day
No School
Berlin Middle High School Mission and Expectations

MISSION STATEMENT (JAB) Graduates of the Berlin Public Schools will be active, life-long learners who participate constructively in the civic, economic, educational, and cultural growth of their continually changing, information based, local and global communities.

Student Expectations

ACADEMIC

The Berlin Middle High School graduate will be able to effectively:

- Read
- Write
- Speak
- Solve Problems
- Apply Technology

SOCIAL

The Berlin Middle High School graduate will understand the importance of:

- Lifelong Learning
- Good Health
- Positive Work Habits
- Responsibility
- Respect
- Career Planning

CIVIC

The Berlin Middle High School graduate will understand and demonstrate:

- Sense of Community
- Global Awareness
- Civic Responsibility
- Acceptance of Cultural Diversity
Definitions of Academic Expectations

Writing Effectively: Students will write effectively for a variety of purposes and audiences.

Reading Effectively: Students will read fluently with understanding and appreciation.

Speaking Effectively: Students will speak purposefully and articulately for a variety of purposes and audiences.

Solving Problems: Students will demonstrate problem-solving strategies through investigation, understanding, and reasoning.

Applying Technology: Students will develop technological proficiency to maximize their access to information, enhance problem-solving, develop effective communication skills, and pursue personal and workplace goals.

Student Manual Disclaimer

This student handbook has been compiled as a source of information for students, parents, and staff at Berlin Middle High School. It covers most policies related to a student’s educational experience here at the middle high school, including rules, scheduling, attendance, and other important facts. The policies contained in this student/parent manual are subject to change with Berlin School Board approval. All current board policies may be found on the SAU3.org web site.

As a staff, we expect that both parents and students will read and comply with all the policies set forth and come to school prepared for the events of each day. Preparation includes bringing all required materials (fully charged Chromebook, pens, pencils, books, notebooks, etc.) to class.

The Berlin Board of Education is an Equal Opportunity Agency dedicated to the policy that no person on the basis of age, gender, race, creed, religion, marital status, sexual orientation, gender identity, national ethnic origin, economic status or disability for employment in, participation in, admission/access to, or operation and administration of any educational program or activity in the School District shall be subject to discrimination in any educational program or activity.

It is expected that all students will read the contents of the handbook.
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Activity Participation
Any student who arrives to school after 11:00 am will not be allowed to participate in after school activities (see page 16 - 20) for more specifics on athletics) that afternoon or evening. Extenuating circumstances will be dealt with on an individual basis by the Administration.

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

Advisories - Middle School
Advisory is a program focused on building relationships to improve student learning. The program involves one teacher and a group of 10-15 students who meet 5 days a week.

Advisory is an important and valued part of our middle school philosophy because studies indicate that when students experience a connection with other students and adults at school, they will be better behaved, care more for others, and have a more positive attitude about their school and schoolwork; as a result, their achievement will increase.

After School Program - Middle School
Project Youth, a 21st Century Community Learning Center Afterschool Program, begins at the end of the regular school day and runs until 5:30 pm Monday through Friday. Students receive a snack, receive help with homework, and participate in enrichment-based activities and a hands-on project. The BMS After School Program is based in the cafeteria at BMHS. There is a sliding scale fee for this program. Registration forms are available in the office. Questions may be directed to the Project Youth Office at the Family Resource Center in Gorham at 466-5190.

Alcohol, Drug, and Tobacco Use (ADC)

PROHIBITIONS REGARDING USE AND POSSESSION OF TOBACCO PRODUCTS, E-CIGARETTES AND E-LIQUIDS IN AND ON SCHOOL FACILITIES AND GROUNDS

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

A. Definitions. These definitions shall also include any amendments to the referenced statutes as the same may be amended or replaced from time to time.
"Tobacco product(s)" means any product containing tobacco including, but not limited to, cigarettes, smoking tobacco, cigars, chewing tobacco, snuff, pipe tobacco, smokeless tobacco, and smokeless cigarettes, as well as any other product or item included in RSA 126-K:2, XI.

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

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

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

"Liquid nicotine" means any liquid product composed either in whole or in part of pure nicotine and propylene glycol and manufactured for use with e-cigarettes, as well as any other product or item included in RSA 126-K:2, III-a.

"Facility" is any place which is supported by public funds and which is used for the instruction of students enrolled in preschool programs and in all grades maintained by the District. This definition shall include all administrative buildings and offices and areas within facilities supportive of instruction and subject to educational administration, including, but not limited to, lounge areas, passageways, rest rooms, laboratories, classrooms, study areas, cafeterias, gymnasiums, maintenance rooms, and storage areas.

B. **Students**

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

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

C. **Employees**

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

Initial responsibility for enforcement of this prohibition shall rest with building principals, or their designees. Any employee(s) who violate(s) this policy is subject to disciplinary action which may include warning, suspension or dismissal. Violations may also be referred to appropriate law enforcement and/or other appropriate agencies for criminal or other proceedings as provided under state law.

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

The building principal(s), and where appropriate, other site supervisor (athletic director, vehicle driver, etc.), or their designee(s), shall have the initial responsibility to enforce this section, by requesting that any person who is violating this policy to immediately cease the use of tobacco products, E-cigarette or liquid nicotine. After this request is made, if any person refuses to refrain from using such products in violation of this policy, the principal, site supervisor, or designee may call contact the appropriate law enforcement agency(ies) for possible criminal or other proceedings as provided under state law.

E. Implementation and Notice - Administrative Rules and Procedures

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

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

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

Drug/Alcohol-Free Schools (JICH)

DRUG AND ALCOHOL USE BY STUDENTS

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

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

Prescription and non-prescription drugs which a student has on prescription or through written parent authorization and are carried onto school property must be kept in the nurse’s office along with a copy of the prescription. The drug must be taken in the nurse’s office as well. The distribution and/or sale of prescription and/or non-prescription drugs to others is strictly forbidden; suspension and counseling will result. Other action may also be taken.
Any student who is found by the administration to be in violation of this policy shall be referred for counseling sessions, rehabilitation programs, and subject to disciplinary action up to and including suspension, expulsion or other discipline in accordance with the district’s disciplinary policy. Strict compliance is mandatory. The school principal shall immediately report all incidents involving a controlled substance to the appropriate local law enforcement agency and the Superintendent. All controlled substances shall be turned over to local law enforcement.

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

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

Under reasonable suspicion of alcohol use, an administrator may use a breathalyzer. Positive results will be referred to local law enforcement. In the event of emergency care/first aid, opioid antagonists (narcan/naloxone) may be administered by trained staff.

**Tobacco (JICG)**

**TOBACCO PRODUCTS BAN USE AND POSSESSION IN AND ON SCHOOL FACILITIES AND GROUNDS** Use of Tobacco Products Strictly Prohibited In/On all School Facilities and/or Grounds

State law prohibits the use of any tobacco product, E-cigarette, or liquid nicotine in any facility or upon any grounds maintained by the District. Students and minors are further prohibited from possessing such items in or upon any facility, school vehicle, or grounds owned or maintained by the District. Definitions. “Tobacco product(s)” means any product containing tobacco including, but not limited to, cigarettes, smoking tobacco, cigars, chewing tobacco, snuff, pipe tobacco, smokeless tobacco, smokeless cigarettes, products containing tobacco, and tobacco in any other form, as well as any other product or item included in RSA 126-K:2, XI as the same may be amended or replaced from time-to-time. “E-cigarette” means any electronic smoking device composed of a mouthpiece, a heating element, a battery, and electronic circuits that provides a vapor of pure nicotine mixed with propylene glycol to the user as the user simulates smoking. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, or e-pipes, under any other product name as well as any other product or item included in RSA 126-K:2, II-a as the same may be amended or replaced from time-to-time. “Liquid Nicotine” means any liquid product composed either in whole or in part of pure nicotine and propylene glycol and manufactured for use with e-cigarettes, as well as any other product or item included in RSA 126-K:2, III-a as the same may be amended or replaced from time-to-time. “Facility” is any place which is supported by public funds and which is used for the instruction of
students enrolled in preschool programs and in all grades maintained by the District. This definition shall include all administrative buildings and offices and areas within facilities supportive of instruction and subject to educational administration, including, but not limited to, lounge areas, passageways, rest rooms, laboratories, classrooms, study areas, cafeterias, gymnasiums, maintenance rooms, libraries, and storage areas. Signs shall be placed by the District in all buildings, facilities and school vehicles stating that the use of tobacco products is prohibited. B. Students No student shall purchase, attempt to purchase, possess, or use any tobacco product, e cigarette, or liquid nicotine in any facility, in any school vehicle or anywhere on school grounds maintained by the District. Enforcement of this prohibition shall initially rest with building principals, or their designees, who may report any violation to the local police department. In accordance, with state law, the police department shall be responsible for all proceedings and applicable fines and penalties. The principal will develop regulations which cover disciplinary action to be taken for violations of this policy. These regulations will be communicated to students by means deemed appropriate by the principal. In addition to disciplinary actions taken by the school, criminal penalties for fines may result from violations of this policy.

Berlin Middle High School is a tobacco free school zone. The use of any tobacco or nicotine products by any person (student, parent, school employee, etc.) is strictly forbidden NH RSA 651:2. Students will be subject to appropriate disciplinary measures including and not limited to detention and or suspension.

**All Students (first, second and third offense)**

First offense of tobacco use will result in a one day suspension, parent/guardians notified, and the incident will be reported to police. Second offense will result in a two day suspension, parent/guardian notification, and the incident will be reported to police. Third offense will result in a five day suspension and possible dismissal, parent/guardian notification, and the incident will be reported to local authorities.

**Inhaling Toxic Vapors for Effect**

A person is guilty of a violation if s/he purposely smells or inhales the fumes of any substance having the property of releasing toxic vapors, for the purpose of causing a condition of intoxication, euphoria, stupefaction, or dulled senses of the nervous system, or possesses, buys or sells any such substance for the purpose of violating or aiding another to violate this section. Any student found to be in possession of a device that produces toxic vapors shall have the device confiscated and given to either the school resource officer or local police department. Disciplinary consequences will be assigned per the discretion of school administration.

Any court finding that a minor is guilty of a second offense under this section may order the minor to the nearest mental hygiene clinic for examination prior to sentencing. The court may order commitment to a public institution, including New Hampshire hospital for care and treatment as the finding warrant. The court may thereafter modify the order, as justice requires.
**Asbestos Hazard Emergency Response Act (AHERA)**

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

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

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

**Athletics**

Athletics provide participants with the chance to further develop socially, physically, and emotionally while developing the necessary fundamentals and character of a given sport. The athletic program at BMHS is considered an extension of its academic philosophy. It is a privilege and an honor to represent BMHS in interscholastic athletics. The student athlete must earn this privilege through dedication, desire, discipline, hard work and school spirit. Players are expected to know and adhere to the following standards at all times. Infractions to these standards may result in practice suspensions, single or multiple game suspensions, removal from the team as well as possible school disciplinary action. The athlete must be a good student as well as a good citizen in and out of school.

**Attendance:** Any Middle School student who arrives at school after 9:00 am will not be allowed to participate and/or practice in any school activity that afternoon or evening. Any High School student who arrives more than 15 minutes late will not be allowed to participate and/or practice in any school activity that afternoon or evening. Extenuating circumstances will be dealt with on an individual basis by the Administration and Athletic Director.

**Medical:** All student athletes MUST have an up to date sports physical from a physician on file with the school nurse. The school or athletic department assumes no financial responsibilities for injuries occurring to athletes nor for ambulance fees. It is recommended all student athletes have adequate insurance coverage. Any injuries should be immediately reported to the coach and school nurse. Any player seeing a physician for care must have a signed doctor’s note to resume participation. If your child has a medical concern, please let the coach know so we can be sensitive to these concerns.

**School & Social Decorum:** All student athletes are expected to conduct themselves in accordance with the school’s “Student Manual” as well as each team’s rules and expectations in school as well as in social settings. Obscene language or gestures will not be tolerated. Any student athlete involved in provocation, fighting or stealing will face disciplinary action from the coach and or the athletic department. Student athletes referred to the student resource officer or law enforcement authorities by the school may be subject to practice and or game suspensions as well as possible removal from the team.

**Sportsmanship:** The display of excellent sportsmanship by all players and fans is essential, in practice as well as at all games, toward coaches, teammates, officials, opponents and fans. If a player or parent has a question
or concern, they should arrange to meet with the coach and must do so in a respectful manner as well as at an appropriate time when the coach has had the chance to fulfill all of his or her coaching duties.

Guidelines for Proper Sportsmanship (JJIF)

To promote sportsmanship and foster the development of good character, sports programs must be conducted in a manner that enhances the academic, emotional, social, physical and ethical development of student-athletes. Participation in athletic programs is a privilege, not a right. To earn that privilege, student-athletes and coaches must abide by the following rules of good sportsmanship.

Coaches
1. Shall abide by the rules of the game in letter and in spirit.
2. Shall respect the integrity and judgment of the officials/referees.
3. Sets the tone of conduct for student-athletes, spectators, team members and citizens.
4. Must visibly show that he/she values fair, honest rivalries, courteous relations and graceful acceptance of the results.
5. Shall take corrective action on any student-athlete who violates the code of conduct found within this policy.

Student-Athletes/Participants
1. Maintain academic eligibility standards as determined by the Board.
2. Be respectful and courteous of opposing teams and officials.
3. Refrain from disrespectfully addressing officials and opposing teams, antics to intimidate, taunting, fighting, or using profanity.
4. Respect the integrity and judgment of officials and accept their decision without question.
5. Be modest when successful and gracious in defeat. Any student-athlete found to have violated this policy may be subject to appropriate discipline to be administered by either the coach or school administrators. Such discipline may range from temporary to permanent suspension of the student-athlete’s participation on the athletic team. Disciplinary measures will be considered on a case-by-case basis.

Personal Health Practice: All student athletes will refrain from the use of tobacco, nicotine, alcohol or drugs. Verification of smoking, vaping, drinking or drug use will result in both team and school disciplinary action. **Smoking by fans on school grounds and playing fields is strictly prohibited and against the law.**

Travel: All Student athletes are expected to follow the school’s Bus Behavior Policies at all times. Players are expected to bring their own drinks and snacks, as the bus will not be stopping. It is imperative that players are at the departure site 10 minutes prior to the departure time. Each team will sit with their teammates only. One team will be assigned either the front or the back of the bus on each trip. All players are expected to travel to and from each game on the bus with their team. Players may ride home WITH THEIR OWN PARENT OR GUARDIAN with a written note to the coach. Please be at the school at the return time indicated on the schedule, players who have to call home or wait prevent the coaches from leaving the school.

Personal Appearance: All student athletes are representing their school and should make every effort to present a positive image on and off campus. Appropriate attire is expected. Blue jeans or T-shirts are not acceptable attire for away trips. Trousers/pants are expected to fit properly. No bare midriffs. Hair should be groomed in a way that will not interfere with the athlete’s performance. All jewelry is prohibited during practices or games. Valuables or large sums of money should not be taken on school trips.

Uniforms/Equipment: Each student athlete is financially responsible for the proper care, use and return of any uniform or equipment issued to him or her by the Athletic Department. Uniforms are not to be worn as
school or casual attire. Please do not place uniforms in the dryer. At no time will student athletes be allowed to use equipment unless supervised by the coach.

**Practice & Playing Time:** All student athletes are expected to attend all practices. If a player is unable to attend practice, it’s the player’s responsibility to contact the coach. Unexcused practices may result in loss of playing time. Students receiving a detention are subject to a game suspension. Players should arrive no more than 15 minutes prior to practice and 30 minutes prior to games. Players may not linger in the locker rooms or on campus at any time. In case of inclement weather, all players should have an alternate place to go if a game or practice is postponed or cancelled. Players should expect and accept constructive criticism as an athlete on their performance during practices and games. To improve as an athlete one must be told what they are doing right as well as what they are doing wrong. The coach will determine playing time.

**Social Media:** Administration wants to remind players, parents, and coaches that the use of social media in ways that can be harmful to a team and its members is against school policy and may be considered bullying. If there are any problems that arise within a program the Chain of Command should be followed. Below is the Berlin School District interpretation on cyber-bullying:

**Cyberbullying:** A form of bullying known as cyber-bullying happens in the online world and is growing rapidly among teenagers. Recent surveys indicate that nearly one of every three online teens have been the target of cyber-bullying. The most recent forms of cyber-bullying include:

- Taking a private email, social media post or text message and forwarding it to others or re-posting it where many can see it to embarrass the sender.
- Spreading hurtful rumors online about another person.
- Threatening through aggressive emails, instant messages or text messages.
- Posting embarrassing pictures of someone online without his or her permission.

**Questions & Concerns:** If you have a question or concern, please see the coach to set up a meeting at an appropriate time. If you have further questions or concerns, please contact the athletic director to set up a meeting.

**Be A Fan:** We ask that you refrain from sitting or standing behind or near the players’ bench whenever possible. We ask that you sit in the bleachers. Let the players play the game. Let the coaches do the coaching. Allow the referees to officiate the game even when you don’t agree with their calls. Everyone is doing his/her best. Our goals are not only to improve their skills and knowledge of the sport, but more importantly, to develop respect, responsibility, a strong sense of teamwork and good sportsmanship.

**Athletic Eligibility - Middle School**

Middle school students will be required to meet academic standards established by this policy for participating in school athletics regular season or intramural. Eligibility requirements are as follows:

1. Eligibility for each marking period will be determined by grades received in the previous grading quarter.
2. Student-athletes must not receive 2 or more failing, 64% or below, grades per quarter.
3. Student-athletes who lose their academic eligibility during a sports season will be removed from their team and placed on an Academic Improvement Plan (AIP). The AIP will last for a 2-week period. If the Student-athlete has not improved their academic eligibility, they will not be allowed to participate in athletics until they have a successful grading quarter.
4. Student-athletes who lose their academic eligibility before the start of a sport season will not be allowed to participate until progress reports have been issued. Upon the issue of progress reports the student-athlete must not receive 2 or more failing grades in order to join the team.
5. All athletes who have obtained eligibility during report cards will have grades rechecked during progress reports. If a student loses eligibility during this time they will be placed on a 2-week AIP. If at the end of the 2-week AIP the athlete has failed to gain eligibility, they will be removed from the team.

**Athletic Eligibility - High School**

Our eligibility rules primarily follow those adopted by the New Hampshire Interscholastic Athletic Association and apply to both boys and girls who participate in junior varsity and varsity sports. Some of the basic eligibility rules for BMHS are:

1. A pupil may compete in interscholastic athletics during the school year if his/her 20th birthday is on or before September 1st.
2. No postgraduate shall represent his or her school in any interscholastic athletic contest.
3. No pupil who has failed to pass three units of work during the previous basic ranking period shall represent his or her school in any activity.
4. Any deviation from N.H.I.A.A. Eligibility rules shall be made only with the consent of the Eligibility Committee of the N.H.I.A.A.

**Eligibility for school athletics (JJIC)**

The School Board encourages all students to achieve their fullest academic potential. While school athletics provide an opportunity for students to develop other skills and knowledge outside the classroom, the School Board expects students to study and learn to the best of their ability in the classroom and in other instructional environments. The Board, therefore, hereby establishes academic standards that will guide students by directly influencing their eligibility to participate in designated school athletics.

High school students will be required to meet academic standards established by this policy for participation in school athletics. Eligibility requirements are as follows:
1. Eligibility for each marking period is determined by grades received in the previous grading period. Semester and/or yearly grades have no effect on eligibility.
2. Student-athletes must have received passing grades in a minimum of four (4) classes per grading period.
3. Summer school grades will be averaged in accordance with current School Board policy.
4. Students who lose their academic eligibility while participating in an athletic activity in which the season extends beyond the semester will not be allowed to continue participating. Students participating in athletic activities who do not meet academic requirements will lose eligibility at the time that the report card is issued.
5. Transfer students’ academic eligibility for participation in an athletic activity will be determined by their incoming academic records.
6. 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.
A special education student who is working toward a standard diploma must meet the same academic standards for participation in athletic activities.

The Superintendent or his/her designee to monitor the academic performance of student-athletes will evaluate the eligibility process annually.

**Athletic User Fees**

Effective September 2006, athletic user fees were implemented to help defray the cost of the officials. The *Middle School* user fee is $45 per sport. There is a maximum of $120 per family per school year for students in the Middle School. (This does not include family members who are High School students. See below.)

The *High School* user fee is $65 per sport. There is a maximum of $160 per student per school year, and a maximum of $260 per family per school year.

Financial hardships will be reviewed by the Principal and the Athletic Director on an as needed basis. Payment is required before the student’s uniform is issued. Payments are non-refundable except in the case of serious, incapacitating injury or illness.

The user fee allows the student the privilege of participating on a BMHS interscholastic athletic team. It DOES NOT guarantee playing time.

Fees will be paid at the BMHS Office.

**Attendance Requirements**

**Tardiness**

The primary responsibility for regular and punctual attendance belongs to the parents and students. One of the greatest predictors of academic success is attendance. Children do not do well in school unless they are in class.

Attendance is taken at the start of each class. Tardy pupils at the opening of school will report directly to the office.

During each quarter, students will be allowed to be tardy to school/class no more than 3 times without penalty. Additionally, students may use a parent excuse note for being late to school 1 time. After the third tardy (or fourth with a parent note), a detention will be assigned for each subsequent tardy during the marking period. At the beginning of each quarter, the attendance cycle starts again. Any tardiness due to dental/medical appointments and late buses will not count against the student’s attendance profile.

**Student Absences and Excuses (JH)**

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

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

Any absence that has not been excused for any of these reasons will be considered an unexcused absence.

Tardiness: Frequent or habitual tardiness is subject to corrective actions.

In the event of any absence due to illness, parents must call the school and inform the School of the student’s illness and absence. For all absences, parents must provide written notice or a written excuse that states one of these reasons for non-attendance. The Principal may require parents to provide additional documentation in support of their written notice, including but not limited to doctor’s notes, court documents, obituaries, or other documents supporting the claimed reason for non-attendance.

Any absence other than excused absence is considered truancy. Absences other than for illness during the school year are discouraged.

Unauthorized absence from school is considered truancy and will be treated as such in accordance with the rules of the Parent/Student Manual. Truant students may be subject to school disciplinary measures in line with applicable Board policies.

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

Truancy (JHB)

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

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

The Principal is hereby designated as the District employee responsible for overseeing truancy issues.

**Intervention Process to Address Truancy**

The Principal shall ensure that the administrative guidelines on attendance properly address the matter of truancy by including a process that identifies students who are habitually truant, as defined above.

When the Principal identifies a student who is habitually truant or who is in danger of becoming habitually truant, he/she shall commence an intervention with the student, the student’s parents/legal guardian, and other staff members as may be deemed necessary. The intervention shall include processes including, but not limited to:

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

**Parental Involvement in Truancy Intervention**

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

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

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

**Make-Up Work**

Students are granted two (2) days to make up missing work for each day absent. Any student absent for more than two days may call the guidance office to request academic work. The expectation is that students out of school on suspension will contact teachers and actively work on assignments while out. For this reason, upon return from suspension, students will be given one day for every one day out due to suspension. This includes the provision required by RSA 193:13(V) that educational material is provided to suspended students.

Should a student be absent for an extended length of time (one week or more), the student or parents should contact the guidance office to arrange for work to be given to the student.
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1. Investigates the cause(s) of the student’s truant behavior
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The Superintendent shall also ensure that this policy is made available annually to all parents/legal guardians and students via student/parent handbook and district website.

Middle School Grades 6, 7, 8 (JH-R) Policy Implementation Procedures

- Course Grades

Students may not be awarded a passing course grade if they miss more than 15% of class time due to unexcused absences, tardiness or early dismissals. Class attendance is taken on a period-by-period basis. The maximum number of excused/unexcused absence is as follows:

- 28 Full days for full year courses that meet every day
- 14 Full days for half year courses

Students may be required to repeat a grade level if attendance is not sufficient enough for mastery of academic material. This is subject to administrative review and an appeal process will be provided if requested. Even though a student has failed his/her courses as a consequence of his/her absenteeism, he/she is still under legal obligation to attend classes and he/she will remain in school for the balance of school days in the school year.
High School Grades 9, 10, 11, 12 (JH-R)
At the high school level, students may not miss more than ten (10) classes in any eighteen (18) week course or six (6) days in any nine (9) week course. Any student who exceeds the maximum number of class absences for any course will only be able to retain credit pending an academic review. In this review an alternative learning plan and attendance contract may be developed with input from administration, guidance, teachers, parents/guardians, and the student. If the contract is broken the student risks loss of credit.

The school will make all attempts at contact to inform parents/guardians about school policies and state laws.

The school can seek legal action through a Violation of RSA 193:1 Compulsory Attendance Duty of Parent.

Parent Responsibilities
Parents/Guardians are asked to call the school when students are absent or tardy. To ensure the safety of your child, if parents/guardians do not call, the school office will call the home. A written note is required upon the child’s return to school explaining the absence or tardy. This is required, even with a phone call. Lack of a written note will result in documentation as an unexcused absence.

Parents have the primary obligation to prevent unnecessary and/or unexcused absences and tardies.

Automated External Defibrillator -AED
BMHS is equipped with two AED machines. One is housed in the cafeteria and the other is outside the Main Office. School nurses also have a portable AED located in their office. The Athletic Department also has portable AEDs.

These machines are used to save lives, in conjunction with cardiopulmonary resuscitation (CPR), in cardiac emergencies.

Backpacks
Students are encouraged to have backpacks to transport texts and papers between home and school. Upon entry, students are to put their backpacks in their lockers. A schedule for accessing the lockers during the school day will be determined by each teaching team.

Bell Schedule - Middle School
Entrance 7:30
Late Bell 7:38
Dismissal 2:14
Detention (M-Th) 2:20 -3:00
Bell Schedule - High School

Entrance 7:30
Late Bell 7:36
Dismissal 2:16
Detention (M-F) 2:20-2:50 (30 min.), or 2:20-3:10 (50 min.)

Bicycles

A bicycle rack will be located near the main entrance. Students who choose to ride a bicycle to school must provide their own lock and safely secure their bicycle. Berlin Public Schools is not responsible for lost, stolen, or damaged bicycles.

Bullying (JICK)

BERLIN PUBLIC SCHOOLS JICK

PUPIL SAFETY AND VIOLENCE PREVENTION - Bullying

I. Definitions (RSA 193-F: 3)

1. Bullying. Bullying is hereby defined as a single significant incident or a pattern of incidents involving a written, verbal, or electronic communication, or a physical act or gesture, or any combination thereof, directed at another pupil which:

   (1) Physically harms a pupil or damages the pupil's property;
   (2) Causes emotional distress to a pupil;
   (3) Interferes with a pupil's educational opportunities;
   (4) Creates a hostile educational environment; or
   (5) Substantially disrupts the orderly operation of the school.

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

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

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

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

Any reference in this policy to "parent" shall include parents or legal guardians.
II. Statement Prohibiting Bullying or Cyberbullying of a Pupil (RSA 193-F:4, II(a))

The Board is committed to providing all pupils a safe and secure school environment. This policy is intended to comply with RSA 193-F. Conduct constituting bullying and/or cyberbullying will not be tolerated and is hereby prohibited.

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

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

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

III. Statement prohibiting retaliation or false accusations (RSA 193-F:4, II(b))

False Reporting

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

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

Reprisal or Retaliation

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

1. The consequences and appropriate remedial action for a student, teacher, school administrator or school volunteer who engages in reprisal or retaliation shall be determined by the Principal after consideration of the nature, severity and circumstances of the act, in accordance with law, Board policies and any applicable collective bargaining agreements.
2. Any student found to have engaged in reprisal or retaliation in violation of this policy shall be subject to measures up to, and including, suspension and expulsion.
3. Any teacher or school administrator found to have engaged in reprisal or retaliation in violation of this policy shall be subject to discipline up to, and including, termination of employment.
4. Any school volunteer found to have engaged in reprisal or retaliation in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds.

Process To Protect Pupils From Retaliation

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

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

IV. Protection of all Pupils (RSA 193-F:4, II(c))
This policy shall apply to all pupils and school-aged persons on school district grounds and participating in school district functions, regardless of whether or not such pupil or school-aged person is a student within the District.

V. Disciplinary Consequences For Violations of This Policy (RSA 193-F:4, II(d))

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

In addition to imposing discipline under such circumstances, the board encourages the administration and school district staff to seek alternatives to traditional discipline, including but not limited to early intervention measures, alternative dispute resolution, conflict resolution and other similar measures.

VI. Distribution and Notice of This Policy (RSA 193-F:4, II(e))

Staff and Volunteers

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

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

Students

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

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

The Superintendent, in consultation with staff, may incorporate student anti-bullying training and education into the district’s curriculum, but shall not be required to do so.

Parents

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

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

Additional Notice and School District Programs

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

VII. Procedure for Reporting Bullying (RSA 193-F:4, II(f))

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

1. Any student who believes he or she has been the victim of bullying should report the alleged acts immediately to the Principal. If the student is more comfortable reporting the alleged act to a person other than the Principal, the student may tell any school district employee or volunteer about the alleged bullying.

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

3. The Principal may develop a system or method for receiving anonymous reports of bullying. Although students, parents, volunteers and visitors may report anonymously, formal disciplinary action may not be based solely on an anonymous report. Independent verification of the anonymous report shall be necessary in order for any disciplinary action to be applied.

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

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

Staff Reporting

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

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

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

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

VIII. Procedure for Internal Reporting Requirements (RSA 193-F:4, II(g))

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

IX. Notifying Parents of Alleged Bullying (RSA 193-F:4, II(h))

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

X. Waiver of Notification Requirement (RSA 193-F:4, II(i))

The Superintendent may, within a 48 hour time period, grant the Principal a waiver from the requirement that the parents of the alleged victim and the alleged perpetrator be notified of the filing of a report. A waiver may
only be granted if the Superintendent deems such a waiver to be in the best interest of the victim or perpetrator. Any waiver granted shall be in writing.

XI. Investigative Procedures (RSA 193-F:4, II(j))

1. Upon receipt of a report of bullying, the Principal shall, within 5 school days, initiate an investigation into the alleged act. If the Principal is directly and personally involved with a complaint or is closely related to a party to the complaint, then the Superintendent shall direct another district employee to conduct the investigation.

2. The investigation may include documented interviews with the alleged victim, alleged perpetrator and any witnesses. All interviews shall be conducted privately, separately and shall be confidential. Each individual will be interviewed separately and at no time will the alleged victim and perpetrator be interviewed together during the investigation.

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

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

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

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

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

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

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

**XII. Response to Remediate Substantiated Instances of Bullying (RSA 193-F:4, II(k))**

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

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

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

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

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

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

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

**XIII. Reporting of Substantiated Incidents to the Superintendent (RSA 193-F:4, II(l))**

The Principal shall forward all substantiated reports of bullying to the Superintendent upon completion of the Principal's investigation.

**XIV. Communication With Parents Upon Completion of Investigation (RSA 193-F:4, II(m))**

1. Within two school days of completing an investigation, the Principal will notify the students involved in person of his/her findings and the result of the investigation.
2. The Principal will notify via telephone the parents of the alleged victim and alleged perpetrator of the results of the investigation. The Principal will also send a letter to the parents within 24 hours again notifying them of the results of the investigation.

3. If the parents request, the Principal shall schedule a meeting with them to further explain his/her findings and reasons for his/her actions.

4. In accordance with the Family Educational Rights and Privacy Act and other law concerning student privacy, the District will not disclose educational records of students including the discipline and remedial action assigned to those students and the parents of other students involved in a bullying incident.

XV. Appeals

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

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

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

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

XVI. School Officials (RSA 193-F:4, II(n))

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

XVII. Capture of Audio Recordings on School Buses

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

XVIII. Use of Video or Audio Recordings in Student Discipline Matters

The District reserves the right to use audio and/or video recording devices on District property (including school buses) to ensure the health, safety and welfare of all staff, students and visitors. Placement and location of such devices will be established in accordance with the provisions of Policies EEAA, EEAE and ECAF.

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

The Superintendent is authorized to contact the District’s attorney for a full legal opinion relative in the event of such an occurrence.

NHSBA Note, September 2015: New paragraph (Paragraph #9) added to Section XI - Investigative Procedures. This change is in response to RSA 189:70, effective September 2015. RSA 189:70 prohibits school districts from requiring students to provide information relative to personal social media accounts. Districts may request certain information if such information is relative to an ongoing investigation. However, such information cannot be demanded or required. RSA 189:70 is also now added to Legal References.

NHSBA Note, September 2014: Only changes are to Section XV - Appeals. These changes are included after consultation with school officials as to the manner in which the NH Department of Education is now accepting appeals from school board decisions on bullying-related matters.

Bus Passes
High School students will be allowed to purchase bus permits for $100.00 for the first student and $70.00 for the second High School student in the same family. Additional high school students from the same family will ride free. Middle School students will be allowed to purchase bus permits for $50.00 for the first student and $35.00 for the second Middle School student in the same family. Additional Middle School students from the same family will ride free. Middle School students may ride the bus for free if they live a mile or more from school.

Please note these prices are subject to change without notice. You may purchase a bus pass at Berlin Middle High School. Bus permit fees must be paid in full when ticket is picked up. In order to ride the bus, you must have a bus pass. Students will be picked up from pre-established collection points.

Here are a few reminders for all bus riders:

- Please be at your bus stop 5-10 minutes before your scheduled stop.
- No horseplay at the bus stop.
- Stay at least 10 feet away from the bus at all times.
- Wait for the bus to come to a complete stop and the driver gives you a signal to board.
- Find your seat quickly and face forward and keep the aisle clear.
- At school please exit the bus in a safe and considerate manner.
- All school rules apply at bus stops.

School Buses Student Conduct (JICC)

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<th>BERLIN PUBLIC SCHOOLS</th>
<th>JICC</th>
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STUDENT CONDUCT ON SCHOOL BUSES

Students using District transportation must understand that they are under the jurisdiction of the school once a student boards the bus, and only at that time, does he/she become the responsibility of the School District. Such responsibility shall end when the child is delivered to the regular bus stop at the close of the school day.
Pupils transported in a school bus shall be under the authority of the District and under control of the bus driver. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reasons for a pupil to be denied the privilege of transportation in accordance with the regulations of the Board.

The driver of the bus shall be held responsible for the orderly conduct of the pupils transported.

The Superintendent or his/her designee will develop rules and regulations for conduct on buses and these shall be printed in the Parent-Student Handbook.

Resolution of Conflicts

A parent who wishes to request a change or exemption from any of the Student Transportation policies shall direct that request first to the SAU Transportation Coordinator. If the parent is not satisfied by the ruling of the SAU Transportation Coordinator, he or she may appeal the ruling within five school days to the School Business Administrator. If the parent is again not satisfied by the ruling, he or she may appeal to the Superintendent within the next five-day period.

Canine Search

For the safety of students and staff, random drug searches may occur throughout the school year using specially trained drug-sniffing dogs. These animals will be used to conduct periodic random searches of student lockers.

Care of Books and Equipment

Middle School students are expected to provide covers for all books issued to them. Book covers are sold in local stores and are sometimes available in our Guidance Department. Book covers made at home from brown paper bags are also acceptable. Students must pay for lost or damaged books and equipment. The student that the text is assigned to is responsible for any damages incurred or theft.

In the case of a lost or destroyed book or equipment, payment must be made prior to another book or equipment being issued. Your efforts to take good care of textbooks and equipment will result in longer service and help to keep replacement expenditures at a minimum.

Cell Phones

From 7:30 am to 2:16 pm cell phones shall be considered to have no practical educational use in school. Any student in violation of this expectation shall be subject to these consequences:

- **First Offense**: The student will be referred to the main office and the cell phone will be confiscated until the end of the day. A detention will be assigned. (High school detentions will be 50 minutes)
- **Second Offense**: The student will be referred to the main office and the cell phone will be confiscated until the parent/guardian arranges for its return. A detention will be assigned. (High school detentions will be 50 minutes)
- **Third Offense**: The student will be referred to the main office and the cell phone will be confiscated until the parent/guardian comes to the office to retrieve the phone. A one day suspension may be assigned.
We respect the need for students and parents/guardians to be in contact throughout the school day. The main office may be called if a parent/guardian needs to contact a son or daughter during the school day, at 752-4122.

**Change of Address/Telephone**

It is very important for emergency and administrative reasons that every student maintains an up-to-date address record at the school office. Notify the school immediately if you have a change of address or telephone number during the school year.

**Cheating/Plagiarism**

Any student caught cheating in any form may receive no credit for the assignment. Students who use plagiarized papers or projects will be subject to reduction in grades and/or disciplinary action for a first offense. High School students may be subject to removal from the class with a loss of credit and/or a failing grade for a second offense. Parents or guardians will be notified of any incident of cheating.

**Chromebooks**

In continuing with our district one-to-one technology initiative, students will be assigned a Berlin Public Schools Chromebook. In addition to this Student/Parent Handbook, students and parents will receive a Chromebook Guide at the beginning of the school year. This guide should be read by parents and students, and the Acknowledgement of Receipt at the back of the guide should be signed and returned to school. Please refer to that guide for all Chromebook information.

**Code of Conduct and Rights**

**Student Discipline and Due Process (JICD)**

*Related Policies: JI, JIC, JICI & JICK*

**STUDENT DISCIPLINE AND DUE PROCESS**

**A. Policy Statement.**

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

**B. Standards and Procedures Relative to Disciplinary Consequences.**
1. **Removal from the classroom** means a student is sent to the building Principal's office or other designated area during the same school day. It is within the discretion of the person in charge of the classroom or activity to remove the student.

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

Detentions are not appealable.

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

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

Restrictions under this policy are not appealable.

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

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

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

Detentions are not appealable.

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

The building administrators are authorized to issue reassignment, restrictions from activities, or place a student on probation for repeated failure to conform to the Code of Conduct classroom rules, or for any conduct that causes material or substantial disruption to the school/class environment, interferes with the rights of others, presents a threat to the health and safety of students, employees, and visitors, is otherwise inappropriate, or is prohibited by law.
5. “**Probation**” means a student is given a conditional suspension of a penalty for a definite period of time in addition to being reprimanded. The conditional suspension will mean the student must meet the conditions and terms for the suspension of the penalty. Failure of the student to meet these conditions and terms will result in reinstatement of the penalty. Notwithstanding the assignment of probation, no imposition of the suspended consequence may be administered unless and until all of the provisions of this policy applicable to the suspended consequence (i.e., long-term suspension, expulsion, etc.) are satisfied.

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

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

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

      A short term suspension may be imposed only for:

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

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

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

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

   b. **Long-term suspension.** A “long-term suspension” is the extension or continuation of a short-term suspension for a period **not to exceed an additional 10 days** beyond the duration of the short-term suspension.

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

      A long-term suspension may only be imposed for:

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

² As of March 2021, Ed 317 has not been revised to reflect 2020 amendments to RSA 193:13. The text of any regulation of the NH Department of Education may be located with the following link: https://www.education.nh.gov/who-we-are/deputy-commissioner/office-of-governance/administrative-rules
i. an act that constitutes an act of theft, destruction or violence, as defined in RSA 193-D; 

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

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

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

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

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

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

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

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

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

g. Attendance Safe Harbor. A student may not be penalized academically solely by virtue of missing class due to a suspension.

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

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

   i. A repetition of an act that warranted long term suspension under section B.6.b, above;

   ii. Any act of physical or sexual assault that would be a felony if committed by an adult;

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3 http://www.gencourt.state.nh.us/rsa/html/XV/193-D/193-D-1.htm That list is subject to change. The statute should be reviewed prior to any long term suspension for an act of theft, destruction of violence.
iii. Any act of violence pursuant to RSA 651:5, XIII⁵;
iv. Criminal threatening pursuant to RSA 631:4, II(a)⁶; or
v. For bringing or possessing a firearm as defined in Section 921 U.S.C. Title 18 within a
    safe school zone as prohibited under RSA 193-D:1⁷, or under the Gun Free School
    Zones Act, unless such pupil has written authorization from the Superintendent.

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

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

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

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

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

C. Modification or Reinstatement After Suspension or Expulsion.

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

1. Modification by Superintendent. Subject to all other applicable laws, regulations and Board
   policies, and paragraph C.3, below (relating to firearms), the Superintendent is authorized to reinstate

⁵ http://www.gencourt.state.nh.us/rsa/html/LXII/651/651-5.htm
any student who has been suspended or expelled from a school in this District, and or enroll a student suspended or expelled from another school or district, on a case-by-case basis.

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

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

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

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

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

F. **Superintendent and Principal Designees.**

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

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

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

H. **Notice and Dissemination.**

   This policy shall be made available to families, students and staff as provided in Board policy JIC.

I. **Conflict in Law or State Regulation.**

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

**A. General Policy.**

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

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

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

**B. Student Code of Conduct**

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

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

The Code of Conduct shall include:

1. A graduated and age-appropriate system of supports and intervention strategies, such as:
   - parent conferences,
   - counseling,
   - peer mediation,
   - instruction in conflict resolution and anger management,
   - parent counseling and training,
2. Graduated and age-appropriate disciplinary consequences such as:
   - restriction from extra-curricular activities,
   - temporary (same day) removal from class or activity,
   - detention,
   - temporary reassignment/in-school suspension,
   - out-of-school suspension, and
   - expulsion.

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

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

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

C. **Implementation and Notice.**

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

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

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

D. **Parental Notification of Simple Assaults.**

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

E. Disciplinary Removal of Students with Disabilities.

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

Interrogation and Personal Search

All students are entitled to a safe and healthy educational environment. Therefore, the school has the responsibility to protect students from anti-social behavior on the part of irresponsible classmates. Furthermore, school administrators must take preventive and disciplinary measures that are both swift and informal in order to be effective. School administrators have the authority to immediately, upon “reasonable suspicion,” search students, students’ handbags or jackets, or students’ backpacks, or other materials brought into the school. Reasonable suspicion is a less restrictive statute than probable cause, which law enforcement officials must abide by. All lockers and desks located on school grounds are the property of the school, which gives administrators the right to inspect and search them at all times. Canine searches are legally permitted for the general facility in order to maintain school safety. Any such search will be conducted by a qualified law enforcement officer upon request of the building principal and/or superintendent of schools.

Course Information - High School

Grading System - (IKA)

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

At all high school levels, a passing grade is D or above. Equivalents of grades are:

A = 92 - 100
B = 83 - 91
C = 74 - 82
D = 65 - 73
F = Below 65
Inc. = Incomplete
A numerical grading system is used and report cards are issued to students four times a year. A report card indicates achievement for the nine-week marking period.

*Incomplete* will be given to a student who has not completed the required work after having been out of school for an extended period of time. It is the responsibility of the student to make satisfactory arrangements with the teacher to make up the work. A student has 10 school days after the marking period ends to make up the work before a final grade is given.

**Grade Level Placement**

Grades 9-12
Grade level placement is a function of each child's progress toward satisfaction of the credits needed for graduation. To be considered a 10th grade student, students must have accumulated a minimum of 4.5 credits. To be considered an 11th grade student, students must have accumulated a minimum of 10.5 credits. To be considered a 12th grade student, students must have accumulated a minimum of 18 credits. To graduate from grade 12, each child must have passing grades and earned credit in:

**Category A - 16 credits**

*English*: 4 credits  
*Math*: 3 credits (one of which must be Algebra), 1 Math-related credit  
*Social Studies*: 4 credits (Global Studies, Health and Contemporary Issues, U.S. History and Economics/Civics)  
*Science*: 2 credits (Physical Science, Biology)  
*Physical Education*: 1 credit  
*Fine Arts*: ½ credit  
*Computer Information Technology*: ½ credit

**Category B: Electives – 10 credits**

Total Requirements for Graduation: (Category A + Category B) = 26.0 Credits

**Enrollment**
Students should attempt to complete “Category A” requirements during the first three years of high school, as well as select courses in “Category B” which will complement post-secondary career plans. A student’s course schedule is prepared each spring based on the requests of the student. Prior to selecting their courses, students are asked to carefully consider their future plans, strengths/weaknesses, educational needs, and to seek parental, counselor, and teacher advice/placement recommendations. Students must select at least 7 courses and 3 alternatives for the coming school year.

Students enrolled under “full time” status at Berlin High School will be required to be enrolled in a minimum of six classes per year.
Honors at Graduation

High Honors/Honors will be awarded each year to students who meet the following requirements:

**High Honors:**
Overall weighted average of 98 or better

**Honors:**
Overall weighted average of 94 or better

Schedule Changes - High School
Since all students are required to carry a minimum of 6 credits per year, the majority of requests to change a course will automatically require that a course of equivalent credit value be added. Thus the course change policy is often called an add/drop policy. Changes will be required to be made if students find that:

1. The preliminary student schedule reveals that an error was made in processing the course request.
2. An unforeseeable event has altered the student’s plans or
3. The performance for the previous marking period, as indicated by the report card, justifies a change.

The following procedures are to be followed for requesting course changes at the High School:

**Student request**
Counselor and student discuss the reason for change. Student is given proper add/drop procedures, appropriate forms to be filled out and returned to the counselor during which time a final check is made to see if space is available in the class to be added.

**Teacher request**
Counselor meets with the student and attempts to facilitate the desired change if it can be made without multiple class changes. This type of change is usually related to a level change from less difficult to more difficult, or vice versa.

**Parental request**
Counselor meets with the student and parent (if feasible) to discuss all reasons for requests. During the course of this meeting all things are considered in the best educational interest of the student. It is hoped that a decision is reached that is favorable to all.

**Course Withdrawals**
If a student withdraws from a course within the first five days of a course, no record of his/her having taken the course will appear on his/her permanent record. If a student withdraws after the first five days, a Withdraw Passing (WP) or a Withdraw Fail (WF) will appear on his/her permanent record. This denotation will be determined by the administration.
A zero grade will automatically be given for all withdrawal Failures (WF) and this zero will be averaged with the student’s other grades to become part of the student’s cumulative average. No credit will be given for the dropped course.

FLEX - High School

At the high school level, students are assigned to a FLEX group that meets on Mondays. Teachers review student grades and assign their FLEX students to the student’s teachers for the rest of the week. Students will be assigned to their classroom teachers based on grades and missing work. FLEX time is to be used for make up work and/or enrichment.

Progress Reports

It is the Berlin Middle High School policy to give students progress reports every three weeks. Progress reports are given in order to show current averages, performance, and missing assignments.

Parents wishing to receive progress reports from the school are asked to send self addressed stamped envelopes, as well as a written request to the guidance department at the middle high school. Two progress reports will be given out each quarter, at three and six weeks, with report cards coming out after nine weeks.

Homework

Homework is an intricate part of the curriculum here at Berlin Middle High School. Students should expect to receive homework on a daily basis and are expected to complete it in a timely fashion as it may constitute part of their average for the class and is crucial for the acquisition of content knowledge and the development of skills.

Final Exam (Assessment) Policy - High School

It is the expectation that all High School classes will have a final assessment at the end of the class (either at the end of the quarter, semester or year, depending on class type) on the day set on the official Berlin Middle High School calendar.

Any student who is unable to take his or her final assessment due to an extenuating circumstance must speak with the principal or assistant principal in advance and will have to take the assessment after the original date. In this case the student will be given an incomplete until he or she has made up the assessment. If this occurs at the end of the second semester, the student must coordinate a time with his or her teacher to take the assessment. This may be during the summer break if the teacher is able to coordinate this, or upon the student’s return to school in the fall. During this time the student will have an incomplete until he or she has been able to complete their final assessment.

The only exception to this rule will be for students who are enlisted in Military service and will be leaving for basic training prior to the end of the school year. In these cases, we ask that students try to delay deployment until after the school year has ended, even if this means missing the start of school in the fall. Recognizing that this is not always possible, any student who has a deployment date prior to the end of the school year will need to petition the principal in writing no later than May 1 for a waiver to this policy to take final assessments early. In this case the student will then be allowed to take the assessment(s) either one or two days early.
Therefore, if the student is missing one or two assessments, he or she will be allowed to take them one day early. If the student is missing three or four assessments, he or she will be allowed to take them two days early with a maximum of two assessments per day.

No exceptions to this policy will be made for students leaving early for vacation, summer employment, or family visitations.

**Course Information - Middle School**

Grades are communication: They are an accurate report of what happened. A grade should represent a valid and undiluted indicator of what a student knows and is able to do.

The purpose of grades is to provide feedback, document progress, and guide instructional decisions. Students and parents will have real-time updated access to grades using the PowerSchool Parent/Student Portal. Instructions for portal access are distributed at the start of each school year from the Guidance Office.

**Grading Scale**

- **Exceeds the Standard** 92-100 A
- **Meets the Standard** 83-91 B
- **Approaching the Standard** 74-82 C
- **Insufficient Understanding of the Standard** 65-73 D
- **No Evidence of Meeting the Standard** Below 65 F

**Homework**

Homework is an intricate part of the curriculum here at Berlin Middle High School. Students should expect to receive homework on a daily basis and are expected to complete it in a timely fashion as it may constitute part of their average for the class and is crucial for the acquisition of content knowledge and the development of skills.

**Schedule Changes - Middle School**

The school’s responsibility is to provide the opportunity for students to follow a program of study. Since the school has had to make careful plans and preparations in areas such as staffing and purchasing of books, supplies, and materials, it must be understood that students cannot make any changes in their schedule other than dropping an elective course.

All students must carry a complete program at all times. Only band and chorus are considered for drop purposes.

**Honor Roll/Student Recognition - Middle School**

Honor Roll recognition will be made at the end of each quarter. To be recognized for **High Academic Excellence**, a student must have an average of 92 with no class average lower than 88 in any subject. To be recognized for **Academic Achievement**, a student must have an average of 88 with no class average lower than 85 in any subject.
PROMOTION AND RETENTION OF STUDENTS

The Superintendent and the building principals shall develop rules for the promotion and retention of students. The rules will be approved by the Board. These rules shall be published in the Parent-Student Handbook.

Criteria to be considered regarding the promotion of students should include, but is not limited to, a student’s mastery of course level competencies, grades, teacher recommendations, and the student’s social growth and readiness.

Dances
Dances are held on select afternoons or evenings at the school. All school rules are in effect at the dances. Students are required to wear sneakers to protect the floor. The school dress code is in effect for all dances. Students that are inappropriately attired will be asked to leave.

The dance is a closed function. That means students are not permitted to leave the dance and return. In addition, the dances are open to BMHS students only.

If a student is absent due to illness on the day of a dance, he/she is not to attend the dance. If a student has been suspended from school, he/she is not to attend any dances during the suspension period.

Deliveries
Students are not to receive food deliveries or floral/balloon bouquets at school. It is disruptive to the learning environment.

Detention
High School detention is scheduled from Monday - Friday, from 2:20-2:50 (30 minute) or from 2:20-3:10 (50 minute). Middle School detention is scheduled most days from Monday - Thursday throughout the school year, from 2:20-3:00.

Teacher’s and/or office instructions to students to report after school for disciplinary reasons take precedence over all athletic practices, games, or other activities. Failure to report to assigned detention will result in additional detention. Repeated skipping of detentions will result in suspension. Students will still be expected to serve the initial detention.
If a student is told by any teacher to leave the class because of unsatisfactory behavior, the student is expected to report directly to the office (High School students) or the student support center (Middle School students), and he/she may receive a detention for the following school day.

Bus students are not excused from complying with a teacher's request to report after school. All students are given a twenty-four hour notice so that they can make other transportation arrangements. Parents and students should be aware of this policy.

**Detention Rules:**
- No Hats nor Hoods
- No Electronic Devices (other than school issued Chromebook)
- No Food
- No Drinks (except water)
- No Talking
- If late - report to the main office for late pass - additional detention may be assigned
- If sent out - additional detention/suspension
- Feet on floor
- No Sleeping

**Dismissals**
Students will be dismissed or excused from school during the day only in the custody of a parent or parent’s representative. Requests for deviation from this regulation are to be made by the parent directly to the Berlin Middle High School office. A written note from the parent dismissing a student will be submitted to the office and an excuse slip then issued to the student at which time the student will show the classroom teacher of the dismissal time. Parents of Middle School students are asked to come into the office to pick up their child for early dismissal, but High School students do not need to be accompanied by a parent.

**Drawing and Labeling of Drugs and Drug Paraphernalia**

The drawing and labeling of drugs (in raw or manufactured form) and drug paraphernalia is inappropriate and unacceptable. This includes drawing on personal and school property such as:
- Book Covers
- Notebooks
- Locker Posters
- Art Folders
- Shop and Art Projects

This list is meant to be illustrative not exhaustive.

Anyone with these drawings in their possession, in their locker or on their desk will be subject to:
1. Confiscation of the material
2. Notification to parents
3. Office detention
Dress Code (JICA)

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

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

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

Emergency Closing

In the event that school must be dismissed earlier than the regularly scheduled time, parents must specify their child’s procedure for the school emergency closing when emergency information is collected at the start of the school year. This procedure should NOT include the use of the school telephone. Buses will run regular routes home at the time of dismissal/closing.

If an emergency situation requires a delayed opening, a one-hour delay means an 8:30 entry. A two-hour delay means a 9:30 opening.

School delays or closings are announced on WMUR Channel 9, WCSH Channel 6, WMOU 1230 AM, the school district’s website, www.sau3.org and the district’s One Call alert system.

Emergency Medication Guidelines (EBBC-RR)

Purpose
The purpose of this policy is to establish guidelines and procedures governing the utilizations of epinephrine and opioid antagonists (Narcan/naloxone) administered by staff of the Berlin School District.

Policy
All School personnel have responsibilities in connection with injuries and emergencies occurring in school and at school-sponsored events, which may be classified as follows: (1) administering first aid; (2) summoning medical assistance; (3) notifying administration; (4) notifying parents; and (5) filing accident/injury reports.
School personnel must use reasonable judgment in handling injuries and emergencies. Caution should be exercised not to minimize or maximize any injury or illness. All personnel will understand the proper steps to be taken in the event of an injury or emergency.

School nurses may administer epinephrine to any student in case of a medical emergency, if appropriate. Specially trained staff members may administer epinephrine in accordance to students’ written care plan. School nurses and specially trained staff members may administer opioid antagonists to any student in case of a medical emergency, if appropriate. This authorization extends to administering epinephrine or opioid antagonists without prior notification to parents/guardians. Opioid antagonists will be available during the regular scheduled school day. It may be available at other times at the discretion of the Superintendent of Schools.

Pursuant to **NH RSA 318-B:15**, House Bill 271 “No health care professional who, acting in good faith and with reasonable care, prescribes, dispenses, or distributes an opioid antagonist directly or by standing order and no person who, acting in good faith and with reasonable care, stores, dispenses, or distributes an opioid antagonist or administers an opioid antagonist to another person who the person believes is suffering an opioid-related drug overdose shall be subject to any criminal or civil liability, or any professional disciplinary action, for any action authorized by this paragraph or any outcome resulting from an action authorized by this paragraph.”

**Storage**

Opioid antagonists will be clearly marked and stored in a secure location at the discretion of the school nurse and the building principal.

**Follow-up**

After administration of opioid antagonists (Narcan/naloxone), the school nurse will follow the Berlin School District reporting protocols. The individual will be transported to the hospital emergency room by ambulance and emergency medical services. Parents/guardians will be notified and the student will be referred to the school behavioral health intervention team.

**Equal Education Opportunities**

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

**Exclusion of Students from School for Illness (JLCG & JLCG-R)**

A student may be excluded from the classroom when he/she exhibits symptoms of a contagious or communicable illness. The school nurse is responsible for determining whether a student should be excluded from school for such an illness and provided with criteria for readmission.

Inclusion or Exclusion.” These recommendations are to be used by the school nurse for guidance when determining whether to exclude a student from school for an illness.

Students need not be excluded from school except for the following illnesses:

- Illness that prevents the student from participating comfortably in school activities.
- Illness that results in a greater need for care than the school staff can provide without compromising the health and safety of others.
- The student has any of the following conditions suggesting possible severe illness: fever accompanied by other signs or symptoms of illness, lethargy, irritability, persistent crying, difficulty breathing, spreading rash, or other manifestations of possible severe illness.
- There may be occasions, at the nurse’s discretion, where the volume of live lice or nits necessitates the student be dismissed from school so as to allow time for proper treatment.
- Diarrhea or stools that contain blood or mucus.
- Shiga toxin-producing Escherichia coli, including E coli 0157:H7 infection, or sha infection, until diarrhea resolves and two stool cultures are negative.
- Salmonella infection, until diarrhea resolves and 3 stool cultures test negative for Salmonella typhi; other types of Salmonella infection do not require negative stool culture results.
- Vomiting within the previous 24 hours, unless the vomiting is determined to be caused by a non-communicable condition and the student is not in danger of dehydration.
- Mouth sores associated with drooling, unless the student’s health care provider or local health department authority states that the student is noninfectious.
- Rash with fever or behavior change, until a health care provider has determined the illness is not communicable.
- Purulent conjunctivitis (defined as pink or red conjunctiva with white or yellow eye discharge, often with matted eyelids after sleep and eye pain or redness of the eyelids or skin surrounding the eye), until 24 hours after effective treatment by a health care provider has been initiated.
- Tuberculosis, until a licensed health care-provider provides written documentation that the student is non-infectious.
- Impetigo, until 24 hours after treatment has been initiated.
- Streptococcal pharyngitis (strep throat), until 24 hours after treatment has been initiated.
- Head lice, at the end of the program or school day until after the first treatment
- Scabies, until after treatment has been completed.
- Varicella, until all lesions have dried and crusted (usually 6 days after onset of rash).
- Zoster lesions must be able to be covered until crusted.
- Persistent abdominal pain (continues for more than two hours) or intermittent abdominal pain associated with fever, dehydration, or other systemic signs or symptoms.
- Rubella, until 6 days after onset of rash.
- Pertussis, until 5 days of the appropriate antibiotic therapy has been completed.
- Mumps, until 9 days after onset of parotid gland swelling.
- Measles, until 4 days after onset of rash.
- Hepatitis A virus infections, until 1 week after onset of jaundice or illness (if symptoms are mild).
Extended Learning Opportunities (IHBH)

Purpose

The Board encourages students to pursue extended learning opportunities (ELO) as a means of acquiring knowledge and skills through instruction or study that is outside the traditional classroom methodology. Extended learning opportunities may include, but are not limited to, independent study, private instruction, performing groups, internships, community service, apprenticeships, online courses/distance education, or other opportunities approved by the Superintendent or his/her designee, in conjunction with Board policies.

The purpose of extended learning opportunities is to provide educational experiences that are meaningful and relevant, and that provide students with opportunities to explore and achieve at high levels. In order to maximize student achievement and meet diverse pathways for learning, this policy permits students to employ extended learning opportunities that are stimulating and intellectually challenging, and that enable students to fulfill or exceed the expectations set forth by State minimum standards and applicable Board policies.

Extended learning opportunities may be taken for credit or may be taken to supplement regular academic courses. Extended learning opportunities may also be used to fulfill prerequisite requirements for advanced classes. If the extended learning opportunity is taken for credit, the provisions of Policy IMBC, Alternative Credit Options, will apply. The granting of credit shall be based on student’s mastery of course competencies, as defined by Policies ILBA, Assessment of Educational Programs and ILBAA, High School Competency Assessments. Highly Qualified Teachers and Principal must authorize the granting of credit for learning accomplished through extended learning opportunities.

Roles and Responsibilities

All programs of study must meet or exceed the proficiencies and skills identified by the New Hampshire State Board of Education, applicable rules and regulations of the Department of Education, and all applicable Board policies. All programs of study proposed through this program shall have specific instructional objectives aligned with the State minimum standards and District curriculum standards. All extended learning opportunities will comply with applicable laws and regulations, including child labor laws and regulations governing occupational safety.

Students wishing to pursue programs of study under these guidelines must first present their proposal to the school Guidance Counselors for approval. The Guidance Department will assist students in preparing the application form and other necessary paperwork.
The Principal will have primary responsibility and authority for ensuring the implementation of extended learning opportunities and all aspects of such programs. The Principal will determine who will be responsible for approving student eligibility and such approval will include considerations of the overall benefits, costs, and advantages and disadvantages to both the student and the district.

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

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

All extended learning opportunities not initiated and designed by the district shall be the financial responsibility of the student or his/her parent/legal guardian. Students electing independent study, college coursework, internships, or other extended learning opportunities that are held off the high school campus will be responsible for providing their own transportation to and from the off-campus site.

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

**Application Process**

1. The application is to be completed by the student/parent/guardian seeking approval for the extended learning opportunity.

2. The application should be completed and submitted at least thirty (30) days prior to the beginning of the proposed program. However, the Board recognizes that short-term notice opportunities may present themselves to students from time to time. As such, the Principal may grant waivers to the thirty (30) day submission requirement at his/her discretion, provided all other application criteria are satisfied. Such waivers will be granted on a case-by-case basis. All required information must be attached to the application and submitted to the student’s Guidance Counselor.

3. The application will be reviewed by appropriate District staff and administration and a decision will be made within ten (10) days of receipt of the application. The student will be notified in writing of the status of the application. If additional information is requested, the information must be submitted within one week of receipt of the request.

4. It is the student’s responsibility to maintain academic standing and enrollment in the approved program. Any failure to complete an approved program may jeopardize the student’s ability to earn credit for the course. The student and parent/guardian recognize that in the event the student withdraws from an approved program, the District cannot guarantee placement in an equivalent District-offered course.

5. The District reserves the right to determine the number of credits to be awarded.
**Evaluation Criteria**

The Principal will evaluate all applications. At a minimum, all applications must meet the following criteria:

- Provides for administration and supervision of the program
- Provides that certified school personnel oversee and monitor the program
- Requirement that each extended learning opportunity meets rigorous standards, including the minimum standards established by the State Board of Education and all other applicable District standards.

**Appeal Process**

A student whose application has been denied may request a meeting with the Principal. The Principal will provide the student with rationale as to why the proposal was denied. Students may resubmit alternate proposals for consideration if such proposals are made within the timelines established by this policy. If the Principal rejects the resubmitted proposal, the student may appeal to the Superintendent. All decisions made by the Superintendent shall be final.

**Program Integrity**

In order to insure the integrity of the learning experience approved under this program, the student will be required periodically or upon demand to provide evidence of progress and attendance. The Principal and High Qualified Teacher will be responsible for certifying course completion and the award of credits consistent with the District’s policies on graduation.

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

If a student ceases to attend or is unable to complete the extended learning opportunity for insufficient reason (lack of effort, failure to follow through, indecision, etc.), the Principal will determine that the student’s transcript be adjusted to reflect the experience as a failure.

In order to certify completion of co-curricular programs, and activities based upon specific instructional objectives aligned to the standards, the school will develop appropriate mechanisms to document student progress and program completion on student personnel records. It shall be incumbent upon the student or his/her parent/legal guardian to request that copies of the student’s official transcript be sent from the former school.
Family Vacation
If your family is planning an extended vacation that will occur while school is in session you should understand the following:

- Classroom instruction from the teachers will be missed and teachers cannot teach lessons over again upon the child’s return.

- Materials will not be sent with students going on vacation if they are not yet prepared for the students who will be here. The responsibility for getting and completing missed assignments will rest with the students, not the teachers. The faculty does understand the value of family vacation, but there is no substitute for in-class instruction.

FERPA - Family Educational Rights and Privacy Act (JRA)

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

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

Directory Information. For the purpose of this policy and in accordance with the provisions of FERPA and New Hampshire RSA 189:1-e, the term “directory information” means:

- Students’ name(s), address(es), telephone number(s), and dates of enrollment
- Parents’/guardians’ name(s) and address(es) Students’ grade levels, enrollment status and dates of attendance
- Students’ photographs
- Students’ participation in recognized school activities and sports
- Weight and height of members of athletic teams
- Post-high school plans
- Students’ diplomas, certificates, awards and honors received

Except for elements of a student’s directory information which the student’s parents or an eligible student has notified the District not to disclose, the District may release or disclose student directory information without prior consent of the student’s parents/eligible students. Within the first three weeks of each school year, the
District will provide notice to parents/eligible students of their rights under FERPA and that the District may publish directory information without their prior consent. Parents/eligible students will be given until the third Monday following the opening of a new school year to notify the District in writing of any or all directory information items that they refuse to permit the District to release or disclose, including disclosure to military recruiters. Notice from a parent/eligible student that any or all directory information shall not be released will only be valid for that school year and must be re-issued each school year.

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

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

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

**Procedure to Inspect Education Records.** Parents or eligible students may inspect and review education records which they are entitled to. In some circumstances, it may be more convenient for the record custodian to provide copies of records. Since a student’s records may be maintained in several locations, the school principal may offer to collect copies of records or the records themselves from locations other than a student’s school, so that they may be inspected at one site. If parents and eligible students wish to inspect records where they are maintained, school principals will determine if a review at that site is reasonable.

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

The principal will make the needed arrangements as soon as possible and notify the parent or eligible student of the time and place where the records may be inspected. This procedure must be completed within 14 days or earlier after the principal’s receipt of the request for access is first made. If for any valid reason such as
working hours, distance between record location sites or health, a parent or eligible student cannot personally inspect and review a student’s education records, the principal may arrange for the parent or eligible student to obtain copies of the records.

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

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

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

   If the principal believes that the record should not be changed, he/she shall:
   1. Provide the requester a copy of the questioned records at no cost;
   2. Ask the parent/eligible student to initiate a written appeal of the denial of the request for the change, which will be forwarded to the Superintendent;
   3. Forward the written request to the Superintendent; and
   4. Inform the parents/eligible student that the appeal has been forwarded to the Superintendent for a decision.

2. **Second-level decision.** If the parent/eligible student wishes to challenge the principal’s decision to not change the student record, he/she may appeal the matter to the Superintendent. The parent/eligible student shall submit a written request to the principal asking that the matter be appealed to the Superintendent. The principal will forward to the Superintendent the appeal.

The Superintendent shall, within ten (10) business days after receiving notification of the request appeal:
1. Review the request;
2. Discuss the request with other school officials;
3. Make a decision whether or not to make the requested correction to the educational record
4. Schedule a meeting with the parents/eligible student if the Superintendent believes such a meeting would be necessary; and
5. Notify the parent/eligible student of the Superintendent’s decision, on their request to correct the student’s educational record.
If the Superintendent determines the records should be corrected, he/she will make the change and notify the parents/eligible student in writing that the change has been made. The letter stating the change has been made will include an invitation for the parent/eligible student to inspect and review the records to verify that the records have been corrected and the correction is satisfactory. If the records are changed to the parent’s/eligible student’s satisfaction, both parties shall sign a document/form stating the date the records were changed and that the parent/eligible student is satisfied with the correction. If the Superintendent determines the records will not be corrected, he/she will notify the parents/eligible student in writing of his/her decision. Such a letter will also notify the parents/eligible student of their right to an appeal hearing before the School Board.

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

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

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

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

The School Board’s decision will be final.

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

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

1. School officials with a legitimate educational interest. School officials with a legitimate educational interest may access student records. “Legitimate education interest” refers to school officials or employees who need to
know information in a student’s education record in order to perform the employee’s employment responsibilities and duties.

2. Other schools into which a student is transferring or enrolling, upon condition that the student’s parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record. This exception continues after the date that a student has transferred.

3. Officials for audit or evaluation purposes.


5. Organizations conducting certain studies for, or on behalf of the school district. Student records or student information will only be provided pursuant to this paragraph if the study is for the purpose of: developing, validating or administering predictive tests; administering student aid programs; or improving instruction. The recipient organization must agree to limit access to the information and to destroy the information when no longer needed for the purpose for which it is released.

6. Accrediting organizations.

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


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

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

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

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

The record includes:

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

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

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

**Field Trips**

Often during the year, field trips are planned to extend the classroom learning opportunities. Field trips are a privilege and participation may be denied by the administration based on attendance, behavior, and/or academics.

**Fire Drills (EBCB)**

Under rules of the New Hampshire Department of Safety each school is required to conduct a fire evacuation drill each month that school is in session. However, pursuant to RSA 189:64, I, at least four (4) such drills shall be all-hazard response drills, and at least one (1) of those must test emergency response to an armed assailant. The armed assailant drill may be discussion based. The scheduling, as well as the types and manner of drills and exercises for the all-hazard drills shall be determined by a building administrator in consultation with the Superintendent, and local public safety, emergency management, and public health officials. The school may include students and first responders in all-hazard response drills or activities as deemed appropriate by a building administrator and Superintendent. The remaining fire evacuation drills should be for each building by a building administrator in coordination with the local fire department.

The purpose of such drills is to train students, under staff direction, to move safely, quickly, and quietly from any location within the building to an assigned evacuation area outside. The evacuation routes and procedures shall be developed in collaboration with the same agencies identified above for scheduling, and in accordance with the District’s annual Crisis Prevention and Emergency Response Plan. Records of such drills shall be kept in accordance with that Plan, Board policy EH, and administrative procedure EH-B.

**Fresh Start for All - Middle School**

BMS teachers have high expectations for our students and believe that all students can learn – some simply need a little more time than others. This program is designed to offer students a second chance at success in their academic endeavors. Students who score below expectations on tests will be offered additional instruction and time for learning along with the opportunity to retake assessments that they were not successful on. The program is designed to improve student academic achievement, foster a better attitude towards education, and reduce testing anxiety. Students, within a reasonable time frame, shall be given the opportunity to retake any assessment that he/she fails. Before the retake, each student will be required to receive corrective instruction on the material that he/she was not successful in mastering the first time. Additional instruction and assessment make-up sessions, if scheduled after school hours, should only be done so with 24-hour advance notice to both students and parents unless other arrangements are specifically made.
If the student fails an assessment but does not participate in the corrective instruction part of the program, he/she will not be permitted to retake the assessment. The grade received from the assessment taken during the Fresh Start program will be the one recorded in the teacher gradebook.

HAZING (JICFA)

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

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

“Endanger the physical health” shall include, but is not limited to, any brutality of a physical nature, such as whipping; beating; branding; forced calisthenics; exposure to the elements; forced consumption of any food; alcoholic beverage, drug or controlled dangerous substance, or any forced physical activity which could adversely affect the physical health or safety of the individual.

“Endanger the mental health” shall include any activity, except those activities authorized by law, which would subject the individual to extreme mental stress, such as prolonged sleep deprivation, forced prolonged exclusion from social contact which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual.
Any hazing activity, upon which the initiation or admission into or affiliation with an organization sanctioned or authorized by the Board of Education is conditioned, directly or indirectly, shall be presumed to be a forced activity, even if the student willingly participates in such activity.

This policy is not intended to deprive School District authorities from taking necessary and appropriate disciplinary action toward any student or employee. Students of employees who violate this policy will be subject to disciplinary action which may include expulsion for students and employment termination for employees.

The Superintendent shall take reasonable measures within the scope of the District’s authority to prevent student hazing. All hazing reported to the District or which any District staff member has knowledge of shall be promptly reported to law enforcement, as required by RSA 631:7, Student Hazing.

A copy of this policy will be furnished to each student and teacher in the school District, including being printed in the student handbook.

**Hazing/Gang Activity**

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

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

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

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

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

**HIPAA**

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

**Homeless Students (JFABD)**

The district will work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable preschool programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs and school nutrition programs.

Per the No Child Left Behind Act of 2002, homeless students are defined as those students lacking a fixed, regular and adequate nighttime residence, including:

1. Sharing the housing of other persons due to loss of housing or economic hardship;
2. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Abandoned in hospitals;
5. Awaiting foster care placement;
6. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings;
8. Migratory children living in conditions described in previous examples.

The Superintendent shall designate an appropriate staff person to be the district’s liaison for homeless students and their families.

To the extent feasible, homeless students will continue to be enrolled in their school or origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in which attendance area the student is actually living, or other schools.

If there is an enrollment dispute between the child’s parent/guardian and the school district, the student shall immediately be enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent/guardian shall be informed in writing of the district’s final decision and the parent/guardian’s appeal rights. Unaccompanied youth will also be enrolled pending resolution of a dispute.

Once the enrollment decision is made, the school shall immediately enroll the student, pursuant to district policies. If the student does not have immediate access to immunization records, the student shall be admitted under a personal exception. Students and families should be encouraged to obtain current immunization
records or immunizations as soon as possible, and the district liaison is directed to assist. Records from the student’s previous school shall be requested from the previous school pursuant to district policies. Emergency contact information is required at the time of enrollment, consistent with district policies.

Homeless students are entitled to transportation to their school or origin or the school where they are to be enrolled. If a homeless student is living in another district but will attend his or her school of origin, both districts will make reasonable efforts to coordinate the transportation services necessary for the student.

The district’s liaison for homeless students and their families shall coordinate with: local social services agencies that provide services to homeless children and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. The district’s liaison will also review and recommend to the district policies that may eliminate barriers to the enrollment of homeless students.

**Hot Lunch/Breakfast**

Breakfast (7:10-7:30) and hot lunch are available at BMHS.

Breakfast is served on delayed entry and early release days.

Free/reduced lunch and free/reduced breakfast is also available if you meet the income requirements set by the Federal Government. Forms will be sent home on the first day of school or upon registration explaining eligibility and further information may be obtained at the Principal’s Office. There must be an application submitted for each family. Each family requesting free/reduced lunch must submit an application annually.

All students are given a PIN number to access their computer-based meals account. Parents will be able to pay for their children’s lunch online. Cash and checks will also be accepted. We ask that all checks have the student’s name and PIN number on them. Parents will be able to monitor and review all transactions online through the parent portal.

**School Meals charging and payment (EFAA)**

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<th>BERLIN PUBLIC SCHOOLS</th>
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<td><strong>SCHOOL MEAL CHARGING AND PAYMENT</strong></td>
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The Berlin School District believes that no child can learn while hungry. Therefore in order to support the success of our schools, any student that is hungry and wants to eat, either breakfast or lunch, will be fed a complete, reimbursable meal, regardless of the balance of their student account. No student will be turned away, no meals will be taken away at the point of service and no student will be given an alternative meal as a result of no funds to purchase a meal.

All complete, reimbursable meals will be charged to the student account at the appropriate meal costs (Reduced Price or Paid). As an Offer versus Serve (OVS) School, our definition of a complete, reimbursable meal includes the following food components: Meat/Meat Alternate, Grain, Fruit, Vegetable, Milk. The student must take at least 3 food components, with one of the selections being either a Fruit or a Vegetable.
A la carte food items or incomplete, non-reimbursable meals will not be allowed to be purchased if a student has a negative account balance.

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

It is the responsibility of each household to maintain a positive balance in their student’s food service account. When the student account balance goes below $0.00, the Business Manager will contact the household by email or letter. The Food Services Director shall also attempt to contact the household by telephone to establish a payment arrangement prior to small claims. All attempts to collect outstanding funds will be documented and collected through small claims court at the expense of the child’s parents/legal guardians.

Any processing fees incurred for returned checks will be charged to the student’s food service account for payment by the household.

If a student leaves the district, for any reason, their food service account will be reimbursed to the household in full.

**Legal References:**

A Provision of the Healthy, Hunger-Free Kids Act of 2010, USDA

**Information Communication Technologies**

Ed 306.42 Digital Literacy Program

(a) The local school board shall require an integrated approach to the use of 21st century tools, including, but not limited to technology and communication tools, within all curriculum areas through the adoption of an information and communication technologies literacy (ICT) program in grades 1 - 12 that provides opportunities at developmentally appropriate levels for students to:

(1) Develop knowledge of ethical, responsible use of technology tools in a society that relies heavily on knowledge of information in its decision-making;

(2) Become proficient in the use of 21st century tools to access, manage, integrate, evaluate, and create information within the context of the core subjects of:
   a. Reading;
   b. Mathematics;
   c. English and language arts;
   d. Science;
   e. Social studies, including civics, government, economics, history, and geography;
   f. Arts; and
   g. World languages;

(3) Use 21st century tools to develop cognitive proficiency in:
   a. Literacy;
   b. Numeracy;
   c. Problem solving;
d. Decision making; and

e. Spatial / visual literacy;

(4) Use 21st century tools to develop technical proficiency at a foundation knowledge level in:
   a. Hardware;
   b. Software applications;
   c. Networks; and
   d. Elements of digital technology; and

(5) Create digital portfolios which:
   a. Address the following components:
      1. Basic operations and concepts;
      2. Social, ethical, and human issues;
      3. Technology productivity tools;
      4. Technology communications tools;
      5. Technology research tools; and
      6. Technology problem solving and decision-making tools;
   b. Represent proficient, ethical, responsible use of 21st century tools within the context of the core subjects; and
   c. Include, at a minimum, such digital artifacts as:
      1. Standardized tests;
      2. Observation;
      3. Student work; and
      4. Comments describing a student’s reflection on his/her work.

(b) The local school board shall provide opportunities for students to demonstrate ICT competency by the end of 8th grade using assessment rubrics applied to the contents of digital portfolios as required in (a)(5) above. Students who successfully demonstrate knowledge, skill, and understanding of these competencies shall have the opportunity, as high school students, to take a higher level computer course to meet the ½ credit requirement.

(c) The local school board shall provide opportunities for students to complete a ½ credit ICT course prior to high school graduation, including, but not limited to:
   1. Use of common productivity and web based software;
   2. Use of a variety of multimedia software and equipment;
   3. Configuring computers and basic network configurations; and
   4. Applying programming concepts used in software development.

**Instructional Approach (IF)**

It is the policy of the board that instruction will be aligned with the goals, mission and policies of the School District. Additionally, the District’s instructional program will comply with the rules of the NH Department of Education and all applicable state statutes and federal law. Instruction will be focused on meeting the instructional needs of students with different talents, interests, and development. The instructional program will include:

1. Procedures for diagnosing learner needs
2. Methods and strategies for teaching that incorporate learner needs
3. Resource-based learning opportunities
4. Techniques for evaluating student outcomes
5. The provision of remedial instruction as needed

Instruction will also include, where possible, consideration of all available community resources, including but not limited to organizations, businesses, talented individuals, natural resources, and technology to engage each student in achieving the necessary skill and knowledge.

**Internet Policy (JICL-R)**

Access to telecommunications will enable students to explore thousands of libraries, databases, and bulletin boards while exchanging messages with people throughout the world. The Board believes that the benefits to students from access in the form of information resources and opportunities for collaboration, exceed the disadvantages. But ultimately, parents and guardians of minors are responsible for setting and conveying the standards that their children should follow when using media and information sources. To that end, the Berlin Public Schools support and respect each family’s right to decide whether or not to apply for independent access. The Board authorizes the Superintendent to prepare appropriate procedures for implementing this policy and for reviewing and evaluating its effect on instruction and student achievement.

**Statement of Policy**

It is the policy of the Berlin Board of Education to maintain an environment that promotes ethical and responsible conduct in all online network activities by staff and students. It shall be a violation of this policy for any employee or student to engage in any activity that does not conform to the established purpose and general rules and policies of the network.

**User Responsibilities**

Students are not to reveal their personal home address, home phone number, or phone numbers of any other individuals. Giving out personal information about another person, including home address or phone number, is strictly prohibited. You must notify your parent(s)/guardian(s) and system administrator immediately if any individual is trying to contact you for illicit or suspicious activities.

**Internet Rules**

Individual users of the district computer networks are responsible for their behavior and communications over those networks. It is presumed that users will comply with district standards and will honor the agreements they have signed. Use of the Internet is a privilege and inappropriate use will result in cancellation of those privileges and/or disciplinary action. Superintendent/designee will deem what is inappropriate use. Examples of inappropriate use are listed later in this document.

Network storage areas may be treated like school lockers. Network administrators may review files and communications to maintain system integrity and ensure that users are using the system responsibly. Users should not expect that files stored on district servers will always be private.

**Acceptable/Unacceptable Use**

1. All use of the Internet must be in support of education and research and consistent with the purposes of the Berlin Public Schools;
2. Any use of the network for commercial or for-profit purposes is prohibited;
3. Use of the network for personal and private business is prohibited;
4. Any use of the network for product advertisement or political lobbying is prohibited;
5. Network accounts are to be used only by the authorized owner of the account for the authorized purpose;
6. Users will not lend their account or password to others nor will they use another person's account or password.
7. Users shall not intentionally seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users, or misrepresent other users on the network;
8. No use of the network shall serve to disrupt the use of the network by others; hardware or software shall not be destroyed, modified, or abused in any way;
9. Malicious use of the network to develop programs that harass other users or infiltrate a computer or computing system and/or damage the software components of a computer or computing system is prohibited;
10. Hate mail, harassment, offensive pictures or messages, obscene language, discriminatory remarks and other antisocial behaviors are prohibited on the network;
11. The illegal installation of copyrighted software for use on district computers is prohibited, any installation of software requires the teacher's permission;
12. Use of the network to access or process pornographic material, inappropriate text files, or files dangerous to the integrity of the local area network is prohibited;
13. Illegal activities of any kind are prohibited;
14. Playing games is prohibited unless authorized by a classroom teacher for educational purposes;
15. Subscriptions to listservs must be reported to the building system operator (SYSOP). Get the name of the SYSOP in the principal's office. Prior approval for listservs is required for students;
16. Mail listservs must be monitored daily and deleted from the personal mail directory to avoid excessive use of file server hard-disk space;
17. From time to time the Berlin Public Schools will make determinations on whether specific uses of the network are consistent with the acceptable use practice.
18. Participation in any Chat Room is not allowed.
19. E-mail by students, sending or receiving, is not permitted unless approved by the building principal or assistant principal.

Content/Publishing Guidelines

Students will be allowed to produce materials for electronic publication on the Internet. Network administrators will monitor these materials to ensure compliance with content standards. The content of student materials is constrained by the following restrictions:

1. No personal information about a student will be allowed. This includes home telephone numbers and addresses as well as information regarding the specific location of any student at any given time;
2. All student work must be signed with the student’s full name;
3. Individuals in pictures, movies, or sound recordings may be identified only by initials and no first or last names may appear in reference to individuals in any image, movie, or sound recording unless the staff member or student and parent/guardian sign a release form;
4. No text, image, movie, or sound recording that contains pornography, profanity, obscenity, or language that offends or tends to degrade others will be allowed.

Liability

1. Pursuant to the Electronic Communications Privacy Act of 1986 (18 USC 2510 et seq), notice is hereby given that there are NO facilities provided by this system for sending or receiving private or confidential electronic communications. System administrators have Internet Policy 3 access to all
mail and will monitor messages. Messages relating to or in support of illegal activities will be reported to the appropriate authorities;

2. The Berlin Public Schools reserves the right to log network use and to monitor file server space utilization by users and assumes no responsibility or liability for files deleted due to violation of file server space allotments;

3. The Berlin Public Schools reserves the right to remove a user account on the network;

4. The Berlin Public Schools assumes no responsibility or liability for any phone charges including but not limited to, long distance charges, per minute surcharges and/or equipment or line costs, you may incur while accessing any online services;

5. The Berlin Public Schools will not be responsible for any damages you may suffer. This includes the loss of data resulting from delays, non-deliveries, or service interruptions caused by our own negligence or your errors or omissions. Use of any information obtained is at your own risk. Any computer connected to a network will have anti-virus software installed;

6. The Berlin Public Schools reserves the right to change its Internet policies and rules at any time.

**Other Considerations...**

1. Any user who does not comply with Policies and Guidelines will lose network privileges for a period of not less than one week. Repeated or severe infractions of the Policies and Guidelines may result in termination of access privileges permanently. Student infractions may result in appropriate disciplinary action in addition to suspension or termination of access privileges;

2. Unauthorized use of the network, intentional deletion or damage to files and data belonging to other users, or copyright violations may be termed theft as defined under local, state or federal law;

3. The student is held responsible for his/her actions and activity within his/her account. Unacceptable uses of the network will result in the suspension or revocation of these privileges;

4. The use of Internet is a privilege, not a right. Inappropriate use, including any violation of these conditions and rules, may result in cancellation of the privilege. The building principal, under this agreement, is delegated the authority to determine appropriate use and may deny, revoke, suspend or close any user account at any time based upon its determination of inappropriate use by the account holder or user.

**Security Issues**

Security on any computer system is a high priority, especially when the system involves many users. If you feel you can identify a security problem on the Internet, you must notify a system administrator or your District Internet Coordinator. Do not demonstrate the problem to other users. Do not use another individual's account without written permission from that individual. Attempts to logon to the Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk or having a history of problems with other computer systems may be denied access to Internet.

**Library**

Students will visit the library for research projects with prior arrangement by their classroom teachers. The library is a place where interested students can work without being distracted and should be used for academic research and/or recreational reading.

**Locked Doors**

There is limited access to BMHS. All doors are locked. Security cameras have been installed. Students are to enter and exit the facility at the cafeteria courtyard door. Visitors and students arriving after 7:45 are to access
the building through the main entrance. Office personnel will ask you your reason for entry and you will be asked to come directly to the office. Visitor passes are required. This is being implemented with everyone’s safety in mind.

**Lockers**

The school provides lockers for all students. Students will be assigned a locker and are responsible for providing their own locks. There is a locker for every student; therefore, lockers should not be shared.

Due to the extensive use of the facility by outside groups, the school cannot assume responsibility for locker security. It is recommended that each student have a lock on his or her locker. Administration reserves the right to inspect student lockers at all times.

**Medical Excuses**

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

**Non-Discrimination (AC)**

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

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

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

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

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

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

C. **Policy Application.**

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

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

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

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

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

No less than once every two years (off years from review of the District’s Suicide Prevention Plan per Policy JLDBB, the Superintendent shall update the District Anti-Discrimination Plan, and present the same to the Board for review. Such Plan updates should be submitted to the Board in time for appropriate budget consideration.

E. **Human Rights [or Non-Discrimination], Title IX, 504 and other Coordinators or Officers.**

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

- Human Rights [or Non-Discrimination] Officer
- Title IX Coordinator
- 504 Coordinator
The Appendix will also include current contact for relevant state and federal agencies including:

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

F. **Complaint and Reporting Procedures.**

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

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

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

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

G. **Alternative Complaint Procedures and Legal Remedies.**

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

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

   Note: Complaints to OCR must be filed in writing no later than 180 days after the alleged act(s) of discrimination. OCR may waive its 180 day time limit based on OCR policies and procedures.
Notwithstanding any other remedy, any person may contact the police or pursue a criminal prosecution under state or federal criminal law.

H. **Retaliation Prohibited.**

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

I. **Administrative Procedures and Regulations.**

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

J. **Notice of Compliance.**

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

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**Non-Discrimination on the Basis of Handicap/Disability (AC-E)**

BERLIN PUBLIC SCHOOLS  

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

Pursuant to Board policy AC, Non-Discrimination, 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 [or Non-Discrimination] Officer:**

Name:  Martha Miller  
Address:  Marston School  
193 Pine St. Berlin, NH  03570  

Telephone: 603-752-5068 ext. 1172
Title IX Coordinator:
Name: Shannon Taylor
Address: Marston School
193 Pine St. Berlin, NH 03570
Telephone: 603-752-5068 ext. 1173
Email Address: staylor@sau3.org

504 Coordinator:
Name: Shannon Taylor
Address: Marston School
193 Pine St. Berlin, NH 03570
Telephone: 603-752-5068 ext. 1173
Email Address: staylor@sau3.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 Civil Rights, U.S. Dept of Agriculture; 1400 Independence Avenue, SW, Washington, D.C., 20250-9410; Telephone - 866-632-9992; Email – program.intake@usda.gov
N.H. Commission for Human Rights, 2 Industrial Park Drive, Concord 0330, Telephone - 603-271-2767; Email – humanrights@nh.gov
N.H. Department of Justice, Civil Rights Unit; 33 Capitol Street, Concord, NH 03301; Telephone – 603-271-1181
N.H. Department of Education, Commissioner of Education; 101 Pleasant Street, Concord, NH 03301, Telephone – 603-271-3494; Email - info@doe.nh.gov

First Reading: December 17, 2020
Second Reading: January 21, 2021
Adopted: January 21, 2021
Revised: April 1, 2021
The school district will ensure that all students with a handicap or disability are provided all necessary procedural safeguards as are required by law. Such procedural safeguards are found in pertinent federal and 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.

Nurse

BMHS students have access to full-time nursing services. These services are available only for injuries and illnesses that occur at school. Please do not refer students to the nurse for medical evaluations of injuries and illnesses that occur at home. Parents/guardians are to supply students with needed products (such as; Chapstick, cough drops, tissues, feminine products, etc.) for school as needed. If a child is hurt or becomes sick, the school nurse will assess whether a parent/guardian will be notified to come to school and take the student home if needed. When a serious accident occurs, the student will be taken to the emergency room at the hospital and the parent will be notified to meet them there.

The nurse is responsible for the maintenance of health records, intermittent screenings of vision, and hearing, parental contact concerning health problems and the care of minor injuries.

All students transferring into the Berlin School District must either provide proof of a physical within one calendar year or have a physical completed within 60 days of school entry.

In the interest of the general health and well-being of all students and staff, no student should attend school who is ill. In general, a student having a fever, vomiting, sore throat, or earache should not attend school. If a
student reports to the nurse’s office and is too ill to attend class, the school nurse will assess and if needed, the parent/guardian will be called to pick the child up from school.

Parent/guardian must always be available to pick up their child or make prior arrangements when necessary. Students absent from school because of any contagious disease such as chicken pox, must obtain permission from their Health Care Provider (such as; Physicians, Physician Assistants, Registered Nurse Practitioners) prior to re-admittance to school.

Certain diseases deserve special mention because of their particular significance in school. Ringworm, impetigo, and scabies are communicable conditions that are spread through contact. Children with any of these conditions should be excluded from school as long as they are communicable. You must obtain permission from their physician prior to re-admittance to school.

Children with infectious conditions such as strep throat, scarlet fever, impetigo, and bronchitis should be on antibiotic therapy for 24 hours before returning to school. Any student with strep throat and a fever should not return to school until the fever is gone without the use of fever reducing medications.

Children with conjunctivitis must have 4 doses of prescription eye drops in a 24-hour period before returning to school.

Parents/guardians are reminded that when their child is required to take a medication prescribed by a physician during the school day, the following State Board of Education regulations must be observed:

a. Parent/guardian must bring to the school nurse, with the prescribed medication, a written statement from the prescribing physician detailing the dosage and the time schedule to be observed. Ask your doctor for this statement at the time of your visit to him. Prescribed medication must be brought to school in its original container by the parent/guardian. New Hampshire State Law prohibits transportation of medication by students.

b. Students receiving daily medications must have the written statement from the prescribing physician renewed at the beginning of each school year. With prescription medication, the parent or guardian must give the school written permission to administer.

Over-the-counter medication must also be brought to school in its original container by the parent/guardian, also written permission from the parent/guardian must accompany the medication. These rules must be strictly observed if a student is obliged to take any medication in school.

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

All medications are to be given to the school nurse by parent/guardian. No student is to keep medication on their person, in their desk, locker, or backpack unless specified in writing by a physician.

Students who return to school with casts, air casts, crutches, splints, arm slings, wheelchairs, walkers, canes and/or immobilizers require a written physician’s note that includes:
1. Student may return to/attend school
2. Any restrictions from physical education and lunch/class recess
3. Elevator use.
ADMINISTERING MEDICATION TO STUDENTS

Prescribed medication should not be taken during the school day, if at all possible. Medication is to be administered by the school nurse, principal or other designee. Medication will be administered in school only after receiving and filling in the student’s health record the following:

1. A written statement from the licensed prescriber detailing the method of taking the medication, dosage, and the time schedule of the medication.

2. A written authorization from the parent/guardian indicating the desire that the school assist the student in taking the prescribed medication.

Students must have the written statement from the prescribing physician renewed at the beginning of each school year.

All medication should be delivered to appropriate school personnel by the parent/guardian. All prescription medication must be delivered and contained in its original pharmacy container. The school nurse is directed to keep such medications in a locked cabinet or refrigerator. No more than a 30-day supply will be kept and maintained by the school. The school nurse will contact the parent/guardian regarding any unused medication. Such medication shall be picked up by parent/guardian within ten days after its use is discontinued. If the parent/guardian does not pick up the medication within ten days, the school nurse may dispose of the unused medication and record as such in the student’s health record file.

The school nurse is responsible for keeping accurate records regarding the administration of medication to students.

Students may possess and self-administer an epinephrine auto-injector if the student suffers from potentially life-threatening allergies. Both the student’s parent/guardian and physician must authorize such self-possession and self-administration. If a student finds it necessary to use his/her auto-injector, she/he shall immediately report to the nearest supervising adult. The school nurse or building principal may maintain at least one epinephrine auto-injector, provided by the student, in the nurse’s office or other suitable location. Additionally, students may possess and self-administer a metered dose inhaler or a dry powder inhaler to alleviate or prevent asthmatic symptoms, auto-injectors for severe allergic reactions, and other injectable medications necessary to treat life-threatening allergies. Both the student’s parent/guardian and physician must authorize such self-possession and self-administration.

Students shall not share any prescription or over-the-counter medication with another student. Notice of this prohibition will be provided in student handbooks. Students acting in violation of this prohibition will be subject to discipline consistent with applicable Board policies.

This policy shall extend to any school-sponsored activity, event, or program.
In addition to the provisions set forth herein, the school nurse and Principal are responsible for ensuring the provisions of Ed.311.02, Medication During the School Day are followed.

The school nurse or other designated personnel may administer other medications to students in emergency situations, provided such personnel has all training as is required by law. Such medication may also be administered in emergency situations if a student’s medical action plan has been filed and updated with the school district to the extent required by law. The district will maintain all necessary records relative to the emergency administration of medication and will file all such reports as may be required.

**Medical Emergencies**

In the event of a medical emergency, as determined by the school nurse and/or Principal/Assistant Principal, Emergency Medical Services/911 will be called. This will be in addition to calling the Primary Caregivers/Parents. Other contacts listed on the Medical Information Form will be called if needed. We are committed to ensuring the absolute health & safety of your child.

**Information Sharing**

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

**Immunization of Students**

RSA: 200:38 I states “All children shall be immunized prior to school entrance according to current recommendation of the State Public Health Agency.”

The school nurse can provide you with the current immunization requirements. He or she will notify you of an immunization that must be acquired or updated. Failure to comply will result in exclusion from school until the required immunization is completed.

**Physical Examinations of Students (JLCA)**

New Hampshire state law requires that each child have a complete physical examination within a one-year period before initial entry to school.

However, no medical examination shall be required of a child whose parent or guardian objects thereto in writing on the grounds such medical examination is contrary to his/her religious tenets and teachings.

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

Every child must meet all of the state statutes and state public health immunization requirements prior to enrolling in school. A child shall be exempted from the above immunization requirements if he/she presents evidence from his/her medical doctor that immunization will be detrimental to his/her health. A child shall be excused from immunization for religious reasons upon the signing of a notarized form by the parent/guardian stating that the child has not been immunized because of religious beliefs. Please use an exemption form provided by the State of NH.
A student must pass an annual physical examination to be eligible for participation in athletics for that school year. A physician’s statement certifying that the student has passed an adequate physical examination and in his/her opinion is fully able to participate in athletics must be on record in the school. Any injured student excused from athletic practice for three or more days while under a physician’s care must provide written authorization from a physician to the coach to resume practice.

**Parent Notification- Certain Circumstances:** If the District utilizes federal money to perform physical examinations or screenings on students, the District will annually notify the parent(s) of such physical exam or screening, except for vision, hearing, or scoliosis.

**Pregnant Students (IHBCA)**

Maternal or paternal status shall not affect the rights and privileges of students to receive a public education. Pregnant students shall be permitted to continue in school in all instances when continued attendance has the sanction of the expectant mother’s physician. The Board may require a physician’s statement of activity limitations.

In the event a student informs a staff member that the student is pregnant, the following general guidelines will apply.

School staff members are reminded that they do not have the same relationship with students that the student would have in a medical setting.

Any staff member who learns that a student is pregnant or is informed of such by the pregnant student will immediately inform the building principal, school nurse and school/guidance counselor. Staff members cannot promise that information told to the staff member by the student will remain confidential.

Staff members should inform the student that pertinent laws may require the staff member to share the information if the student’s health, safety, or welfare is at risk.

If a pregnant student is a minor, the school building principal may need to contact state social service agencies. This determination should be made after consultation with the student nurse, school nurse, school/guidance counselor, and other employees whose input is needed.

Any other school district action or response will be made by the building principal, on a case-by-case basis, after consideration of all pertinent information.

School staff may provide the pregnant student with information relative to medical health facilities, mental health resources, and counseling resources.

**Pediculosis (Head Lice) (JLCC)**

This policy is adopted to carry out the provisions of RSA 200:32, RSA 200:38, and RSA 200:39.
Pediculosis: Screening. Based on recommendations from the American Academy of Pediatrics, the Board recognizes that school-wide screening for nits alone is not an accurate way of predicting which students will become infested with head lice, and screening for live lice has not been proven to have a significant decrease on the incidence of head lice in a school community. The school nurse will periodically provide information for families of all students on the diagnosis, treatment, and prevention of head lice. Parents are encouraged to check their children’s heads for lice if the child is symptomatic. The school nurse shall check a student’s head if the student is demonstrating symptoms.

Management on the Day of Discovery. The management of pediculosis should proceed so as to minimally disrupt the education process. Any staff member who suspects a student to have head lice will report this to the school nurse or designee. The school nurse or designee will notify the parent/guardian by telephone or other available means if the student is found to have head lice and the student will be dismissed from school. Verbal or written instructions for treatment will be given to the family of each identified student. Instructions will include recommendations for treatment that are consistent with New Hampshire Department of Health and Human Services recommendations. District employees will act to ensure that student confidentiality is maintained. Based upon current research, other students who were most likely to have had direct head-to-head contact with the assessed student may be checked or screened for head lice.

Criteria for Return to School. The Board recognizes that the American Academy of Pediatrics and the National Association of School Nurses discourage “no nit” policies. In alignment with these recommendations, no student will be excluded from attendance solely based on grounds that nits may be present. Students will be allowed to return to school after proper treatment and no head lice were found. The school nurse shall recheck a child’s head. In addition, the school nurse may offer extra help or information to families of children who are repeatedly or chronically infested.

Notification to Parents. The school nurse or designee will provide notification to parents if any cases of head lice have been found. Notification will include general information for proper identification and treatment of head lice and nits.

Phone use in Office

The main office telephone is to be used for emergency calls only. Students will only be allowed to receive a phone call or place a call during class if it is an emergency. When phone calls are received from parents wishing to convey messages to their son or daughter regarding doctor’s appointments, rides, etc., we will do our best to deliver messages to students. Please make every effort to make arrangements at home for situations such as those listed above.

Policy Development System (BGA)

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POLICY DEVELOPMENT SYSTEM

The Berlin Board endorses for use in this district the policy development, codification, and dissemination system for the New Hampshire School Boards Association.

This system, while it may be modified to meet local needs, is to serve as a general guideline for such tasks as policy research, the drafting of preliminary policy proposals, reviewing policy drafts with concerned groups,
presenting new and revised policies to the Board for consideration and action, policy dissemination, policy evaluation, and the maintenance of a continuously and easy-to-use policy manual.

**Policy Adoption, Dissemination and Review**

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

B. 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 revise an existing policy.

C. The Board will allow an opportunity for public comments on policy proposals.

D. All policies will be titled, dated, and coded consistent with the classification system used by the New Hampshire Schools Boards Association.

E. 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.

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

G. All written policies and administrative rules and regulations will be open for and available for public inspection, upon request.

H. Manuals will be provided to each Board member and at least one master copy will be kept in each school district and one master copy in the SAU central office.

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

J. The Superintendent of designee is responsible for notifying the Board of all policy updates and revisions provided by the New Hampshire School Boards Association. The Board will then schedule time for review of such updates and will take action accordingly regarding the adoption, revision or repeal of such policies.

**Promotion Requirements (Middle School)**

Students in grade six, seven, and eight must achieve a grade point average of 65% or higher in at least three major courses of study. The major courses are math, English, science and social studies/history. At least one credit must be earned from the half-credit courses of STEM, Health, Family and Consumer Science, Physical Education, Art or Music (grade 6). The principal and school counselor will meet with teachers at the end of each school year to determine placement of students who do not meet promotion criteria. Parents are kept informed about their child’s academic status through the online PowerSchool Parent Portal, progress reports, and quarterly report cards.

Extenuating circumstances affecting promotion or retention in grades six, seven, and eight will be considered by the building principal, special education director, and school counselor, as appropriate. Appeals of a child’s placement may be directed through the Superintendent of Schools to the Board of Education.
Protection of Pupil Rights Amendment

The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C & 12th, requires the Berlin School District to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas (“protected information surveys”):

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, antisocial, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

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

PTO (Parent Teacher Organization)-Middle School

Each fall and spring, BMS PTO organizes and manages fundraisers for all the students at BMS. Participation is voluntary and all proceeds go to the BMS PTO. The monies are used to secure assemblies, finance field trips and help with Grade 8 Promotion Night Expenses. Class and individual prizes are provided to motivate sales. PTO meetings are scheduled throughout the year. All parents are invited to attend.

Public Display of Affection/Public Conduct

In order to maintain high standards of conduct, students must refrain from public displays of affection in the school building, on school property, and at school-sponsored events.

One of the major components of the Berlin Middle High School Mission is to help students to develop into productive members of society capable of succeeding in a changing global society. This includes being able to talk and interact with people in a professional manner. Therefore, inappropriate language is not to be used. This includes the use of swearing, but also means not talking negatively or derogatorily about individuals or specific groups of people based on sexual, ethnic, or racial backgrounds. Any such remarks will not be tolerated and may be subject to disciplinary actions.

Students are also expected to be able to function in school without horseplay including pushing, shoving, or any other inappropriate touching. This is a safety issue which can result in students being hurt.

PDAs or public displays of affection by definition are acts of physical intimacy in the view of others or on school grounds. Intimate hugging and kissing are examples of inappropriate touching or PDAS.
Release Of Demographic Information To Outside Agencies

Section 9528 of the No Child Left Behind Act of 2001 is titled Armed Forces Recruiter Access to Students and Student Recruiting Information. This section requires that “each local educational agency receiving assistance under this Act shall provide, on a request made by military recruiters or an institution of higher education, access to secondary school student’s names, addresses, and telephone listings.”

Berlin Middle High School is required under this act to furnish this information unless the parents or the student request us not to release it without written parental consent. Otherwise, we will comply with the provisions of this federal law and provide the recruiters with the above information. If you have any questions, please feel free to call the BMHS guidance office at 752-4122, ext. 1504.

Reporting Child Abuse (JLF)

Related Policies: GBEAB, IJOC & JICK

REPORTING CHILD ABUSE OR NEGLECT

A. Statutorily Mandated Reporting – All Persons.

Under New Hampshire law (RSA 169-C:29), every person who has “reason to suspect” that a child has been abused or neglected is required to report that suspicion to DCYF (Division of Children, Youth and Families of the New Hampshire Department of Health and Human Services) or directly to the police. Under RSA 169-C:30, the initial report “shall be made immediately via telephone or otherwise.”

The requirement to report is not dependent on whether there is proof of the abuse or neglect, nor is it dependent upon whether the information suggests the abuse or neglect is continuing or happened in the past. Any doubt regarding whether to report should be resolved in favor of reporting. Failure to report may be subject to criminal prosecution, while a report made in good faith is entitled to both civil and criminal immunity. Additionally, a “credential holder”, as defined in New Hampshire Department of Education Rule 501.02(h), who fails to report suspected abuse or neglect risk having action taken by the New Hampshire Department of Education against his/her credential. See N.H. Code of Conduct for Educators, Ed. 510.05 (e).

The report should contain:

a. the name and address of the child suspected of being abused or neglected,
b. the person responsible for the child's welfare,
c. the specific information indicating neglect/abuse or the nature and extent of the child's injuries (including any evidence of previous injuries),
d. the identity of the person or persons suspected of being responsible for such neglect or abuse; and
e. any other information that might be helpful in establishing neglect or abuse.

To report child abuse or neglect to DCYF, call 24/7 (800) 894-5533 (in-state) or (603) 271-6562. In cases of current emergency or imminent danger, call 911.

B. Additional provisions relating to school employees, volunteers and contracted service providers.

Each school employee, designated volunteer or contracted service provider having reason to suspect that a child is being or has been abused or neglected must also immediately report his/her suspicions to the building Principal or other building supervisor. This initial report may be made orally, but must be supplemented with a written report as soon as practicable after the initial report, but in no event longer than one calendar day.


The initial report to the Principal/building supervisor may be made prior to the report to DCYF/law enforcement, but only if:

(a) the initial report is made for the purpose of seeking assistance in making the mandated report to DCYF/law enforcement, and

(b) reporting to the Principal, etc. will not cause any undue delay (measured in minutes) of the required report to DCYF/law enforcement.

When receiving a request for assistance in making a report, the Principal or other person receiving the request is without authority to assess whether the report should be made, nor shall he/she attempt in any way to dissuade the person from making the legally mandated report. Once the Principal/building supervisor receives the information, the law would impose a reporting requirement upon both the original reporter and the Principal.

2. Principal’s Action upon Receiving Report.

Upon receiving the report/request from the employee, volunteer or any other person, the Principal/building supervisor shall immediately assure that DCYF/law enforcement is or has been notified, and then notify the Superintendent that such a report to DCYF has been made.

A written report shall be made by the Principal to the Superintendent within twenty-four (24) hours, with a copy provided to DCYF if requested. The report shall include all of the information included in the initial oral report, as well as any other information requested by the Superintendent, law enforcement or DCYF.

3. Requirements for Reporting of Other Acts.

Employees/contract providers are also reminded of the requirements to report any act of “theft, destruction, or violence” as defined under RSA 193-D:4, I (a), incidents of “bullying” per Board Policy JICK, and hazing under RSA 671:7. See also Board Policy GBEAB. A single act may simultaneously constitute abuse, bullying, hazing, and/or an act of theft, destruction or violence.

C. Signage and Notification.
The Superintendent is directed to assure that the Principal or administrator of each school shall post a sign within the school that is readily visible to students, in the form provided by the, Division for Children, Youth, and Families, that contains instructions on how to report child abuse or neglect, including the phone number for filing reports and information on accessing the Division's website. Additionally, information pertaining to the requirements of section A of this policy shall be included in each student handbook or placed on the district’s website.

D. Training Required.

The Superintendent shall assure that all District employees, designated volunteers and contracted service providers receive training (in-person or online) upon beginning service with the District, with annual refreshers thereafter, on the mandatory reporting requirements, including how to identify suspected child abuse or neglect.

Required Legal Documents

In order to abide by any orders issued by the Court System, the school is required to have copies of said orders to keep in the student's records. This could include, but limited to, Court orders regarding custody matters, guardianship, restraining orders and anything involving the student's well-being. This enables the school to assure that the child is protected while under supervision of the school staff.

Safe School Zones

In accordance with RSA 193:13, RSA 193-D, and the NH State Board of Education rules, incidents involving an act of theft, destruction violence or threat of violence to students or school employees will be subject to immediate disciplinary action and will be reported to the local law enforcement agency, by the building principal. Safe School Zone means an area inclusive of any building, grounds, and school buses.

It is the intention of the Berlin Police Department and the Berlin School District to work in a joint cooperative effort to provide a safe and healthy school environment for the students, staff, and visitors. We intend to do this in compliance with the New Hampshire RSA 193-D, Safe School Zones, as amended.

Communication and sharing of information is the initiation of any cooperative effort. As required by law, it is agreed that every school employee who has witnessed, or who has information from the victim of an act of theft, destruction, or violence in a safe school zone shall report such act in writing immediately to a supervisor. A supervisor receiving such a report shall immediately forward such information to the school principal who shall file it with the local law enforcement authority immediately, by telephone or otherwise, and shall be followed within 48 hours by a report in writing.

As a result of New Hampshire RSA 193-D:7, school employees are relieved of concerns regarding confidentiality. It states:

Notwithstanding any other provision of law, it shall be permissible for any law enforcement office and any school administrator to exchange information relating only to act of theft, destruction, or violence in a safe school zone regarding the identity of any juvenile, police record relating to a juvenile, or other relevant information when such information reasonable relates to delinquency or criminal conduct, suspected
delinquency or suspected criminal conduct, or any conduct which would classify a pupil as a child in need of services under RSA 169-D or a child in need of protection under RSA 169-C.

To comply with the law, reports of assault, sexual assault, criminal mischief, possession of a firearm or other dangerous weapon, arson, burglary, robbery, theft or sale/possession of a controlled drug will be made to the Berlin Police Department.

**Safety Drills**

The Berlin Public School District is an ALICE (Alert, Lockdown, Inform, Counter, and Evacuate) trained district. This means that students and staff are empowered to make real-time decisions in the event of a school incident. All emergency drills that are conducted at Berlin Middle High School will adhere to this philosophy. Students and staff will debrief following drills to evaluate the incident and their response they chose based on the information they had available.

**Fire Drills**

A number of fire drills are held throughout the year. The fire warning signal is a pulsing blast of horns accompanied by flashing lights.

Orderliness, rather than speed, is emphasized. For purposes of control, silence on the part of all students is mandatory.

During some drills, chosen exits will be blocked. Be prepared to reverse direction and leave by another exit. Your teacher will inform you of exit directions. During a fire drill, everyone must leave the building. Students shall evacuate the building by designated exit routes to the chosen assembly area. Windows and doors should be closed and lights turned out before leaving any area during a fire drill.

**Other Emergency Drills**

The Berlin Middle High School Emergency Response Team works closely with Fire, Police, EMS, and Homeland Security to ensure that Berlin Middle High School is a safe environment. The specific goal of training with these agencies is to improve emergency preparedness and ensure that response procedures are effective and aligned with best practices. As a result, students may participate in drills responding to various threats and hazards which may include lockdown, evacuation, secure campus, shelter-in-place, or other similar drills. In the event that such drills occur, students are to follow the instructions given to them by their teacher and remain calm, quiet, and orderly.

**Fire Equipment**

Fire alarm equipment is provided throughout the high school building for the safety of all persons. Fire alarm boxes and equipment throughout the building are set so they cannot be accidentally set off or discharged.

Any student who falsely trips a fire alarm box or equipment will:
1. Automatically be reported to the police
2. Receive a five-day out-of-school suspension and a letter sent to the Superintendent advising of the incident
3. Pay financial fees associated with the false alarm.

Medical Safety Equipment

Located throughout the school are brightly orange-colored emergency backpacks filled with first aid supplies. The supplies are intended for use in the event of a major medical emergency that requires immediate attention. Backpacks are currently located in the main office, gymnasium, library, cafeteria and all classrooms.

School Hours

Middle school hours are from 7:30 a.m. until 2:14 p.m. each day, and high school hours are from 7:30 a.m until 2:16 p.m. Students should NOT arrive earlier than 7:10 a.m. or remain on the campus later than 2:20 p.m. unless they are participating in a supervised school activity. Supervision WILL NOT be provided for students who arrive before 7:10 a.m. or remain later than 2:20 p.m. These procedures are designed for the safety and well-being of the students.

Spectator Disorder (IGDJA)

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

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

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

3. The Board will support the Chain of Command for Berlin Athletics. When a problem arises within a sports program involving a student athlete the following steps must be taken:
   A. Student Athlete to meet with Coach
   B. Student Athlete to meet with Coach, Parents, and Athletic Director
   C. Student Athlete to meet with Coach, Parents, Athletic Director, and Principal
   D. Student Athlete to meet with Coach, Parents, Athletic Director, Principal, Superintendent
   E. Student Athlete to meet with Coach, Parents. Athletic Director, Principal, Superintendent, School Board

Student Due Process Rights

Students facing discipline will be afforded all due process rights given by law. The Superintendent or his/her written designee is authorized to suspend any student for ten days or less for violations of school rules or policies. Should the Superintendent desire to suspend a student for more than ten days, such student will be
afforded hearing before the School Board. In addition to the provisions of this policy, the Board recognizes the application of all pertinent provisions of RSA 193:13 and associated Department of Education rules. Student due process rights shall be printed in the Parent-Student Handbook and will be made available in another language or presented orally upon request.

**Student Conduct Code**

<table>
<thead>
<tr>
<th>In the Classroom</th>
<th><strong>Be Responsible</strong></th>
<th><strong>Make our School Safe</strong></th>
<th><strong>Have Respect</strong></th>
<th><strong>Strive for Success</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>● Come Prepared</td>
<td>● Keep your hands and feet to yourself</td>
<td>● Be silent during announcements</td>
<td>● Engage in learning</td>
</tr>
<tr>
<td></td>
<td>● Be on time</td>
<td>● Report suspicious behaviors and individuals</td>
<td>● Dress appropriately (see dress code)</td>
<td>● Maintain a positive outlook towards school</td>
</tr>
<tr>
<td></td>
<td>● Pick up after yourself</td>
<td>● Use classroom materials appropriately</td>
<td>● Practice tolerance (Respect ideas and opinions of others)</td>
<td>● Model positive behavior and acknowledge it in others</td>
</tr>
<tr>
<td></td>
<td>● Respond to reasonable requests</td>
<td>● Be in control of your own body</td>
<td>● Use appropriate language, voice and volume</td>
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<tr>
<td></td>
<td>● Complete your “own” assignments and tasks as required</td>
<td></td>
<td>● Respect others’ property</td>
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<td></td>
<td>● Keep cell phones &amp; all personal electronic devices turned off and out of sight from 7:30 to 2:16 (3:10 if serving a detention)</td>
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<td>● Cooperate with others in the room</td>
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<td></td>
<td>● Have chromebooks charged</td>
<td></td>
<td>● Recognize everyone has the right to an appropriate education</td>
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</tr>
</tbody>
</table>

88
<table>
<thead>
<tr>
<th>In the Hallway/Stairway</th>
<th>Be Responsible</th>
<th>Make our School Safe</th>
<th>Have Respect</th>
<th>Strive for Success</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Walk to the right</td>
<td>- One chair, one body</td>
<td>- Wait your turn in line</td>
<td>- Eat lunch with someone who is eating alone</td>
<td></td>
</tr>
<tr>
<td>- Use time for intended purpose only</td>
<td>- Report suspicious behaviors and individuals</td>
<td>- Keep your hands, feet and food to yourself</td>
<td>- Model positive behavior and acknowledge it in others</td>
<td></td>
</tr>
<tr>
<td>- Keep the hall and floors clean</td>
<td>- Be in control of your own body</td>
<td>- Use “please” and “thank you”</td>
<td>- Compliment the kitchen staff</td>
<td></td>
</tr>
<tr>
<td>- Keep cell phones &amp; all personal electronic devices turned off and out of sight from 7:30 to 2:16.</td>
<td>- During evacuations move swiftly and quietly</td>
<td>- Use appropriate language, voice and volume.</td>
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</tr>
<tr>
<td>- Use only your own locker</td>
<td>- Be aware of your surroundings</td>
<td>- Keep displays of affection appropriate</td>
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<tr>
<td>- Stay in the area designated for your grade level.</td>
<td>- Use stairs appropriately</td>
<td>- Keep your hands &amp; feet to yourself</td>
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<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>- Help others in need</td>
<td></td>
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<tr>
<td>In the Cafeteria</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>- Stay in the cafeteria for the duration of lunch</td>
<td>- One chair, one body</td>
<td>- Wait your turn in line</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- During breakfast, stay in the area designated for your grade level.</td>
<td>- Report suspicious behaviors and individuals</td>
<td>- Keep your hands, feet and food to yourself</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Practice polite table manners</td>
<td>- Be in control of your own body</td>
<td>- Use “please” and “thank you”</td>
<td></td>
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</tr>
<tr>
<td>- Leave the table and floor clean for the next group using the facility</td>
<td></td>
<td>- Use appropriate language, voice and volume.</td>
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</tr>
<tr>
<td>- Consume only your own food and drinks</td>
<td></td>
<td>- Take care of your own trays and trash</td>
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<td></td>
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<tr>
<td>- Keep cell phones &amp; all personal electronic devices turned off and out of sight from 7:30-2:16</td>
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<td></td>
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</tr>
<tr>
<td>In the Bathroom</td>
<td>- Use the bathroom designated for your grade level.</td>
<td>- One person per stall</td>
<td>- Clean up after yourself.</td>
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<td></td>
<td></td>
<td></td>
<td>- Wash your hands</td>
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<td></td>
<td></td>
<td></td>
<td>- Report any concerning situations to the office</td>
<td></td>
</tr>
<tr>
<td><strong>On the Bus</strong></td>
<td><strong>Keep your personal items within your seat</strong></td>
<td><strong>Stay out of the aisle</strong></td>
<td><strong>Greet the bus driver</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Keep your phone off and stashed away</strong></td>
<td><strong>Keep all body parts to yourself</strong></td>
<td><strong>Follow requests made by the bus driver</strong></td>
<td><strong>Help the bus driver provide you with a safe trip</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Use an indoor voice</strong></td>
<td><strong>Be quiet at railroad crossings</strong></td>
<td><strong>Leave the bus in the condition it was when you entered</strong></td>
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</tr>
<tr>
<td><strong>Use bathroom only for intended purpose</strong></td>
<td><strong>Report any concerning situations to the bus driver</strong></td>
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</tbody>
</table>

| **In Assemblies / Events** | **Participate appropriately** | **Come and go in orderly fashion** | **Help create an environment where everyone can enjoy the activity** |
| **Pick up after yourself** | **Keep cell phones & all personal electronic devices turned off and out of sight from 7:30-2:16.** | **Treat visitors kindly** | **Encourage others to enjoy the presentation or event** |
| **Keep cell phones & all personal electronic devices turned off and out of sight from 7:30-2:16.** | | **Use appropriate language, voice and volume** | **Model positive behavior and acknowledge it in others** |
A. **General Policy.**

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

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

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

B. **Student Code of Conduct**

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

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

The Code of Conduct shall include:

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

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

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

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

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

C. Implementation and Notice.

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

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

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

D. Parental Notification of Simple Assaults.

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

E. Disciplinary Removal of Students with Disabilities.

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

First Reading: December 6, 2012
Second Reading: December 20, 2012
Revised: February 7, 2019
First Reading 2nd Revision: June 17, 2021
Second Reading of 3rd Revision: July 22, 2021

Study Hall Guidelines

1. The study hall should be quiet at all times.
2. Students are to sit only in their assigned seats.
3. No feet on the furniture.
4. No card playing or games will be permitted.
5. Bring all materials necessary for studying to study hall so it won’t be necessary to leave the study hall area.
6. No student will be allowed to leave the study hall area without a pass.
7. Students with passes will be allowed to leave after attendance is taken. Students should remain in their seats until passes are called for. Students not going to the library must sign out. Students going to the library will go directly to the library when they are dismissed from study hall and will all leave at the same time.
8. Students needing to use the bathroom may do so after signing out, only one male and one female student will be allowed to sign out at a time. The bathroom that must be used is the one located on the same floor as the study hall.
9. Sign out sheet and passes - must contain times of departure and arrival.

Suicide Prevention and Response (JLDBB)

SUICIDE PREVENTION & RESPONSE

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

A. District Suicide Prevention Plan and Biennial Review. No later than May 31, 2020, the Superintendent shall develop and provide to the Board for approval, a coordinated written District Suicide Prevention Plan (the “Plan”) to include guidelines, protocols and procedures with the objectives of prevention, risk assessment and response to youth suicides and suicide attempts.

1. Specific Requirements for Plan Terms: The District Suicide Prevention Plan shall include terms relating to:
a) Suicide prevention (risk factors, warning signs, protective factors, referrals);

b) Response to in-or-out-of-school student suicides or suicide attempts (postvention, suicide contagion);

c) Student education regarding safe and healthy choices, coping strategies, recognition of risk factors and warning signs of mental disorders and suicide; and help seeking strategies;

d) Training of staff, designated volunteers, and contracted personnel on the issues of youth suicide risk factors, warning signs, protective factors, response procedures, referrals, post-intervention and resources available within the school and community;

e) Confidentiality considerations;

f) Designation of any personnel, in addition to the District Suicide Prevention Coordinator and Building Suicide Prevention Liaisons, to act as points of contact when students are believed to be at an elevated risk of suicide;

g) Information regarding state and community resources for referral, crisis intervention, and other related information;

h) Dissemination of the Plan or information about the Plan to students, parents, faculty, staff, and school volunteers;

i) Promotion of cooperative efforts between the District and its schools and community suicide prevention program personnel;

j) Shall include such other provisions deemed appropriate to meet the objectives of this Policy (e.g., student handbook language, reporting processes, “postvention” strategies, memorial parameters, etc.).

2. Biennial Review: No less than once every two years, the Superintendent, in consultation with the District Suicide Prevention Coordinator and Building Suicide Prevention Liaisons, with input and evidence from community health or suicide prevention organizations, and District health and guidance personnel, shall update the District Suicide Prevention Plan, and present the same to the Board for review. Such Plan updates shall be submitted to the Board in time for appropriate budget consideration.

B. Suicide Prevention Coordinator and Liaisons.

1. District Suicide Prevention Coordinator: The district social worker is designated as the District Suicide Prevention Coordinator, who, under the direction of the Superintendent shall be responsible for:

   a) developing and maintaining cooperative relationships with and coordination efforts between the District and community suicide prevention programs and personnel;

   b) annual updating of (i) State and community crisis or intervention referral intervention information, and (ii) names and contact information of Building Suicide Prevention Liaisons, for inclusion in student handbooks and on the District’s website;

   c) developing - or assisting individual teachers with the development of age appropriate student educational programing, such that all students receive information in the importance of safe and healthy choices and coping strategies, recognizing risk factors and warning signs of mental
disorders and suicide in oneself and others, and providing help-seeking strategies for oneself or others, including how to engage school resources and refer friends for help;

d) developing or assisting in the development of the annual staff training required under section C of this policy;

e) Such other duties as referenced in this Policy or as assigned by the Superintendent.

2. **Building Suicide Prevention Liaison.** The school counselor, or, in his/her absence, the building principal, shall be designated as the Building Suicide Prevention Liaison, and shall serve as the building point-of-contact person when a student is believed to be at an elevated risk for suicide. Employees who have reason to believe a student is at risk of suicide, or is exhibiting risk factors for suicide, shall report that information to the Building Liaison, who shall, immediately or as soon as possible, establish and implement a response plan with the District Suicide Prevention Coordinator.

C. **Annual Staff Training.** The Superintendent shall assure that beginning with the 2020-21 school year, all school building faculty and staff, designated volunteers, and any other personnel who have regular contact with students, including contracted personnel or third-party employees, receive at least two hours of training in suicide awareness and prevention. Such training may include such matters as youth suicide risk factors, warning signs, protective factors, intervention, response procedures, referrals, and postvention and local resources.

D. **Dissemination.** Student handbooks and the District’s website will be updated each year with the contact information for the Building Suicide Prevention Liaisons, State and community crisis or intervention referral intervention resources. The District Suicide Prevention Plan will be made available on the District’s, and each school’s respective websites.

**Teaming (Middle School)**

The established paradigm for middle school education is teaming. This is a collaborative, student-centered approach to the curriculum where teachers on a team work together in a collegial manner for the benefit of the students. They share knowledge, skills, and philosophies and this affiliation improves the quality of instruction and builds community. This structure promotes interdisciplinary approaches in disciplines and integration in all curricular areas.

There are teaching teams at BMS comprised of English, Math, Science, Social Studies, and Special Education teachers. We have a 6th grade team, 7th grade team, and an 8th grade team.

Each teaching team operates within their own schedule. In addition, our Unified Arts team provides instruction in Music, Band, Chorus, Art, Family and Consumer Science, STEM (Science, Technology, Engineering and Mathematics), Health, and Physical Education.

**Title IX Sexual Harassment (ACAC)**

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

Per Board policy AC, Title IX of the Education Amendments Act of 1972 (“Title IX”), as well as RSA 193:38, among others, the District does not discriminate on the basis of sex in its educational programs and activities,
II. **TITLE IX SEXUAL HARASSMENT POLICY.**

A. **Application of This Policy.**

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

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

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

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

The Superintendent shall have overall responsibility for implementing this Policy, and shall annually appoint a District Title IX Coordinator\(^10\) as that position is described in Section II.C, below. The name and contact information for the Title IX Coordinator is set forth in Board Policy AC-E, which policy shall be updated and disseminated annually with the Title IX Coordinator’s name as set forth in Board policy AC.

B. **Definitions.**

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

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

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

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

- **Decision Maker** means persons tasked with: the responsibility of making initial determinations of responsibility (at times referred to as “initial decision maker”); or the responsibility to decide any

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\(^9\) \(^10\)
appeal (at times “appeals decision maker”) with respect to formal complaints of sexual harassment in accordance with the Title IX Grievance Process.

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

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

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

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

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

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

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

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

i. Sexually suggestive remarks or jokes;

ii. Verbal harassment or abuse;

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

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

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

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

vii. Touching of a sexual nature or groping; and

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

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

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

The context of behavior can make a difference between conduct falling within the technical definition of Sexual Harassment Under Title IX, and conduct of a sexual nature that is offensive or hostile in itself, but which does not arise to the level within that definition. **District policies prohibit both,**
but for purposes of its Title IX obligations the District must address reports or complaints of conduct which may constitute sexual harassment as defined above, under this specific, limited scope Policy and Title IX Grievance Process. Except as used in other laws (e.g., Title VII) or policies (e.g., Board policy JICK) pertaining to harassment, including of a sexual nature, other than Title IX sexual harassment, all references to “sexual harassment” in this policy mean sexual harassment that meets the above definition.

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

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

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

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

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

C. **Title IX Coordinator.**

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

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

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

D. Training.

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

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

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

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

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

E. Confidentiality.

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

1. information to either party to the extent necessary to provide the parties due process during the Title IX Grievance Process;
2. information to individuals who are responsible for handling the District’s investigation and determination of responsibility to the extent necessary to complete the District’s grievance process;
3. mandatory reports of child abuse or neglect to DCYF or local law enforcement (per Board policy JLF);
4. information to the complainant’s and the respondent’s parent/guardian as required under this Policy and or the Family Educational Rights and Privacy Act (“FERPA”); and
Additionally, any supportive measures offered to the complainant or the respondent shall remain confidential to the extent that maintaining such confidentiality would not impair the ability of the school district to provide the supportive measures.

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

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

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

F. Retaliation Prohibited.

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

G. Conflict of Interest.

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

H. Dissemination and Notice.

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

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

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

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

I. Records and Record Keeping.

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12 34 CFR 106.71 (a).
13 34 CFR 106.71 (a).
1. For each report or formal complaint of sexual harassment, the District, through the Title IX Coordinator, must create, and maintain for seven (7) years, record of:
   a. Any actions, including any supportive measures,
   b. The basis for the District’s conclusion that its response was not deliberately indifferent; and
   c. Documentation which:
      • If supportive measures were provided to the complainant, a description of the supportive measures taken designed to restore or preserve equal access to the District’s education program or activity; or
      • If no supportive measures were provided to a complainant, explains the reasons why such a response was not clearly unreasonable in light of the known circumstances.

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

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


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

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


   The district will promptly respond when there is actual knowledge of sexual harassment, even if a formal complaint has not been filed. The district shall treat complainants and respondents equitably
by providing supportive measures to the complainant\textsuperscript{15} and by following the Title IX Grievance Process prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

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

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

3. Formal Complaints.

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

4. Limitation on Disciplinary Action.

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

5. Emergency Removal and Administrative Leave.\textsuperscript{16}

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

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

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

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

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

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

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

At a minimum, a formal complaint must:

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

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

B. **Initial Steps and Notice of Formal Complaint.**

1. The Title IX Coordinator will provide notice to the complainant and the complainant’s parent/guardian (if the complainant is a non-eligible student under FERPA), and to the respondent (if known) and the respondent’s parent/guardian (if the respondent is a non-eligible student under FERPA), as well as to any other known parties, of the following:
   a. this Title IX Grievance Process, including any informal resolution process;
   b. the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview; “sufficient details” shall include to the extent known identities of persons involved in the incident.

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involved, the conduct allegedly constituting sexual harassment, and the date and location of the incident;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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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.

   a. **Summary of Grievance Process Timeline.**
   b. Investigation 20 +/- days as the complexity of the case demands (Sec. III.E.1)
   c. 10 days for reviewing information prior to conclusion of investigation
   d. 10 days after receiving report to respond to report
   e. 10 days for decision maker to allow initial questions
   f. 10 days for responses to questions
   g. 10 days for questions and responses to follow-up questions.
   h. 10 days for determination of responsibility decision
   i. 10 days for appeal (6 additional days for administrative steps)
   j. 10 days for argument/statement challenging or supporting determination
   k. 10 days for decision on appeal

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

E. **Investigation.**

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

1. The Title IX Coordinator may conduct the investigation, or, in consultation with the Superintendent, designate another qualified person to investigate. The investigation and investigator must:
   a. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence. (Evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such evidence about the complainant’s prior sexual behavior is offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the evidence concerns specific incidents of the complainant’s prior sexual behavior with respect to the respondent and is offered to prove consent.)
   b. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not on either of the parties;
   c. Provide an equal opportunity for the parties to present witnesses, and other inculpatory and exculpatory evidence;
   d. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
   e. Provide the parties with the same opportunities to have others present during any interview or other part of the investigation, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The investigator may restrict any others from participating, as long as the restrictions apply equally to both parties;
   f. Provide, to a party (e.g., respondent or complainant – and parent/guardian as appropriate) whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate within the timeframes established in Sec. III.D, below.
   g. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint;
2. Prior to completion of the investigative report, the District, through the Title IX Coordinator, must send to each party and party’s advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report;

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

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

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

F. Determination of Responsibility and Initial Decision Maker.

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

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

2. The initial decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant. Questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the question and evidence concern specific incidents of the 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 for answers, and may provide for additional rounds of follow-up questions, as long as the provision is extended to both parties equally.

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

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

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

8. The standard to be used for formal complaints in determining whether a violation has occurred and/or that the respondent is responsible is the preponderance of the evidence standard, which is only met when the party with the burden convinces the fact finder (the initial decision maker) that there is a greater than 50% chance that the claim is true (i.e., more likely than not).
9. The initial decision-maker must issue a written determination/decision within 10 days after the close of the period for responses to the last round of follow-up questions. The written “Initial Determination of Responsibility” must include:
   a. Identification of the allegations potentially constituting sexual harassment;
   b. A description of the procedural steps taken from the receipt of the formal complaint through the Initial Determination of Responsibility, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
   c. Findings of fact supporting the determination;
   d. Conclusions regarding the application of the District’s applicable codes of conduct, policies, administrative regulations or rules to the facts;
   e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility (i.e., whether or not the respondent is responsible for sexual harassment), and any disciplinary sanctions or remedies; and
   f. The District’s procedures and permissible bases for the complainant and respondent to appeal (as set forth in Section III.H, below).

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

G. Dismissal of a Formal Complaint.
   1. The District must dismiss a formal complaint with regard to Title IX sexual harassment if the alleged conduct:
      a. Would not constitute sexual harassment, even if proved;
      b. Did not occur in the District’s education program or activity; or
      c. Did not occur against a person in the United States.
   2. The District may dismiss a formal complaint with regard to Title IX sexual harassment if at any time during the investigation or determination of responsibility stage(s):
      a. A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
      b. The respondent is no longer enrolled or employed by the District; or
      c. Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
   3. Prior to dismissal of a complaint, the person responsible at that stage shall consult with the Superintendent.
   4. Upon dismissal of a formal complaint, the District must promptly send written notice of the dismissal and the reason(s) therefor simultaneously to the parties.

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

H. Appeals Process.
   1. Either party may appeal the Initial Determination of Responsibility or the dismissal of a formal complaint or any allegation in a formal complaint by notifying the Superintendent in writing (“written appeal”), with a copy to the Title IX Coordinator. If there are multiple determinations of responsibility, the written appeal shall specify which ones are included in the appeal. The written appeal must be received by the Superintendent within 10 days of the Initial Determination of Responsibility or written notice of dismissal being communicated to the parties.
   2. An appeal under this Policy may only be based upon one or more of the following bases, which must be stated specifically in the party’s written appeal:
      i. Procedural irregularity that affected the outcome of the matter;
ii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or

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

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

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

3. Within 3 days of receipt of the written appeal, the Superintendent shall appoint a decision maker for appeal (“appeals decision maker”), who must have adequate training as provided in Section II.D, be free from conflict of interest as provided in Section II.G, and may not be the same person as the initial decision maker, the person who ordered dismissal, the investigator(s), or the Title IX Coordinator.

Upon the appointment of the appeals decision maker, the Superintendent shall provide a Notice of Appeal to each party and to the Title IX Coordinator, with a copy of the written appeal. The Notice of Appeal must include information about all deadlines and timeframes in the appeal stage.

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

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

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

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

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

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

J. Informal Resolution.

At any time prior to reaching a determination regarding responsibility (but only after the filing of a formal
complaint), the District may offer an optional informal resolution process\(^2\) (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

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

\textbf{Transportation BUS CONDUCT (EEAEC)}

Students using district transportation must understand that they are under the jurisdiction of the school once
a student boards the bus, and only at that time, does he/she become the responsibility of the school district.
Such responsibility shall end when the child is delivered to the regular bus stop at the close of the day.

Pupils transported in a school bus shall be under the authority of the district and under control of the bus
driver. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be
sufficient reasons for a pupil to be denied the privilege of transportation in accordance with the regulations or
the board. The driver shall be held responsible for the orderly conduct of the pupils transported.

The superintendent or his/her designee will develop rules and regulations for conduct on busses and these
shall be printed in the Parent/Student handbook.

\textit{Resolution of Conflicts}

A parent who wishes to request a change or exemption from any of the student transportation policies shall
direct that request first to the SAU transportation coordinator. If the parent is not satisfied by the ruling of the
SAU transportation coordinator, he or she may appeal the ruling within five school days to the school business
administrator. If the parent is again not satisfied by the ruling, he or she may appeal to the superintendent
within the next five day period.
The school board and staff members are very concerned about safety as we transport pupils. Cooperation from both parents/guardians and student is required as we attempt to keep the busses safe for all concerned.

Students using district transportation should understand that they are under the jurisdiction of the school from the time they board the bus until they are deposited at school or are deposited at the stop nearest their home.

Berlin school busses are equipped with video and audio surveillance technology.

The following rules and regulations will be strictly enforced on all busses:

**Bus Regulations**

1. Students will stay on curb or off pavement at side of road until bus stops, door is opened and lights are flashing.
2. Students will board the bus in a single file and fill seats from front to rear, unless assigned seats by the driver.
3. Students will stay in their seats at all times, with feet on the floor, they will not change seats without permission of the driver.
4. Students will not lower windows without permission of the driver. Hands and heads must never be extended from open windows.
5. No smoking at all on any bus, including charter trips.
6. No profane language, obscene gestures, excessive noise, fighting, wrestling, or acts of physical aggression will be tolerated.
7. Keep head, hands, feet, etc. inside the bus.
8. Once a student has boarded the bus he/she may not get off except at his/her destination.
9. Students may ride only the bus to which they have been assigned.
10. Students must be seated and are not permitted to change seats when the bus is in motion or to annoy other riders on the bus.
11. Stay in your seat until you reach your designated stop and the bus has stopped. Emergency doors are for emergencies only.
12. Take a seat promptly when getting on the bus.
13. There shall be no more than 2-3 persons to a seat, depending on the size of the student.
14. No eating or drinking on the bus.
15. No marking or defacing the bus.
16. Students will be held responsible for any and all damage to the bus perpetrated by them.
17. No throwing things in the bus, at the bus, or out the window.
18. Always cross the street in front of the bus at the signal from the driver.
19. You are due at your bus stop 5 minutes prior to scheduled time; the driver will not wait for you.
20. The driver is authorized to assign seats.
21. Anything that would create a safety hazard for the passengers or vehicle will not be permitted.
22. The bus drivers are in complete charge of the bus and their decisions and requests must be followed.
23. Only authorized riders will be permitted on the busses.

**A.** The school bus operator is responsible for proper discipline while student is on the bus.

**B.** Any rule infractions should be brought to the attention of the principal who, in turn, will notify parent/guardian. Repeated violations of rules or gross misconduct will be cause to exclude student from transportation service for a period of time up to the remainder of the school year. See RSA 189:9-a.

**C.** No student shall be put off the bus while traveling to and from school. Parents/guardians shall be notified and the daily trip completed before the student can be removed from transportation service.
D. The school bus is an extension of the school, and all the school rules and regulations which pertain to student conduct in the school are applicable to student conduct on a school bus.

24. All waste paper will be put into boxes provided at front of busses.

25. Bus drivers have full authority to implement district regulations.

Disciplinary Action

If a bus contractor refers a student to the principal for disciplinary actions, the following procedure will be followed:

A. **Warning** – The principal will call the parents/guardians to inform them of the misconduct that made the warning necessary. A letter confirming the telephone conversation will be sent to the parents/guardians, the contractor, and the transportation coordinator.

B. **Removal** –
   1. Five School Days – The second offense will result in the loss of busing privileges for five school days. Parents/guardians will be notified by telephone and letter.
   2. Twenty School Days – The third offense will result in the loss of busing privileges for twenty school days. Parents/guardians will be notified by telephone and letter.

C. **School Board Action** – The superintendent of schools will take before the school board for action any student who will not follow the rules and regulations after a warning, a five day and twenty day loss of busing privileges.*

*It should be noted that a student may lose his busing privileges after a first offense if, in the interest of safety and well-being of other bus students, his conduct so merits.

*The principal may request a modification of the disciplinary action from the Superintendent of Schools.

*The regulations and disciplinary action outlined herewith also apply to behavior at all bus stops.

According to State statutes, RSA 189:9 –a, parents/guardians are responsible for transporting students to and from school if they are removed from a bus for disciplinary reasons.

Milan/Dummer School District - Bus Policy (Bus Behaviors & Consequences)

In order to limit the length of bus routes, it is necessary to adhere to the following rules:

1. Students should get an early start and be waiting at their assigned bus stop. The bus driver will not stop unless someone is waiting.
2. If the bus is late, please wait at the assigned stop. If bad weather or road hazards cause a long delay, school bus personnel will notify the Dummer School Board designee and the Milan Village School principal. Parents are encouraged to call the school in the event of a delay.
3. If a student is going to need a pick up or drop off at an assigned bus stop other than at his/her home, the bus driver must be notified by a parent/guardian and given a note to that effect.
4. School is rarely canceled because of inclement weather; however, if there is a cancellation it will be announced on WMOU, WOKQ, WHOM, WMUR-TV and WCSH6 and through our automated phone system.

The Milan School District views the safety and welfare of its students to be the most important aspect of its transportation program. To assist us in providing this service, audio/video equipment is installed on our buses to promote desired behavior and aid in the safe operation of the bus.
All footage is considered confidential and may be viewed by the bus drivers, administration, School Board members, SAU personnel, the individual involved in the incident and their parents/guardians. Only that part of the tape pertinent to the issue at hand will be viewed.

Because the safety of the passengers and bus driver is at risk when distracting and disruptive behavior occurs:
1. Younger students should sit in the front seats.
2. Remain seated at all times except when entering or leaving the bus.
3. Keep arms, legs, hands, and feet out of the aisle when seated.
4. Keep arms, hands, feet, and heads inside the windows.
5. Keep all personal belongings out of the aisle.

The following is not allowed:
1. Throwing anything inside the bus or out of the window.
2. Shouting or screaming on the bus.
3. Possession of dangerous objects including knives, guns, lighters, aerosol cans.
4. Possession of controlled substances, alcohol, drugs, and tobacco.
5. Physical or verbal abuse of anyone.
6. Standing, kneeling or moving within the bus while it is in motion.
7. Leaving the bus at a stop other than the assigned stop without written permission from a parent/guardian or from the school office.
8. Transporting large items such as skis, sleds, hockey sticks, balloons, or school projects, which obstruct seating, visibility, and aisles.

Consequences
1. The bus driver is responsible for correcting behavior that poses an immediate danger to passenger safety.
2. At the driver’s discretion, students may be assigned to a specific seat in the bus.
3. After the second violation of the above rules, the driver will notify the school principal of the nature of the problems and a written warning will be sent by the school administration to the parents.
4. The third violation of these rules will result in suspension from the bus for five days by the school administration.
5. Further violations of these rules will result in longer suspensions and/or referral to the School Board for suspension for the balance of the school year.

**Vandalism**

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

**Video and Audio Surveillance on School Property**

The Board authorizes the use of video and/or audio devices on district/city property to ensure the health, welfare, and safety of all students, staff, and visitors to district property and to safeguard district buildings, grounds, and equipment. The Superintendent will approve appropriate locations for surveillance devices. Placement of the video cameras will be based on the presumption and belief that students, staff, and visitors have no reasonable expectation of privacy in areas or at events that occur in plain view. However, such devices are not to be placed in bathrooms or locker rooms.
Signs will be posted on school buildings to notify students, staff, and visitors that video cameras may be in use. At the Superintendent’s discretion, parents and students may also be notified through the student handbook. Students will be responsible for any violations of school rules caught on tape by cameras.

The district will retain copies of video recordings until they are erased, which may be accomplished by either deletion or copying over with a new recording. The Superintendent will consult with the necessary personnel to determine how and when such recordings should be deleted.

Videos containing evidence of a violation of student conduct rules and/or state or federal law will be retained until the issue of the misconduct is no longer subject to review or appeal as determined by board policy or applicable law. Any release or viewing of the video will be in accordance with the law.

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

**Visitors (KI)**

All persons, other than staff and pupils enrolled in the school, who may come to the school for any reason during the school day are considered visitors and must report and sign in at the school office. Employees of the school system (directors, coordinators, maintenance staff members, and others) are to advise the school Principal or office staff that they are in the building. A visitor (a person not employed by the school system) must report to the school office and receive permission to be on the school grounds.

Persons wishing to meet with a teacher for the purpose of discussion of a particular problem shall do so only at a time when it does not interrupt the normal school program. Persons wishing to make such arrangements may do so by securing any appointment with the teacher through the office of the Principal or by direct contact with the teacher.

No person shall visit a school without first reporting to the office of the Principal as to the purpose and place of the visit.

**Weapons Policy (JIICL)**

Weapons are not permitted in school buildings, on school property, in school vehicles or at school sponsored activities. This policy applies to students and members of the public alike. Student violations of this policy will result in both school disciplinary action and notification of local law enforcement authorities. Members of the public who violate this policy may be reported to local law enforcement authorities, if possession of the weapon is used in a threatening, harassing or intimidating manner.

**Guns & Firearms – Students**

Any student who brings or possesses is determined to have brought a firearm (as defined by 18 U.S.C. §921) to school will be expelled for not less than one year (365 days). This expulsion may be modified by the Superintendent upon review of the specific case in accordance with other applicable law.

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

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

**Other Weapons:**

For the purposes of this policy “weapon” includes but is not limited to; firearms (rifles, pistols, revolvers, pellet guns, BB guns, etc.), knives, sling shots, metallic knuckles, firecrackers, billies, knives, explosives, incendiaries, electric defense weapons (as defined in RSA 159:20), aerosol self-defense spray weapons (as defined in RSA 159-20), and martial arts weapons or self-defense weapons (as defined in RSA 159:24).

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

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

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**Wellness Policy (see JLCF)**

**SCHOOL MEALS**

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

**FUNDRAISER ACTIVITIES**

School sponsored activities should include healthy choices for foods and beverages sold.

**FOOD AND BEVERAGE MARKETING IN SCHOOLS**

The District is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The District strives to teach students how to make informed choices about nutrition, health and physical activity. *All efforts will be made to permit only those advertisements that impart consistent messages about nutrition education and health which is the District’s mission.*

Schools will monitor use of foods or beverages as rewards for academic performance or good behavior and will not withhold food from breakfast or lunch as punishment.
Snacks served during the school day or in after-school programs will make a positive contribution to children’s diets and health, with an emphasis on serving fruits and vegetables as the primary snacks and water as the primary beverage.

School Store items should be non-food items or food items that meet guidelines of this policy. School store cannot sell food items to students when the school food services are open for sales and service.

Celebrations should limit any that involve food during the school day. Each party should include only foods that meet guidelines set in this policy.

Subject area lessons involving food preparation should follow nutritional guidelines as part of the instruction of the lesson. School staff involved in food related events are encouraged to communicate with school food services to assist with planning. Where possible, staff will order foods through food service managers.

Classroom Activities shall limit the use of food items for instructional purposes unless it is essential to a curriculum area.

Withdrawal from School

School Withdrawal/Student Drop-out

Any student at least 18 years of age who wishes to terminate his or her public or nonpublic education prior to graduating from high school shall request a conference with the principal.

An adult student that misses more than 16 consecutive school days may be administratively withdrawn from enrollment at Berlin Middle High School.

RSA STATUTES

STATE OF NEW HAMPSHIRE

School Attendance - Section 193:1

193:1 Duty of Parent; Compulsory Attendance by Pupil. –

I. A parent of any child at least 6 years of age and under 18 years of age shall cause such child to attend the public school to which the child is assigned in the child’s resident district. Such child shall attend full time when such school is in session unless:

(a) The child is attending a New Hampshire public school outside the district to which the child is assigned or an approved New Hampshire private school for the same time;

(b) The child is receiving home education pursuant to RSA 193-A and is therefore exempt from this requirement;
(c) The relevant school district superintendent has excused a child from attendance because the child is physically or mentally unable to attend school, or has been temporarily excused upon the request of the parent for purposes agreed upon by the school authorities and the parent. Such excused absences shall not be permitted if they cause a serious adverse effect upon the student's educational progress. Students excused for such temporary absences may be claimed as full-time pupils for purposes of calculating state aid under RSA 186-C:18 and adequate education grants under RSA 198:41;

(d) The child is attending a public or private school located in another state which has been approved by the state education agency of the state in which the school is located, or is attending a nonsectarian private school located in New Hampshire that is approved as a school tuition program by the school board pursuant to RSA 193:3, VII;

(e) The pupil has been exempted from attendance pursuant to RSA 193:5;

(f) The pupil has successfully completed all requirements for graduation and the school district is prepared to issue a diploma or the pupil has successfully achieved the equivalent of a high school diploma by either:

   (1) Obtaining a high school equivalency certificate; or

   (2) Documenting the completion of a home school program at the high school level by submitting a certificate or letter to the department of education;

(g) The pupil has been accepted into an accredited postsecondary education program; or

(h) The pupil obtains a waiver from the superintendent, which shall only be granted upon proof that the pupil is 16 years of age or older and has an alternative learning plan for obtaining either a high school diploma or its equivalent.

   (1) Alternative learning plans shall include age-appropriate academic rigor and the flexibility to incorporate the pupil's interests and manner of learning. These plans may include, but are not limited to, such components or combination of components of extended learning opportunities as independent study, private instruction, performing groups, internships, community service, apprenticeships, and on-line courses.

   (2) Alternative learning plans shall be developed, and amended if necessary, in consultation with the pupil, a school school counselor, the school principal and at least one parent or guardian of the pupil, and submitted to the school district superintendent for approval.

   (3) If the superintendent does not approve the alternative learning plan, the parent or guardian of the pupil may appeal such decision to the local school board. A parent or guardian may appeal the decision of the local school board to the state board of education consistent with the provisions of RSA 21-N:11, III.

II. A child who reaches the sixth birthday after September 30 shall not be required to attend school under the provisions of this section until the following school year.

III. In this section, "parent'' means a parent, guardian, or person having legal custody of a child.

IV. [Repealed].

Disturbance – Section 193:11

Any person not a pupil who shall willfully interrupt or disturb any school shall be guilty of a misdemeanor.

Legal Residence Required – Section 193:12

I. Notwithstanding any other provision of law, no person shall attend school, or send a pupil to the school, in any district of which the pupil is not a legal resident, without the consent of the district or of the school board except as otherwise provided in this section or in RSA 193:28.

II. For purposes of this section, the legal residence of a pupil shall be as follows:

   (a) In the case of a minor, legal residence is where his or her parents reside, except that:

   (1) If the parents live apart and are not divorced, legal residence is the residence of the parent with whom the child resides.
(2) In a divorce decree where parents are awarded joint decision making responsibility or joint legal custody, the legal residence of a minor child is the residence of the parent with whom the child resides. If a parent is awarded sole or primary residential responsibility or physical custody by a court of competent jurisdiction in this or any other state, legal residence of a minor child is the residence of the parent who has sole or primary residential responsibility or physical custody. If the parent with sole or primary physical custody lives outside the state of New Hampshire, the pupil does not have residence in New Hampshire. If the court order is for equal or approximately equal periods of residential responsibility, the child’s legal residence for school attendance purposes shall be as stated in the order. If a child is in a court-ordered residential placement, foster home, or group home pursuant to RSA 169-B, RSA 169-C, RSA 169-D, RSA 170-C, or RSA 463, residence shall be determined in accordance with RSA 193:28.

(3) If the minor is in the custody of a legal guardian appointed by a New Hampshire court of competent jurisdiction or a court of competent jurisdiction in another state, territory, or country, legal residence is where the guardian resides. If the department of health and human services has been appointed legal guardian, the residence of the minor is where the child is placed by the department or the court. Legal guardianship shall not be appointed solely for the purpose of allowing a pupil to attend school in a district other than the district of residence of the minor's parent or parents. Whenever a petition for guardianship or legal custody is filed in a court of competent jurisdiction on behalf of a relative of a child, other than a parent, the child shall be permitted to attend school in the district in which the relative of the child resides pending a court determination relative to custody or guardianship.

(b) No minor placed in a home for children or health care facility, as defined in RSA 193:27, by another state which charges the state of New Hampshire, a political subdivision of the state of New Hampshire, or a New Hampshire school district, for the regular or special education costs for New Hampshire children placed in that state, shall be deemed a legal resident for purposes of school assignment, unless the sending state agrees to reimburse the receiving district, as defined in RSA 193:27, for regular education and special education costs.

(c)(1) If a parent with legal custody of a child moves from New Hampshire to another state while the child is in a court-ordered residential placement in this state or another state pursuant to RSA 169-B, RSA 169-C, RSA 169-D, RSA 170-C, or RSA 463, the departments of education and health and human services shall make a written request of the receiving state to assume the programmatic and financial liability of the child’s placement in this state or another state until physical custody of the child is returned to a parent or legal guardian. In this subparagraph, “receiving state” shall mean the state to which the child's parents move.

(2) If the receiving state refuses to accept financial liability, the departments of education and health and human services shall enter into an agreement to provide the child with general and special education and residential services until legal custody of the child is returned to a parent or legal guardian.

III. For the purposes of this title, “legal resident” of a school district means a natural person who is domiciled in the school district and who, if temporarily absent, demonstrates an intent to maintain a principal dwelling place in the school district indefinitely and to return there, coupled with an act or acts consistent with that intent. A married person may have a domicile independent of the domicile of his or her spouse. If a person removes to another town with the intention of remaining there indefinitely, that person shall be considered to have lost residence in the town in which the person originally resided even though the person intends to return at some future time. A person may have only one legal residence at a given time.

IV. The term "homeless children and youths" means individuals who lack a fixed, regular, and adequate nighttime residence, and shall include the following:

(a) Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement.

(b) Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.

(c) Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
(d) Migratory children, as defined in 20 U.S.C. 6399 who qualify as homeless because such children are living in circumstances as described in subparagraphs (a)-(c).

V. Except as provided in subparagraph II(b), nothing in this section shall limit or abridge the right of any child placed and cared for in any home for children, as defined in RSA 193:27, or of any child placed in the home of a relative of that child by the department of health and human services, or placed in the home of a relative or friend by a court pursuant to RSA 169-B, RSA 169-C, RSA 169-D, RSA 170-C, or RSA 463, to attend the public schools of the school district in which the home for children or home of the relative or friend in which a child is placed by the department of health and human services or by a court of competent jurisdiction is located, as provided in RSA 193:28.

V-a. Whenever a parent or guardian voluntarily places a child with a relative at the recommendation or request of the department of health and human services, that child shall be permitted to attend the public schools of the school district in which that relative resides provided that:

(a) Upon request of the school district, the department of health and human services shall confirm that the department recommended or requested that the child be placed with the relative to promote the child's well being, and not for the purpose of allowing the child to attend school in the district where the relative resides; and

(b) Upon request of the school district, the relative shall take reasonable steps to secure a court award of guardianship over the child, the child being allowed to attend school in that district while the relative seeks guardianship.

V-b. Whenever a dispute arises among one or more school districts, the department of health and human services, or one or more of the previously mentioned parties, as to the residency of a child who is in the legal custody or guardianship of the department of health and human services, or who has been placed pursuant to a court order in a proceeding under RSA 169-B, RSA 169-C, RSA 169-D, or RSA 463, the department of health and human services shall request in writing that the superintendents involved resolve the dispute. If the residency dispute remains unresolved 10 days after such request, the department of health and human services shall request that the commissioner of the department of education determine the residence of the child. The child shall be permitted to attend school in the district in which the child has been placed by the court or the department of health and human services pending the resolution of the residency dispute. Liability as to the cost of school attendance provided under this paragraph shall be determined by the commissioner of education.

VI. (a) The commissioner of the department of education, or designee, shall decide residency issues for all pupils, excluding homeless children and youths, in accordance with this section. If more than one school district is involved in a residency dispute, or the parents who live apart cannot agree on the residence of a minor child, the respective superintendents shall jointly make such decision. In those instances when an agreement cannot be reached, the commissioner of the department of education, or designee, shall make a determination within 30 days of notice of the residency dispute and such determination shall be final. If the unresolved residency dispute has resulted in an interruption of educational or related services, or such an interruption is likely to occur if the determination cannot be made before the expiration of 30 days, the determination shall be made within 14 days. With the agreement of the school districts involved and of the minor child's parent or legal representative, the time for determination of the residency dispute may be extended. Residency disputes may be submitted to the commissioner for determination by a school district involved in a dispute. In cases where the failure to resolve a residency dispute has resulted in or is likely to result in the interruption of educational or related services, a minor child's parent or legal representative may submit a residency dispute for determination to the commissioner. In all cases, all parties with an interest in the dispute shall be notified of the pendency of the proceedings, shall have an opportunity to review all information provided to the commissioner, and shall have an opportunity to present facts and legal arguments to the commissioner. The commissioner's decision, including a written explanation for that decision, shall be provided to the parties of record and a copy of such explanation shall be kept on file by the department of education. No school district shall deny a pupil attendance or implementation of an existing individualized education program.
(b) A pupil shall remain in attendance in the pupil’s school of origin during the pendency of a determination of residency. If a child does not have a school of origin within this state, the child shall be immediately admitted to the school in which enrollment is sought pending determination of the residency dispute, provided such school is in the school district in which the child temporarily resides. For the purpose of this paragraph, "school of origin" means the school the child attended when permanently housed or the school in which the child was last enrolled.

(c) Notwithstanding the provisions of RSA 21-N:11, III any person aggrieved by a determination of the commissioner may appeal such determination to a court of competent jurisdiction.

VII. Nothing in this section shall require a district to provide transportation for a student beyond the geographical limits of that district.

VIII. Each school district shall adopt an admission and attendance of non-resident students policy.

IX. The commissioner of education may enter into agreements with other states relative to liability for educational costs, including special education costs, of students placed in New Hampshire by those states, or of students placed outside the state of New Hampshire.

X. For the purpose of determining liability for a child placed and cared for in any home for children or health care facility, the provisions of RSA 193:29 shall apply.

Suspension and Expulsion of Pupils – Section 193:13

193:13 Suspension and Expulsion of Pupils. –

I. (a) The superintendent or chief administering officer, or a representative designated in writing by the superintendent, is authorized to suspend pupils from school for a period not to exceed 10 school days for gross misconduct or for neglect or refusal to conform to the reasonable rules of the school and shall make educational assignments available to the suspended pupil during the period of suspension.

(b) The school board or a representative designated in writing of the school board is authorized, following a hearing, to continue the suspension of a pupil for a period in excess of 10 school days. The school board's designee may be the superintendent or any other individual, but may not be the individual who suspended the pupil for the first 10 days under subparagraph (a). Any suspension shall be valid throughout the school districts of the state, subject to modification by the superintendent of the school district in which the pupil seeks to enroll.

(c) Any suspension in excess of 10 school days imposed under subparagraph (b) by any person other than the school board is appealable to the school board, provided that the superintendent received such appeal in writing within 10 days after the issuance of the decision being appealed. The school board shall hold a hearing on the appeal, but shall have discretion to hear evidence or to rely upon the record of a hearing conducted under subparagraph (b). The suspension under subparagraph (b) shall be enforced while that appeal is pending, unless the school board stays the suspension while the appeal is pending.

II. Any pupil may be expelled from school by the local school board for gross misconduct, or for neglect or refusal to conform to the reasonable rules of the school, or for an act of theft, destruction, or violence as defined in RSA 193:D:1, or for possession of a pellet or BB gun, rifle, or paint ball gun, and the pupil shall not attend school until restored by the local board. Any expulsion shall be subject to review if requested prior to the start of each school year and further, any parent or guardian has the right to appeal any such expulsion by the local board to the state board of education. Any expulsion shall be valid throughout the school districts of the state.

III. Any pupil who brings or possesses a firearm as defined in section 921 of Title 18 of the United States Code in a safe school zone as defined in RSA 193:D:1 without written authorization from the superintendent or designee shall be expelled from school by the local school board for a period of not less than 12 months.

IV. The local school board shall adopt a policy which allows the superintendent or chief administering officer to modify the expulsion requirements set forth in paragraphs II and III on a case by case basis.

V. Any pupil expelled by a local school board under the provisions of the Gun-Free Schools Act of 1994 shall not be eligible to enroll in another school district in New Hampshire for the period of such expulsion. Nothing
in this section shall be construed to prevent the local school district that expelled the student from providing educational services to such students in an alternative setting.

VI. A pupil expelled from school in another state under the provisions of the Gun-Free Schools Act of 1994 shall not be eligible to enroll in a school district in New Hampshire for the period of such expulsion.

VII. For purposes of paragraphs I, II, and III, school board may be either the school board or a subcommittee of the board duly authorized by the school board.

XI. School boards and chartered public schools shall establish policies on school discipline that contain a system of supports and consequences designed to correct student misconduct and promote behavior within acceptable norms. Such policies shall:
(a) Include a graduated set of age appropriate responses to misconduct that may include, but are not limited to, parent conferences, counseling, peer mediation, instruction in conflict resolution and anger management, parent counseling and training, community service, rearranging class schedules, restriction from extra curricular activities, detention, in-school supports and consequences, out-of-school suspension, and expulsion.
(b) Set forth standards for short term suspensions up to 5 days, short term suspensions up to 10 days, long term suspensions up to 20 days, and expulsion. Such standards shall make reference to the nature and degree of disruption caused to the school environment, the threat to the health and safety of pupils and school personnel, and the isolated or repeated nature of incidents forming the basis of disciplinary action.

XII. Each school district and chartered public school shall make its policy on school discipline:
(a) Available to parents at the beginning of each school year;
(b) Publicly available on the district, school administrative unit, or chartered public school website and in the student handbook; and
(c) Available to parents via a manner designed to ensure parental notification if the school district, school administrative unit, or chartered public school does not maintain a website and/or student handbook.

Criminal Code Justification – Section 627:6

627:6 Physical Force by Persons With Special Responsibilities.—

I. A parent, guardian or other person responsible for the general care and welfare of a minor is justified in using force against such minor when and to the extent that he reasonably believes it necessary to prevent or punish such minor's misconduct.

II. (a) A teacher or person otherwise entrusted with the care or supervision of a minor for special purposes is justified on the premises in using necessary force against any such minor, when the minor creates a disturbance, or refuses to leave the premises or when it is necessary for the maintenance of discipline.
(b) In a child care program licensed or exempt from licensure under RSA 170-E, necessary force shall be limited to the minimum physical contact necessary to protect the child, other children present, the staff, or the general public from harm.

III. A person responsible for the general care and supervision of an incompetent person is justified in using force for the purpose of safeguarding his welfare, or, when such incompetent person is in an institution for his care and custody, for the maintenance of reasonable discipline in such institution.

IV. The justification extended in paragraphs I, II, and III does not apply to the malicious or reckless use of force that creates a risk of death, serious bodily injury, or substantial pain.

V. A person authorized by law to maintain decorum or safety in a vessel, aircraft, vehicle, train or other carrier, in a hospital or other health care facility, or in a place where others are assembled may use non-deadly force when and to the extent that he or she reasonably believes it necessary for such purposes, but the person may use deadly force only when he or she reasonably believes it necessary to prevent death or serious bodily injury.
VI. A person acting under a reasonable belief that another person is about to commit suicide or to inflict serious bodily injury upon himself may use a degree of force on such person as he reasonably believes to be necessary to thwart such a result.

VII. A licensed physician, or a person acting under his or her direction, or an advanced practice registered nurse (APRN) working for the department of corrections may use force for the purpose of administering a recognized form of treatment which he or she reasonably believes will tend to promote the physical or mental health of the patient, provided such treatment is administered:

(a) With consent of the patient or, if the patient is a minor or incompetent person, with the consent of the person entrusted with his care and supervision; or

(b) In an emergency when the physician or the advanced practice registered nurse (APRN) reasonably believes that no one competent to consent can be consulted and that a reasonable person concerned for the welfare of the patient would consent.

VIII. An employee authorized by a hospital or other health care facility may use non-deadly force when and to the extent that he or she reasonably believes it necessary to maintain decorum or safety and may use deadly force only when he or she reasonably believes it necessary to prevent death or serious bodily injury.
As the parent/guardian of

__________________________ in Grade _____,
(please print clearly the student’s first and last name)

I notify the Berlin School Department that I have read and reviewed the Berlin Middle High School Student/Parent Handbook and I am aware of its rules, regulations, and policies. I am also aware that this document and School Board policies are online at www.sau3.org and will be updated as policies are added and reviewed.

__________________________
(Parent/Guardian signature)                (Date)

Please tear off this page and return to your child's school.
Thank you for your cooperation.