

# SCHOOL ADMINISTRATIVE UNIT THIRTY-NINE

Amherst, Mont Vernon, and Souhegan Cooperative School Districts



STEVEN CHAMBERLIN  
Interim Superintendent of  
Schools

CHRISTINE M. LANDWEHRLE  
Assistant Superintendent

MARGARET A. BEAUCHAMP  
Director of Student Services

AMY FACEY  
Business Administrator

## Mont Vernon School Board Meeting

Thursday, September 1<sup>st</sup>, 2022 – 6:00 PM

Mont Vernon Village School

1 Kittredge Road, Mont Vernon NH

*For viewing only:*

*Please click the link to join the webinar*

*All times listed below are approximate.*

<https://sau39.zoom.us/j/82472187155?pwd=bVh1ZTIHRWcwUE0wWWMrCS84bUozdz09>

Passcode: 945073

Agenda Item	Time	Desired Action	Backup Materials
Call to Order	6:00 PM	Ms. Sarah Lawrence, Mont Vernon School Board Chair, to call the meeting to order	None
Public Input I of II	6:00 PM		None
Consent Agenda -Approval	6:15 PM	<ol style="list-style-type: none"> <li>1. August 4<sup>th</sup>, 2022 Draft Minutes</li> <li>2. MVVS September Principal's Report</li> <li>3. May 2022 Treasurer's Report</li> <li>4. June 2022 Treasurer's Report</li> <li>5. MV Organizational Chart 2022-2023</li> <li>6. August Facilities Update</li> </ol>	June 6 <sup>th</sup> , 2022 Draft Minutes MVVS Sept. Principal's Report May 2022 Treasurer's Report June 2022 Treasurer's Report MV Organizational Chart 22-23 August Facilities Update
Staffing Update	6:25 PM	Board to receive an update on staffing	None
Board Goals	6:35 PM	Board to finalize and vote on their goals for the 22-23 year	Board Goals 22-23
Policies for First Reading- Spring Review	6:45 PM	Board to review policies as a first reading: BCEK, BEC, BEDG, BGAA, DAF, JLCJA, BEDH, IHBA, JICC, EBCG, EEAEA, JICD	Policy Memo - SAU Policy Packet
Rescind Policies	6:50 PM	Policies: EBCA, EEAE-R, Emergency Policies for Personal Protective Measures, GCC	None
Public Input II of II	6:55 PM		
Non-Public Session	7:10 PM	RSA 91: A 3 II ( )	
Meeting Adjourned	7:15 PM		

1 Mont Vernon Village School

2 Thursday, August 4<sup>th</sup>, 2022

3 Meeting Minutes- Not Approved

4 Attendees:

5 Administrative Team: Christine Landwehrle- Assistant Superintendent, Tom Lecklider- MVVS  
6 Principal and Roger Preston- Director of Facilities SAU #39

7 Mont Vernon Village School Board: Chair- Sarah Lawrence, Vice Chair- Jessica Hinckley, Pete  
8 Eckhoff, George Torres, and Kristen Clark.

9 Board Minutes: Danae A. Marotta

10 Public: John Prescott, 23 Old Milford Road, Mont Vernon NH.

11 I. Call to Order

12 **Ms. Sarah Lawrence, Chair of the Mont Vernon School Board called the meeting to order**  
13 **at 5:30PM.**

14 II. Non-Public Session

15 **Ms. Hinckley motioned to enter into Non-Public Session RSA 91-A:3 II (i) at 5:32PM. Mr.**  
16 **Torres seconded the motion. The vote was unanimous, motion passed.**

17 Board to resume public session at 6:16 PM

18 III. Public Comment I of II

19 Mr. John Prescott, 23 Old Milford Road, MV, asked about the initiatives coming to fruition, such  
20 as upholstery of the library benches or the snowshoes. He noted that there are a lot of community  
21 members that would be willing to assist.

22 He suggested that they add information to the town website and people may offer to help.

23 Ms. Clark added that she is working on communication to the public. She noted that she is  
24 working on information to be sent out to the community.

25 Assistant Superintendent, Ms. Christine Landwehrle, added that they did not get sent out at this  
26 time.

27 Ms. Clark noted that they are trying to figure out the best way to reach the community members.  
28 There will be a postcard mailer and posting on social media.

29 Mr. Eckhoff mentioned that they are discussing this topic at the SAU level.

30 Ms. Lawrence commented that they also have policies that they need to follow and board  
31 communication can be challenging.

32 Mr. Prescott commented that a lot of parents are learning on the tail end and are sometimes  
33 misinformed. More proactive communication in the community would be helpful. More of the  
34 community should know the good things that are happening here at the MVVS.

35 Ms. Lawrence added that they are awaiting feedback and that will be helpful.

36 Ms. Clark commented that there are a lot of considerations.

#### 37 IV. Consent Agenda

38 Ms. Lawrence asked for any questions. She inquired about the student handbook, and if there  
39 changes in the policies.

40 Principal Lecklider replied that there were changes in the layout and it was difficult to read. They  
41 have categorized into sections. There are a lot of updates for the new year.

42 Principal Lecklider noted that they are more intentional with SOAR. There is a matrix in there  
43 with SOAR.

44 Ms. Landwehrle added that they are updates with the meal program and charging, JICC and JLF  
45 and they added a section about counseling. Last year, they did a huge overhaul of the policies  
46 and each year she gives the updates.

47 Mr. Torres asked if there were any issues with the busses.

48 Ms. Landwehrle noted that one of their big concerns is that they are worried that a parent did not  
49 respond to the survey in June. They do not want busses to tight and are a reasonable length.  
50 There are a lot of things to balance. They do have a meeting with the bus company in the first  
51 few weeks of school.

52 Mr. Torres added that it is also an issue with the cost of diesel.

53 Mr. Eckhoff questioned an expense from the Treasurer's Report. He asked if they could get a  
54 description.

55 Mr. Torres inquired if there are ongoing reviews.

56 Ms. Landwehrle explained that they have a multi-step approval process.

57 Ms. Lawrence suggested that Mr. Eckhoff review the Manifest.

58 Ms. Clark responded that the Manifest goes line by line with the expenses.

59 Ms. Lawrence added that once you review the Manifest you get a better understanding of the  
60 expenses.

61 Mr. Torres commented that they can review the top 5% of expenses.

62 Ms. Landwehrle added that they can do a summary and/or the ask the Treasurer for more detail.

63 Ms. Lawrence noted that there are two grant applications. She asked for any questions. She asked  
64 Ms. Landwehrle to speak about the summer PD that they are doing.

65 Ms. Landwehrle replied that there are a lot of great things going on in the summer here at  
66 MVVS. The Title I students have been very happy with their peers, and it has been a great  
67 program. They have also had a summer enrichment program. Ms. Holm and Ms. Hargreaves did  
68 Stop Motion and Animation it was no cost to families. They did it in the afternoons and it paired  
69 with Title I. Students were able to stay from 9-3:30. There was more intensive support in the  
70 morning and then enrichment in the afternoon. They had great feedback on that program and  
71 hopefully they can continue that next year.

72 Mr. Torres added that a lot of what the facilities team does should be publicized. People may not  
73 see what is happening, but there is a lot that is going on.

74 Principal Lecklider added that he can share the link with the newsletter with the board to post.

75 Ms. Clark noted that they could hand out flyers at the summer concerts in town.

76 Ms. Lawrence added that the budget calendar is included.

77 Ms. Landwehrle commented that they should also assign the subcommittee members.

78 **Ms. Clark motioned to approve the Consent Agenda items 1. June 6th, 2022, Draft**  
79 **Minutes, 2. MVSD June/July Facilities Update, 3. February 2022 Treasurer's Report, 4.**  
80 **March 2022 Treasurer's Report, 5. April 2022 Treasurer's Report, 6. MVVS Student**  
81 **Handbook, 7. MVSD FY24 Budget Calendar, 8. Grant Application I, 9. Grant Application**  
82 **II, 10. Curriculum and PD Office Update. Mr. Torres seconded the motion. The vote was**  
83 **unanimous, motion passed.**

84 V. Calendar Revisions

85 Ms. Landwehrle explained the calendar revisions.

86 Ms. Lawrence gave her support.

87 **Mr. Eckhoff motioned to approve the calendar revisions Ms. Clark seconded the motion.**  
88 **The vote was unanimous, motion passed.**

89 VI. Length of Academic School Day

90 Ms. Landwehrle explained that they are looking to start the school day at 7:35 a.m. - 2:10 p.m.  
91 This will be a change from the time of 7:45am.

92 Ms. Lawrence noted that the bonus is that it adds more instructional time.

93 Ms. Landwehrle responded that they would be adjusting the time before and after but not  
94 changing the overall amount.

95 Ms. Clark added that it is important to align things and the communication of this change will be  
96 critical. People are really sensitive to that.

97 Principal Lecklider remarked that adding the 10-minute instructional time is a win. He added that  
98 he understands that the messaging is important.

99 Ms. Landwehrle noted that their goal is to align bus and parent drop off.  
100 Ms. Landwehrle added that last year drop off was 7:35.  
101 Ms. Clark noted that she has heard a lot of parent frustration.  
102 Ms. Lawrence asked if they could try this change and then assess with feedback and not  
103 necessarily put out a MOU immediately.  
104 Mr. Torres asked if there is a way for kids that need assistance to be dropped off.  
105 Principal Lecklider replied that they can look at it.  
106 Ms. Lawrence noted that she has marked that for assessment and feedback. She thanked the  
107 MVEA for their support.  
108 Ms. Landwehrle noted that no board action is required. They will have to change the handbook  
109 as it will go live tomorrow.  
110 Ms. Lawrence commented that she would like to see a message to parents.  
111 VII. Nutrition Service Update  
112 Ms. Landwehrle mentioned that there is not a lot to share. After completing the Paid Lunch  
113 Equity Tool or the PLE Tool and researching other area school meal prices; the proposed meal  
114 pricing changes for the 2022-2023 school year are Breakfast \$1.75 and Lunch \$3.00. These  
115 increased meal prices to help offset the rising food cost, labor costs, and cleaning supply costs.  
116 Ms. Landwehrle continued that they are encouraging all of their families to fill out the form for  
117 Free/ Reduced Lunch.  
118 **Mr. Torres motioned to accept the updated meal pricing Ms. Clark seconded the motion.**  
119 **The vote was unanimous. Motion passed.**  
120 Mr. Eckhoff noted that they are also short staffed.  
121 Ms. Landwehrle commented that they are short a .6 Spanish teacher and Souhegan is missing a  
122 Spanish Teacher. They just refreshed the posting. They had an applicant but decline due to it  
123 being a part time position. She has had a lot of creative conversations. They could offer a full  
124 time position the only other idea is looking at the current specials to compensate for it. They do  
125 have a non-public session and can have a deeper discussion.  
126 Mr. Torres asked if they could share staffing with the middle school.  
127 Ms. Landwehrle added that she was thinking more of the high school, but the times would not  
128 align.  
129 Mr. Eckhoff asked about making Spanish a full time position.

130 Ms. Lawrence noted that the .6 was a victory. She inquired if they could do something with  
131 VLACS. It is not ideal. She does support the full-time position but knows that the community  
132 would not support it.

133 Ms. Clark inquired about the Spanish curriculum at AMS.

134 Mr. Torres emphasized the necessity of students learning Spanish in a global society.

135 Ms. Lawrence commented that he wonders about continuity for the students that have already  
136 started learning Spanish.

137 Ms. Landwehrle added that they can have a deeper discussion in non-public session that may or  
138 may not help. With VLACS, they may have the staffing to support, and she is not sure that it is  
139 engaging other students. It would be students working on their own.

140 Ms. Lawrence asked if any of the middle school teachers be amenable to doing video lessons and  
141 pay them with a stipend.

142 Ms. Landwehrle replied that that could be a possibility. They are also trying to provide exposure  
143 but need time for the teachers to prep.

144 Mr. Torres asked if it could be remote, they have to be creative.

145 Ms. Landwehrle commented that there are a lot of hands-on items. They can look at afterschool  
146 opportunities, with a club type of experience. They want to ensure a meaningful experience for  
147 their students.

148 Ms. Lawrence asked if they were to offer a full-time position would be able to fill it.

149 Ms. Landwehrle replied probably not.

150 Principal Lecklider added that it would be a big challenge.

151 Ms. Clark inquired if they took on a different language.

152 Ms. Landwehrle replied that is a great question, although there are probably more Spanish  
153 teachers than French teachers and they are harder to find. They can update the posting with  
154 Spanish or French and see if we got anything.

155 Mr. Torres added that it is a nationwide issue with staffing, there are so many people leaving the  
156 profession.

157 Mr. Eckhoff inquired if they have reached out to local colleges.

158 Principal Lecklider responded that he did reach out to one college, and they were not optimistic.

159 Ms. Clark added that there needs to be more discussion.

160 Ms. Lawrence commented that they are thinking out of the box and want to provide continuity.

161 VIII. Middle School Structure

162 Ms. Landwehrle commented that AMS is doing a little bit of internal restructuring to better  
163 support students. The restructure is around student services, and they are looking to create a  
164 school within a school. There is going to be a 5/6 school and then a 7/8 school. That was already  
165 in place at the middle school in some sense because 5<sup>th</sup> and 6<sup>th</sup> grade teams have two teachers  
166 that are STEM/humanities teachers which is what we do here. In 7<sup>th</sup> and 8<sup>th</sup> grade it is a very  
167 different teaming structure, we have a math, science, social studies, and English teacher, so you  
168 get four teachers.

169 We have always had that distinction. In looking at that, it is developmentally meeting the  
170 students needs. The lower middle school, 5<sup>th</sup> and 6<sup>th</sup> grade will have one school counselor, one  
171 social worker and one of our assistant principals. The upper school will have one school  
172 counselor, one social worker and then Mr. John Schuttinger as our Assistant Principal providing  
173 all student services supports. He has experience overseeing Special Education. They will be  
174 checking in at the end of October. She noted that she is happy to answer questions.

175 Ms. Lawrence inquired what has changed with the warrant.

176 Ms. Landwehrle replied that the ASB has focused on the elementary school and not the middle  
177 school at this time. They had a little bit of sticker shock with the Amherst community even  
178 though they would see cost savings and efficiency in the long run. Our greatest challenge is still  
179 with Clark/Wilkins. It is a logistical challenge with two buildings, and they are at the point at  
180 they have turned closets into offices, so every single space is being utilized. They know that they  
181 are bursting at the seams, and do not have small group instruction spaces. They have 4 different  
182 interventionists sharing one classroom. JFAC will only be moving forward with the elementary  
183 school project, but it will not have an impact on Mont Vernon further down the road.

184 Ms. Lawrence added that Mr. Chamberlin has offered to do a mini retreat with the board about a  
185 more informed conversation about what it entails. There is a tentative date for September 20<sup>th</sup>.  
186 No one has responded and she will ask Mr. Chamberlin for an alternative date. The change of the  
187 warrant gives them a little more time.

188 Discussion ensued over the date of the mini retreat.

189 Ms. Lawrence remarked that she will coordinate with Mr. Chamberlin. She added that they are  
190 being included in JFAC in a thoughtful way.

#### 191 IX. Board Goals

192 Ms. Landwehrle noted that the first three goals are the academic goals that they worked closely  
193 with the teacher on.

194 Mr. Torres gave his support for the Social Emotional Learning goal.

195 Ms. Lawrence commented that Community Engagement is something that they are working on.  
196 She inquired for board thoughts on action steps.

197 Ms. Clark noted that she would prefer measurables on what is effective and is not effective.

198 Ms. Lawrence asked what would be a good measurable.

199 Ms. Clark replied gathering data on participation and engaging the community in general.  
200 Getting a baseline data point will give them something to shoot for next year once they know the  
201 level of engagement.

202 Ms. Lawrence commented that they should highlight the minutes with a summary sheet. Their  
203 minutes are searchable and then the question is where they share that.

204 Ms. Clark mentioned that the groundwork they lay needs to be sustainable.

205 Ms. Lawrence added that the intent behind this is that they are looking to engage the community.  
206 She would hope that community members would reach out to share their ideas.

207 Ms. Clark remarked that they need to get a base line.

208 Ms. Lawrence asked for additional questions for board goals.

209 She suggested adding a bullet about long term goals.

210 Ms. Lawrence asked for additional questions on the board goals.

211 There were no additional questions.

212 X. Policy BHC

213 Ms. Lawrence noted that this policy was brought up recently and there was a slight revision. The  
214 MVEA has asked for them to consider them adopting the same language as Amherst and  
215 Souhegan.

216 Ms. Landwehrle noted that Amherst removed just a few sentences from their policy. If you look  
217 at it is the last paragraph. It was clarifying the chain of command; it was not the intent to make  
218 their staff anxious or nervous. The change would make the MV policy in line with Amherst's  
219 policy.

220 Ms. Lawrence added that it makes a lot of sense. She would be in favor of accepting those  
221 changes.

222 Mr. Torres gave his support.

223 **Motion to revise BHC to remove in the last paragraph “by either party” and then stop the**  
224 **sentence after “unethical behavior by the school board member” what would come out is**  
225 **“and could cause the staff member to violate this policy”. Mr. Eckhoff to second the**  
226 **motion. The vote was unanimous, motion passed.**

227 XI. Nominations

228 Ms. Landwehrle placed into nomination Ms. Sherry Hall, Grade 3 Teacher, MVVS BA+15 Step  
229 6, \$52,948 FTE 1.0.

230 **Ms. Clark motioned to accept the nomination. Mr. Eckhoff seconded the motion. The vote**  
231 **was unanimous, motion passed.**



232 XII. Non-Public Session

233 **Mr. Torres motioned to move into Non-Public Session RSA 91 A:3 II (c) at 8:24PM. Mr.**  
234 **Eckhoff seconded the motion. The vote was unanimous, motion passed.**

235 Non-Public Attendees: Ms. Landwehrle, Mr. Lecklider, Mr. Eckhoff, Ms. Clark, Mr. Torres.

236 The board discussed a staffing issue.

237 XIII. Public Session

238 **Ms. Clark motioned to authorize reallocation of .6 Spanish position among the other**  
239 **specials as needed for one year because we are unable to fill the Spanish position. We**  
240 **would not be able to meet contractual obligations to provide preparation periods to our**  
241 **teaching staff. Mr. Eckhoff seconded the motion. The vote was unanimous, motion passed.**

242 XIV. Meeting Adjourned

243 **Ms. Lawrence adjourned the meeting at 9:16PM.**

244

Consent Agenda Item #2

# MVVS Principal's Report - 9/1/22

It takes a village to SOAR together....



We will Engage, Challenge, and Support All Learners

September 1, 2022



MVVS SOAR Matrix					
	Classrooms	Hallways	Recess	Lunch	Bus
Show Respect	-Use <b>Kind</b> Words -Listen when others are speaking	-Keep bodies to yourself (ie. hands and feet)	-Use <b>Kind</b> Words - <b>Listen</b> to adults -Good Sportsmanship, Teamwork, Cooperation	-Use Kind words	-Use manners with the drivers -Use positive and kind words
Others First	-Share and take turns -Listen to the ideas of your classmates	-Allow others to enter a room before you.	- <b>Share</b> and Take Turns	-Allow others to line up before you	-Allow those in front to exit the bus first
Always Safe	-Keep hands and feet to ourselves -Only go to safe places online	-Use walking feet -Stay to the right -Use doors properly	-Keep hands and feet to yourself -Go <b>down</b> the slide -Stay in playground area -Keep nature on the ground	-Walk to where you are going	-Stay seated for the entire ride -Keep hands and feet to yourself
Responsible Citizens	-Come to class ready to work -Use your time wisely -Listen to instructions -Take care of your laptop/iPad -Be a good digital citizen	-Help keep hallways clean	-Line up quickly and listen well -Clean up and return equipment	-Help keep MPR clean	-Help keep the bus clean

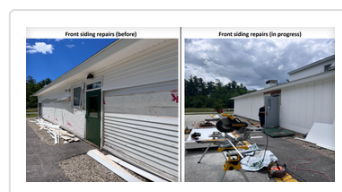
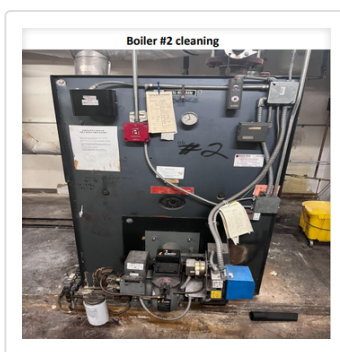
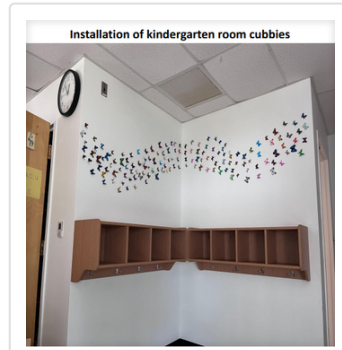
## SOAR Kickoff

We are a responsive school. Our first six weeks will focus on building a safe, positive, and caring learning community for our students. It truly takes a village to SOAR together. We will

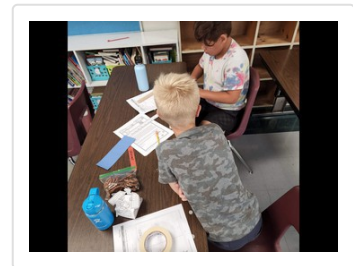
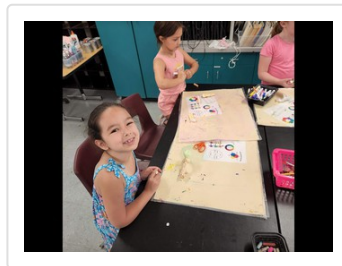
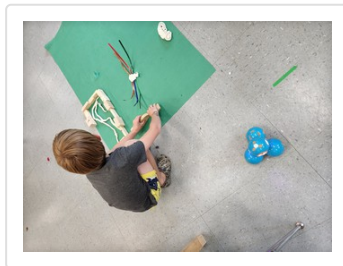
model what SOARing looks like in the many areas of our school. There is a good chance that Monty flies in during first few weeks.

## Recognitions

- Our mentors worked with our new staff on Friday, October 12th. Thank you to Kim Tighe and Amy Lavoie for their leadership and our mentor staff for their work. Welcome Sherry Hall (Grade 3), Kara Kucenski (Paraprofessional), Suzanne Mazak (Grade 6 Humanities). We are still looking for a paraprofessional.
- We had a large group of staff attend the Responsive Classroom training in June. We will be putting a strong focus on building positive community to start each day with morning meeting and ending each day with closing circle.
- A big thank you to our K-3, Humanities 4-6, special services staff, and Ms. Garrity for being involved in our literacy training on Monday, 8/22.
- All those teachers who are teaching math, K-5, were trained in the Bridges Math Program for two days in August. Thank you for your work!
- Our amazing MVVS PTA has been hard at work. We have our Ice Cream social scheduled for Wednesday, September 14th!
- A big thanks to Lori Philibotte and Megan Gallagan for all of their work on the Kindergarten Meet and Greet in August.



Siding was repaired in June and early July. We are excited to see the updates to the building. Crews have been hard at work in updating our HVAC ventilation systems, cleaning boilers, and installing shelving in Mrs. Philibotte's room.



## Summer Enrichment Program Highlights

It was a fun-filled four weeks of camp! Students learned basic coding using their Dash robots and an app called Blockly. They built sequences of code to build algorithms to solve basic challenges. The first programming challenge was to create a fashion show runway walk and the second was to tour a zoo. Being a STEAM-based camp, we took time to create fashion accessories and costumes out of craft materials, make clay animals, and build zoo maps. Math topics introduced abstract concepts such as understanding the distance between goals, as well as what 90, 180 and 360 degree turns are. We also reviewed right and left turns. There was emphasis on correcting our code with lots of trial and error!

## Title I and ESY

Both programs were very successful. We had solid attendance all summer (4-6 in ESY and 28 students in Title I). A big thank you to our summer staff for their work with our students.

**MONT VERNON VILLAGE SCHOOL  
ENROLLMENT REPORT 2022-23**

**AUG.\*\***

Grade	In School	VLACS	HS w/Reso urces
K	25		
1	28		1
2	31		3
3	29	1	1
4	32		5
5	36		
6	31		2
<b>Total:</b>	<b>212</b>	<b>1</b>	<b>12</b>

## Enrollment Update

As Powerschool enrollment is still open, these number will fluctuate.



## PTA Ice Cream Social

Our PTA will kick off the year with an ice cream social on September 14th.



## Items of Note

- **New Staff:** Please join me in welcoming the newest MVVS staff to our MVVS community.
  - Karen Rimol - School Psychologist: Ms. Rimol is a familiar face to the MVVS community as she worked in SAU 39 for many years.
  - Kara Kucenski - Paraprofessional - Ms. Kucenski is another familiar face to the MVVS community. She comes to us with vast education experience, most recently working at Clark-Wilkins school.
  - Suzanne Mazak - Grade 6 Humanities - Ms. Mazak has strong experience teaching at the elementary level in Nashua. We are fortunate to welcome Suzanne to our 6th grade team.
- **Vacancy:** We are still looking to fill our new individual paraprofessional vacancy.
- **Open House:** Our MVVS Open House is Thursday, September 8th, 6:00-7:00p. Students are welcome to attend the event. We will have a brief welcome and presentation for K-3 parents at 6:00p and for 4-6 parents at 6:30p in the MPR.
- **After-School Program:** The YMCA of Greater Nashua will run their Y-Academy after-school program at MVVS again this year. [Click their Y-Academy FLYER link for information.](#)
- **Girls on the Run** is back! They will be kicking off in September.

## Upcoming Events:

### August

25 - MVVS New Family Casual Meet and Greet, 5:00-5:30p (MVVS Playground)

25 - Kindergarten Meet & Greet, 5:30-6:30p (MVVS Playground)

30 - First Day of School

### September

8 - Open House, 6:00-7:00p

13 - Late Start (2 hours)

14 - MVVS PTA sponsored Ice Cream Social



## Mont Vernon Village School

 Facebook

 1 Kittredge Road, Mont Vernon,...

 [tlecklider@sau39.org](mailto:tlecklider@sau39.org)

 (603) 673-5141

 [sau39.org/mvvs](http://sau39.org/mvvs)



**Mont Vernon School District  
Treasurers Cash Journal - May 2022**

**Treasurers' Cash Journal**

DATE	DESCRIPTION	People's United Acct #502003822		DESCRIPTION	People's United Acct #502003822	
		AMOUNT			AMOUNT	BALANCE People's United Acct #502003822 AMOUNT
5/1/2022	Beginning Balance					\$988,726.91
						\$988,726.91
						\$988,726.91
5/5/2022	State of NH	\$5,819.90				\$994,546.81
						\$994,546.81
						\$994,546.81
5/10/2022				Direct Deposit	\$52,439.12	\$942,107.69
						\$942,107.69
				Expense CK#s 5057177-5057204	\$53,250.25	\$888,857.44
						\$888,857.44
5/12/2022	State of NH	\$17,880.98		EFT IRS	\$17,123.03	\$889,615.39
				Retirement	\$800.00	\$888,815.39
				Payroll CK#s 5057170-5057173	\$1,542.04	\$887,273.35
				Payroll DED CK#s 5057174-5057176	\$1,577.83	\$885,695.52
						\$885,695.52
						\$885,695.52
						\$885,695.52
						\$885,695.52
						\$885,695.52
5/16/2022	Deposit CK# 235552	\$496.87				\$886,192.39
	CK# 401813	\$53,121.83				\$939,314.22
	CK# 401799	\$340.00				\$939,654.22
	CK# 25381	\$327,817.00				\$1,267,471.22
	CK# 78761	\$500.00				\$1,267,971.22
	CK# 235013	\$463.24				\$1,268,434.46
						\$1,268,434.46
						\$1,268,434.46
						\$1,268,434.46
5/24/2022				Direct Deposit	\$62,536.60	\$1,205,897.86
				EFT IRS	\$21,312.30	\$1,184,585.56
				Retirement	\$800.00	\$1,183,785.56
						\$1,183,785.56
5/26/2022				Payroll CK#s 5057205-5057209	\$2,835.91	\$1,180,949.65
				Payroll DED CK#s 5057210-5057212	\$1,567.09	\$1,179,382.56
						\$1,179,382.56
				Expense CK#s 5057213-5057246	\$325,172.73	\$854,209.83
						\$854,209.83
						\$854,209.83
						\$854,209.83
						\$854,209.83
						\$854,209.83
5/31/2022	Deposit CK# 237244	\$1,272.67		Payroll DED CK#s 5057247-5057250	\$75,260.17	\$780,222.33
	CK# 401850	\$8.83				\$780,231.16
	CK# 236380	\$680.68				\$780,911.84
	CK# 25440	\$327,817.00				\$1,108,728.84
	CK# 4415	\$403.34				\$1,109,132.18
	CK# 236109	\$457.89				\$1,109,590.07
	CK# 235839	\$256.80				\$1,109,846.87
	CK# 236691	\$934.42				\$1,110,781.29
	CK# 1443	\$70.00				\$1,110,851.29
						\$1,110,851.29
						\$1,110,851.29
						\$1,110,851.29
						\$1,110,851.29
5/31/2022	Food Service	\$385.00				\$1,111,236.29
	Interest	\$68.66				\$1,111,304.95
	<b>TOTALS</b>	\$738,795.11			\$616,217.07	

Accounts Payable Voucher - May 2022

22-May	\$378,422.98
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Payroll Voucher

22-May	\$84,383.04
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Payroll - Direct Deposit & Taxes

22-May	\$153,411.05
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TOTAL

\$616,217.07
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5/31/2022

\$1,515,801.07

Outstanding A/P CK #

5055720	\$1,123.87	GW Shaw and Son
5055860	\$93.13	Rebecca Carle
5057043	\$332.17	Kristin Yonge
5057066	\$61.89	Thomas Kecjkuder
5057183	\$90.00	Educational Health Services LLC
5057193	\$324.22	Sara Millas
5057213-5057246	\$325,172.73	Expense CK's

AP Total

\$327,198.01

Outstanding P/R CK#

5056919	\$138.52	Erin Colaizzi
5056937	\$4.20	Lauren DeGennaro
5057205	\$138.52	Hannah Holmbom
5057208	\$749.44	Angelique Adams
5057211	\$1,007.26	MVEA
5057247-5057250	\$75,260.17	Payroll DED CK's

P/R Total

\$77,298.11

Total Outstanding  
Book Balance  
Adj Book Balance

\$404,496.12  
\$1,111,304.95  
\$1,515,801.07  
\$0.00

**Mont Vernon School District  
Treasurers Cash Journal - June 2022**

**Treasurers' Cash Journal**

DATE	DESCRIPTION	DESCRIPTION		BALANCE
		People's United Acct #502003822 AMOUNT	People's United Acct #502003822 AMOUNT	
6/1/2022	<b>Beginning Balance</b>			\$1,111,304.95
				\$1,111,304.95
6/3/2022	State of NH	\$4,367.44		\$1,111,304.95
				\$1,115,672.39
				\$1,115,672.39
6/7/2022			Direct Deposit	\$908,474.35
			EFT IRS	\$839,774.19
				\$839,774.19
				\$839,774.19
6/9/2022			Retirement	\$835,774.19
			Payroll CK#'s 5057251-5057255	\$833,186.96
			Payroll DED CK#'s 5057256-5057257	\$833,018.28
				\$833,018.28
				\$833,018.28
			Expense CK#'s 5057258-5057278	\$823,736.03
				\$823,736.03
6/13/2022	Void CK# 5057259	\$3,546.34		\$827,282.37
				\$827,282.37
				\$827,282.37
6/14/2022	Deposit CK# 237552	\$3,072.62		\$830,354.99
				\$830,354.99
				\$830,354.99
				\$830,354.99
6/21/2022			Direct Deposit	\$816,150.49
			EFT IRS	\$812,514.16
				\$812,514.16
6/23/2022	Void CK# 5057043	\$332.17	Payroll DED CK#'s 5057279-5057282	\$811,158.09
			Payroll DED CK# 5057283	\$810,997.66
				\$810,997.66
			Expense CK#'s 5057284-5057315	\$779,684.34
				\$779,684.34
				\$779,684.34
				\$779,684.34
6/28/2022			Payroll DED CK#'s 5057316-5057318	\$670,026.43
				\$670,026.43
				\$670,026.43
				\$670,026.43
				\$670,026.43
6/30/2022	Void CK# 5057066	\$61.89		\$670,088.32
				\$670,088.32
				\$670,088.32
6/30/2022	Deposit CK# 238659	\$800.13		\$670,888.45
	CK# 401888	\$528.75		\$671,417.20
	CK# 238145	\$1,304.27		\$672,721.47
	CK# 237877	\$1,628.37		\$674,349.84
	CK# 401872	\$16,625.85		\$690,975.69
	CK# 25533	\$327,817.00		\$1,018,792.69
				\$1,018,792.69
				\$1,018,792.69
				\$1,018,792.69
				\$1,018,792.69
				\$1,018,792.69
				\$1,018,792.69
				\$1,018,792.69
6/30/2022	Food Service	\$171.75		\$1,018,964.44
	Interest	\$57.93		\$1,019,022.37
	<b>TOTALS</b>	\$360,314.51		\$452,597.09

Accounts Payable Voucher - June 2022

22-Jun	\$40,595.57
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Payroll Voucher

22-Jun	\$118,262.49
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Payroll - Direct Deposit & Taxes

22-Jun	\$293,739.03
--------	--------------

TOTAL

\$452,597.09
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6/30/2022

\$1,142,203.32

Outstanding A/P CK #

5055720	\$1,123.87	GW Shaw and Son
5055860	\$93.13	Rebecca Carle
5057221	\$15.40	Nicole Donnell
5057225	\$74.08	Patricia Garrity
5057270	\$99.99	Lori Meader
5057286	\$1,500.00	Christina Anderson
5057287	\$1,510.75	Kiera Bell
5057290	\$5,292.50	Caring Hands Transportation
5057291	\$72.00	Kim Deppen
5057299	\$1,335.00	Living Voices
5057300	\$375.15	Jan Mattie
5057302	\$347.62	MSB Consulting Group LLC
5057304	\$40.12	Ricoh USA
5057308	\$52.99	Amy Simberg
5057309	\$108.00	Leslie Soule, Kidder, Sayward
5057311	\$93.60	The Telegraph
5057312	\$60.86	Kim Tighe
5057313	\$39.00	Christie Valihura
5057315	\$332.17	Kristin Yonge

AP Total \$12,566.23

CK#

Outstanding P/R

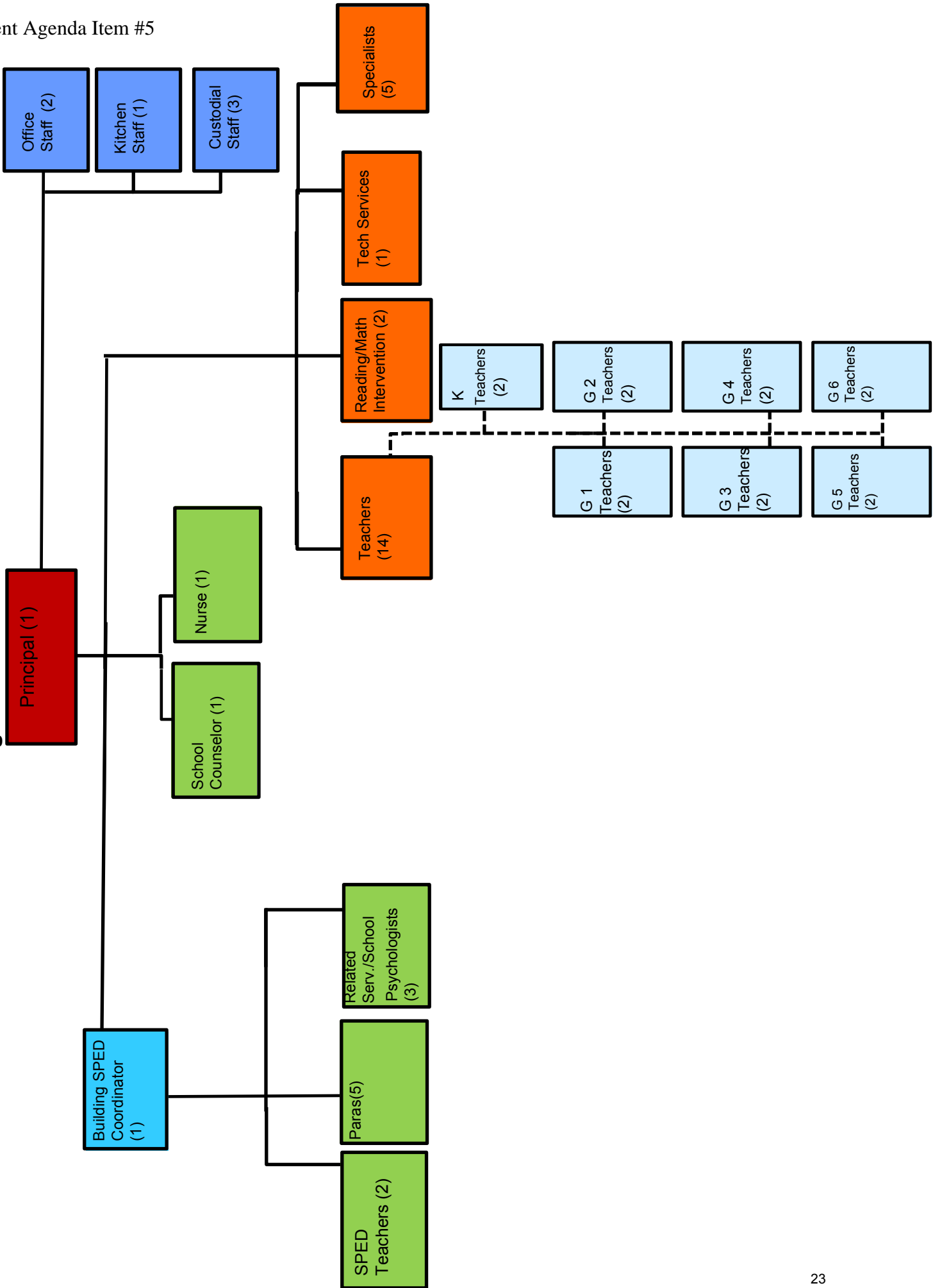
5056919	\$138.52	Erin Colaizzi
5057281	\$818.29	Angelique Adams
5057316-5057318	\$109,657.91	Payroll DED CK's

P/R Total \$110,614.72

Total Outstanding	\$123,180.95
Book Balance	\$1,019,022.37
Adj Book Balance	\$1,142,203.32
	\$0.00

2022 - 2023

# Mont Vernon Village School Organizational Chart



**SAU #39**

**8/23/2022**

**Mont Vernon Village School**

**August Facilities Update**

**Vendor Maintenance Completed**

- Fire extinguisher inspection
- Parking lot line striping
- Duct board replacement project
- HVAC fin tube controller upgrade
- Installation of chimney cap and indoor cleanout
- Rekeyed kitchen exterior door lock
- Painting 5 exterior doors
- Install ductless split for IT room
- Internal door repairs
- Temporary facilities cleaning services
- Installation of kindergarten room curved bench
- Waste management services weekly schedule
- Monthly pest services monitoring program

**MVVS Facilities Staff Projects Completed**

- Reinstalled smoke detector in ceiling tile
- Reattached door closer to door in room 9
- [Daily water meter readings are being recorded](#)
- [Daily cleaning and disinfecting](#)
- Weekly generator test
- [Weekly fuel readings are being recorded \(building fuel and generator\)](#)
- [Monthly fire extinguisher inspection](#)
- [Monthly underground storage tank inspection](#)

**Upcoming Work**

- Installation of outdoor shed (October)



Duct board replacement project



Duct board replacement project



Duct board replacement project



Duct board replacement project



**Duct board replacement project**



**Duct board replacement project**



**Duct board replacement project**



**Duct board replacement project**



## Mont Vernon School District Board Goals 22-23 School Year

### **Literacy:**

Goal: Promote a literacy rich environment and encourage interest in writing for all students.

#### Action Steps:

- Implement Foundations phonics instruction with fidelity (30 minutes daily) in Grades K-3.
- Implement Heggerty phonemic awareness instruction with fidelity (10 minutes daily) in Grades K and 1.
- Access Newsela (Grades 2-6) on a routine basis to provide students with challenging and complex text across the content areas.
- Utilize NHSAS modular assessments in grades 3-6 for reading and writing.
- Support a school-wide reading challenge and school-wide writing showcase.
- Use grant funds to support a writer in residence
- Provide summer PD to teachers in writing
- Focus on instruction and assessment of writing (year-long focus/support) including a framework for organizing writing
- Support teachers in calibration and double scoring of writing K-6 using common rubrics

#### Outcomes:

65%-75% of Grades K and 1 students will meet target growth as measured by NWEA MAP assessment.

60%-70% of Grades 2-6 students will meet target growth as measured by NWEA MAP assessment.

Student growth in writing from beginning of the year to end of the year on common assessments using common rubrics.

### **Math:**

Goal: Support the development of mathematical thinking by continuing to encourage interest and excitement in math for all students.

#### Action Steps:

- Implement a new math resource that supports the development of deep conceptual understanding (K-5).
- Provide math professional development to all math teachers including math implementation training and targeted professional development sessions.
- Continue with a school-wide math initiative including sorting students into houses, posing math/STEM challenges, and hosting math club carnival.

#### Outcomes:

70%-80% of K and 1 students will meet target growth as measured by NWEA MAP assessment.

65%-75% of 2-6 students will meet target growth as measured by NWEA MAP assessment.

Increased interest in and enjoyment of math from students through teacher feedback and or student surveys.

## **Social and Emotional Learning:**

Goal: Create a supportive classroom and school environment to ensure the social and emotional needs of all students are met.

### Action Steps:

- Provide Responsive Classroom training to all staff (summer four day core course and one day course on August in-service day).
- Provide ongoing professional development to teachers in Responsive Classroom, focusing on a different area for each professional development session.
- Provide job embedded Responsive Classroom coaching for teachers throughout the school year to meet individual teacher needs.
- Continue to implement the Second Step program during weekly guidance lessons.

### Outcomes:

Teachers will show growth from the beginning of the year to the end of the year in their understanding and use of Responsive Classroom techniques as measured through Responsive Classroom Assessment Tool.

Students will show growth from beginning to the end of the year through a Social Emotional Learning tracking sheet completed by the school counselor and classroom teacher.

## **Community Engagement:**

Goal - Identify possible tools and pathways for community engagement to enhance communication with the community

### Action Steps:

- Survey community to determine possible best pathways and tools to engagement
- Trial different modalities for communication and track their effectiveness in terms of attendance/interaction
- Ensure access to reports and budgets by making them easily accessible on our website
- Budget funds for direct mail or creation of flyers if the survey supports that communication method

### **Outcomes**

The board will gather baseline information from the communication survey to set measurable goals.

## **Facility Review:**

Goal: Ensure proper use of existing facilities for all curricular needs (music, art, nurse, etc.).

### Action Steps:

- Review current student and staff instructional needs and align curricular needs to existing spaces.
- Collaborate with the Director of Facilities on current space needs and best utilization.
- Develop a draft plan by December for space use for the 23-24 school year with feedback from staff.
- Review long term projects to stay current on emerging needs and adjust to add additional projects based on newly identified needs.

Outcome: Finalized facility map for 23-24 school year with most effective use of learning spaces by March 2023.  
Updated long-term project list by January 2023.

**SCHOOL ADMINISTRATIVE UNIT THIRTY-NINE**

Amherst, Mont Vernon, and Souhegan Cooperative School Districts



STEVEN CHAMBERLIN  
Interim Superintendent of Schools

CHRISTINE M. LANDWEHRLE  
Assistant Superintendent

MARGARET A. BEAUCHAMP  
Director of Student Services

AMY FACEY  
Business Administrator

To: Mr. Stephen O’Keefe, SAU 39 Board - Chairperson  
From: Steven Chamberlin, Interim Superintendent  
RE: Policy Update – August 2022 (Revised)

August 23, 2022

Dear Chairperson O’Keefe,

This is an update to my previous memo dated August 17, 2022. My revision is submitted with additional work from the Policy Committee on August 23, 2022.

The Policy Committee met throughout the spring and summer months to review various policies. The attached policies are presented for the SAU 39 Board as one of the following:

1. First Read for SAU Board and subsequent review by the Amherst, Mont Vernon, and Souhegan Cooperative School Boards.
2. Reviewed by the Policy Committee (no Board action required)
3. Recommended to rescind

**Process**

Policies are presented to the Board only after the policies are submitted to review and editing (when necessary) by the Policy Committee. Staff is consulted, and legal counsel sought when necessary.

The following policies are submitted for the SAU 39 Board consideration:

Policy	Recommendation
BCEK	First Read
BEC	First Read
BEDG	First Read
BEDH*	First Read
BGAA	First Read
BHC*	First Read
DAF	First Read
EBCG*	First Read
EEAEA*	First Read
GBEF*	First Read
GBGBA	First Read
IHBAA*	First Read
JICC*	First Read
JICD*	First Read
JICDAA*	First Read
JLCJA	First Read
BBBC	Reviewed – no Board action

GA	Reviewed – no Board action
GADA	Reviewed – no Board action
GBE	Reviewed – no Board action
GBEA	Reviewed – no Board action
GBG*	Reviewed – no Board action
GBGAB*	Reviewed – no Board action
GBJ*	Reviewed – no Board action
GCB/GBD*	Reviewed – no Board action
GCBA*	Reviewed – no Board action
G CBD/CDBD*	Reviewed – no Board action
GCBDA*	Reviewed – no Board action
GCIB/GDMC*	Reviewed – no Board action
GCJA*	Reviewed – no Board action
GCJB*	Reviewed – no Board action
GCK*	Reviewed – no Board action
GCL*	Reviewed – no Board action
GCM*	Reviewed – no Board action
GCMA*	Reviewed – no Board action
GCQA*	Reviewed – no Board action
GCQB*	Reviewed – no Board action
EBCA (Mont Vernon only)	Rescind – RSA covers this policy
EEAE-R (Mont Vernon only)	Rescind – Committee recommends this is serves best as guidelines, not policy
Emergency Policy for Personal Protective Measures*	Rescind – no longer needed
GBCD-R (Souhegan only, pending PPC review)	Rescind – NHSBA recommends this to be withdrawn
GBGAA (Mont Vernon/Souhegan)*	Rescind – once EBCG AND JL CG are in place
GCC (Mont Vernon only)*	Rescind – in MV only

This memo has been revised to reflect any work completed during the Policy Committee meeting on August 23, 2022. Policies added are noted as \*

**Requested Board Action**

1. Approve relevant policies as a “First Read” and move to Amherst, Mont Vernon, and Souhegan Cooperative School Boards for “First Read.”
  - a. Policies approved as a “First Read” which is relevant to the SAU shall be submitted in the September Consent Agenda.
2. Accept the Policy Committee’s report for all “Reviewed” policies.
3. Vote to approve rescission of policies recommended for such action and move to other Boards.

## Policies Recommended for MVSB First Read

**BCEK- POLICY ON PUBLIC STATEMENTS**

It is the policy of the Board to foster open and informative communication with the public directly and through the media consistent with a strict adherence to the privacy requirements of the federal and state laws. Any statements, announcements, or press releases on behalf of the District or the Board shall either be made by or at the direction of the Superintendent, the Superintendent’s designee, or through the Board. In instances where a statement, announcement, or press release is needed from the Board and there is not time to call an emergency meeting, the Board Chair is responsible for making such statements on behalf of the Board. In the absence of the Board Chair, the most senior Board officer available, or in their absence the most senior (in time as a board member) available Board member is delegated the authority to act.

FIRST READ



**BEC - NON-PUBLIC SESSIONS**

The Board may meet in non-public session for any of the purposes set out in RSA 91-A:3. **Non-public sessions may only occur after a duly noticed public meeting has been called to order, and before that meeting is adjourned.** Once the public meeting has been convened, the Board may enter non-public session at any time during such meeting if a majority of the Board, by roll-call vote, find that sufficient grounds under 91-A:3, II exists. A non-public session may occur during a duly notice meeting irrespective of whether a non-public session appeared on either the meeting notice or meeting agenda.

The motion calling for a non-public session will state the matter(s) to be discussed and will state the statutory reason(s) for entering non-public session.

The Board shall record minutes of all non-public sessions, and such minutes shall be made available and or “sealed”, in accordance RSA 91-A:3. Required content and availability regarding minutes of non-public sessions are described in Board policy BEDG – Minutes.

The minutes of the non-public session constitute the record of that session. Information discussed in non-public session shall remain confidential except to the extent the same is required to be disclosed subject to applicable law or court order, or as authorized by the Board.

The Board shall require the presence of the Superintendent or their designee (see N.H. Dept. of Education Rule Ed 303.01(f)), except those non-public sessions that pertain to the Superintendent’s employment.

Each year the Superintendent is directed to obtain and provide to each Board member copies of any NHSBA Non-Public Session Checklist, and update the same during the year as made available by NHSBA.

**Legal References:**

- RSA 91-A:3, Non-Public Sessions
- RSA 91-A:4, Minutes and Records Available for Public Inspection
- RSA 42:1-a, Oaths of Town Officers: Manner of Dismissal; Breach of Confidentiality
- N.H. Dept. of Education Administrative Rule – Ed 303.01(j); Substantive Duties of School Boards

## BEDG - MEETING MINUTES

### A. Minutes Required.

Under RSA 91-A, the Board, and each of the Board's committees (*irrespective of* whether standing or ad hoc, and *irrespective of* whether deemed a sub-committee or an advisory committee) is required to keep minutes for every "meeting" as defined under 91-A:2, I. As used below, "Board" shall mean and include the district school board, and each such board committee.

The Board will appoint a "minute taker" to prepare the minutes of each meeting. Should the person so appointed be absent from all or part of a meeting (e.g., non-public session), the Chair, subject to being overruled by the Board, shall appoint a person to take the minutes.

In addition to "minutes" as described below, a more comprehensive "record" and/or "decision" may be required in the event of a "hearing" regarding individual rights/claims (e.g., teacher non-renewal, student expulsion, manifest educational hardship, etc.). In such instances, the Board and or Superintendent should consult with counsel to assure that any statutory or regulatory requirements are satisfied.

### B. Required Content of Minutes.

At a minimum, all minutes, including minutes of non-public sessions, must include:

1. the names of members participating;
2. persons appearing before or addressing the Board (members of the public who do not address the Board, and are there as attendees only, do not need to be identified);
3. a brief description of each subject matter discussed<sup>1</sup>;
4. identification of each member who made a first or second of any motion;
5. a record of all final decisions;
6. when a recorded or roll call vote on a motion is required by law or called for by the Chair (or other presiding officer), a record of how each board member voted on the motion; and
7. in the event that a board member objects to the subject matter discussed by the Board, if the Board continues the discussion above the member's objection, and upon the request of the objecting member, then - and irrespective of whether the objection/discussion occurred in public or non-public session - the public minutes shall also reflect (i) the objecting member's name, (ii) a statement that the member objected, and (iii) a "reference to the provision of RSA 91-A:3, II that was the basis for the objection and discussion." (See RSA 91-A:2, II-a.).

See Section D below for additional content requirements for minutes of any meeting at which the Board enters a non-public session.

### C. Approval and Access to Minutes.

Approval and availability of minutes will depend in part on whether the minutes are of a public or non-public session, and as to non-public minutes, whether they are sealed or not. “*Approved minutes*” refers to the final version of minutes approved by vote of the Board. “*Draft minutes*” refers to minutes that have not been formally approved by the Board. “*Sealed minutes*” refers to minutes from a non-public session and which the Board has determined should not be disclosed pursuant to RSA 91-A:3, III and as discussed in Section D, and Section C paragraph 5, below.

1. Location and Retention of Minutes. In accordance with Board policy EH, and N.H. Dept. of Education rule Ed 302.02 (j), all minutes will be kept at the office of the Superintendent. Minutes for non-public sessions that have not been sealed shall be kept in the same location and indexed in the same manner as for public minutes.
2. Access to Approved & Unsealed Minutes. Approved and unsealed minutes shall be available for inspection by the public during the normal business hours of the SAU office, and in accordance with RSA 91-A:2 through 91-A:4 (subject to the exemptions stated in RSA 91-A:5), and Board policy EH. Requests for access to minutes shall be processed in accordance with District administrative procedures EH-R.

Additionally, all approved and unsealed minutes shall be posted in a consistent and reasonably accessible location on the District's web site, or the web site shall contain a notice describing where the minutes may be reviewed and copies requested.

3. Access to Draft Minutes and Minute Preparation Materials. “Draft” or “unapproved” minutes that have not been sealed will be available for inspection upon request at the SAU office during normal business hours.<sup>2</sup> Drafts for public sessions must be available within 5 business days of the meeting, while drafts of non-public session minutes that have not been sealed by the Board must be available within 72 hours (3 calendar days) of the meeting.

Notes and other materials used in the preparation of the minutes must be retained until the minutes are approved or finalized and shall likewise be available for inspection during that period.

4. Approval of All Minutes Other Than Sealed. Draft public minutes and non-public minutes that were not sealed will be sent to the members of the Board before the meeting at which they are to be approved. Changes made by the Board to draft minutes shall be recorded either by (i) retaining the draft with the final approved minutes, (ii) including notations (e.g., “redline” edits) in the final approved minutes, or (iii) outlined in the minutes of the meeting at which the Board approved.
5. Approval of Sealed Non-Public Minutes of Non-Public Sessions. Unless previously sealed by the Board, draft minutes for all non-public sessions will be made available for public inspection within seventy-two (72) hours after the non-public session.

Drafts of non-public minutes will be provided to the Board, either (i) at the conclusion of the non-public session and may be approved at the time, prior to any vote to seal, or (ii) if sealed,

## BEDG - MEETING MINUTES

provided to Board at the meeting, if any, at which they are to be approved. If copies of draft sealed minutes are provided to Board members for the purpose of review and/or approval, the copies shall be recovered by the Chair or recording clerk and destroyed. Only the official record copy may be retained, with a list maintained for sealed non-public minutes as described in Section D, below.

### **D. Special Provisions for Minutes Relating to Non-Public Sessions.**

For any public meeting that includes a non-public session (see Board policy BEC for statutorily required procedures relative to entering and exiting non-public sessions), additional information beyond that discussed in Section B paragraphs 1- 7, is required both for the public meeting minutes, and for minutes specific to the non-public session, irrespective of whether the non-public minutes are “sealed” (see discussion in Section \_\_, below).

1. **Information Regarding Non-Public Session Included in Public Minutes.** The public minutes of the meeting at which the non-public session occurs must include the statutory reason given in the motion as the foundation for each non-public session, as well as a roll call record of how each Board member voted on the motion to enter. Public minutes must also reflect any motion to seal (described in Section C paragraph 2., above), along with the statutory reason permitting the sealing, and record how each member voted on the motion to seal.
2. **Sealing Non-Public Minutes.** As used in this policy, “sealed” minutes in reference to minutes of non-public sessions, means that the Board determined by 2/3 majority vote in public session that “divulgence of the information” (i.e., information in the minutes of the non-public session):
  - i. Would affect adversely the reputation of a person other than a Board member;
  - ii. Would render ineffective the action/proposed action taken in non-public session; or
  - iii. Pertains matters relating the preparation for and carrying out of all emergency functions intended to thwart a deliberate act intended to result in widespread or severe damage to property or widespread injury or loss of life (i.e., terrorism).
  - a. A motion to seal, if any, should be the first item of public business after the Board exits the non-public session, and must state one of the three grounds above allowing sealing.
  - b. If the minutes are not prepared/approved during the non-public sessions itself, the Board should discuss the content of the minutes prior to exiting so that any vote to seal will be an informed vote.
  - c. When making or voting upon a motion to seal, the movant/Board should consider and state the duration that minutes be sealed based upon the grounds supporting the sealing. *This can be done either by stating a date they sealed until, or a date by which the Board might review the minutes status.* For instance, minutes sealed because divulgence of the information would likely affect adversely the reputation of a person other than a member of the Board might be remain sealed

## BEDG - MEETING MINUTES

permanently, while minutes sealed because disclosure would “render the action ineffective” should be sealed only for as long as that reason exists or is anticipated to exist. *Pursuant to RSA 91-A:3, III, non-public minutes relating to discussion about lease, purchase or sale of property (91-A:3, II(d)) must be made available “as soon as practicable after the transaction has closed or the Board has decided not to proceed with the transaction.”*

3. Minutes of the Non-Public Session Itself. In addition to the information included in all minutes as described in Section B paragraphs 1-7, above, minutes of the non-public session must include “all actions” and decisions (i.e., votes, including negative votes) taken by the Board, with a record of how each member voted. If the Board does not “seal” the minutes of the non-public session, then such information must be disclosed to the public within 72 hours of the close of the meeting.
4. Sealed Minutes List. In order to comply with RSA 91-A:3, III, the Superintendent is directed to maintain a list of all sealed minutes for non-public sessions occurring after July 1, 2021. The list (referred to as the “Sealed Minutes List”) shall include:
  - a. the name of the public body (e.g., School Board, Policy Committee, etc.);
  - b. the date, time and location of the public meeting (from meeting notice);
  - c. the start and end times of the non-public session;
  - d. the specific grounds upon which the non-public session occurred (e.g., RSA 91-A:3, II (b) and (c), etc.);
  - e. the specific grounds upon which the minutes were sealed (e.g., “disclosure would render the action ineffective” or “disclosure would likely adversely affect the reputation of a non-board member,” etc.);
  - f. the date the vote to seal the minutes occurred;
  - g. the date, if any stated in the original motion or subsequently, on which the sealed minutes will be unsealed; the motion to seal should,<sup>3</sup> when possible, state the date the minutes should be unsealed or at least reviewed by the Board or other public body; and
  - h. the date, if any, of a subsequent decision to unseal the minutes.

The Sealed Minutes List shall be updated each time the public body seals non-public minutes, and the updated List shall be made as soon as practicable for public disclosure.

5. Reviewing Sealed Minutes.

The Board may appoint a delegate the authority to review previously sealed minutes to one or more Board members, the Superintendent or other appropriate administrator. Sealed minutes shall be reviewed every 3 years and unsealed by majority vote of the Board if the circumstances justifying sealing the minutes no longer apply. Although

## BEDG - MEETING MINUTES

discussion of whether to unseal such minutes can occur in non-public session pursuant to RSA 91-A:3, II (m), any vote to unseal must occur in public session.

### Legal References:

RSA 91-A:2, Meetings Open to Public

RSA 91-A:3, Nonpublic Sessions

RSA 91-A:4, Minutes and Records available for Public Inspection

RSA 189:29-a, Records Retention and Disposition

N.H. Dept. of Education regulation Ed 302.02 (j), Substantive Duties of Superintendents

FIRST READ

## AMHERST, MONT VERNON, SOUHEGAN, and SAU39 POLICY

### BGAA - POLICY DEVELOPMENT, ADOPTION AND REVIEW

- A. Policy Committee Formation. The SAU Policy Committee should be comprised of no more than two members from each constituent board (ASB, MVSb, SCSB), appointed by the boards at their organizational meetings after new board members are seated (and replaced as needed by the respective appointing board in the case of a vacancy). Each board will appoint no more than two members of the policy committee. The Policy Committee will elect a Chair and Vice-Chair/Secretary at its first meeting after the Board organizational meetings. The Superintendent and Assistant Superintendents shall be *ex officio* non-voting members of the committee.
- B. Policy Committee Responsibilities and Meetings. The SAU 39 Board's Policy Committee with the advice and counsel of the Superintendent, is responsible for recommending policies and policy actions to all Boards for their consideration, including adopting new policies, revising existing policies and deleting obsolete policies in each District and the SAU (if applicable).
- C. Policy Committee Meetings and Agendas. The Superintendent or his/her designee, in consultation with the Policy Committee Chair shall prepare all agendas for the meetings of the Policy Committee.
- D. Review of Existing Manual. The Policy Committee shall establish a schedule for reviewing existing Board policies, and forming recommendations regarding the same for the Boards.
- E. Procedures for Policy Development and Review,
1. Individual Board members, Board standing or special committees, the Superintendent or other interested persons may submit policy suggestions, concerns, and/or drafts to the Policy Committee, in care of the Superintendent.
  2. The Superintendent or designee is responsible for notifying the Board and the Policy Committee of all policy updates and revisions provided by the New Hampshire School Boards Association. The Policy Committee will review such updates and make recommendations deemed appropriate under this policy.
  3. The Policy Committee, with the assistance of the Superintendent, will review and research policy suggestions and prepare draft policies, as appropriate. The Policy Committee may delegate research and initial drafting to other Board standing committees, to District staff or others at the discretion of the Policy Committee and the Superintendent. If a policy is referred to a committee, staff, professional or other person for initial review/drafting, the policy shall be reviewed by the Policy Committee before submission to SAU-wide review and approval process.
  4. The Superintendent should seek counsel of the Board's attorney or the New Hampshire School Boards Association when there may be a question of legality or proper legal procedure in the substance of any proposed or current board policy.

## AMHERST, MONT VERNON, SOUHEGAN, and SAU39 POLICY

### BGAA - POLICY DEVELOPMENT, ADOPTION AND REVIEW

5. The Policy Committee may also seek input from other affected persons and/or groups as appropriate.
  6. The Policy Committee will provide recommendations for new policies (including full text of policies/revisions to be considered for action by any Board), as well as recommendations for repeal of existing policies, to the SAU Board prior to September 1 each year. Policy Committee reports should also include any information requested by any Board, and any other information deemed appropriate by the Policy Committee.
- F. Actions Required to Approve, Revise or Repeal Policies. Any final action regarding the approval of a new policy, or revision or repeal of an existing policy, requires a majority vote of a quorum of the governing Board of a district that is adopting it, or the SAU Board for policies that apply to the SAU, at a public meeting.
1. To assure that policies are identical to the extent possible across the SAU and its constituent Districts, Policy Committee recommendation shall be placed on the agenda of a regular SAU Board meeting for review and discussion among all the constituent School Board members (for policies actions applicable to individual Districts), or among SAU Board members (for policy actions applicable at the SAU level). The SAU Board, at this informational session, shall identify concerns or desired changes to the recommendations, and refer draft Policies that require amendment back to the Policy Committee for review and revision, in a good faith effort to find common language to the extent possible. Once consensus is reached at the SAU Board level (or customizations for specific district concerns are determined to be necessary), recommendations shall move on to the individual Districts (or the SAU Board for SAU Policies) for review and adoption.
  2. Policy Committee recommendations shall be placed on the agenda of each individual District at a regular Board meeting and will be made part of the agenda package for that meeting.
  3. Policies (new, or recommended for amendment or rescission) that are intended to apply to a single District in SAU 39 shall bypass SAU 39 Policy Committee and SAU Board initial review, and follow the same process for review, comments, amendment, and adoption as for other policies within District, starting with a "first reading".
  4. All new policies, and/or revisions to existing Board policies are subject to a "first reading" by the full Board to occur at a regular Board meeting. (There is no requirement that proposed policies/revisions be read aloud at the meeting, although either a majority of the Board or the Chair may determine that actual reading is appropriate).



## AMHERST, MONT VERNON, SOUHEGAN, and SAU39 POLICY

### BGAA - POLICY DEVELOPMENT, ADOPTION AND REVIEW

5. The Board will allow opportunity for public comment on policy proposals per Board policy as part of its Public Time, or in an additional time as determined by the Chair.
  6. Any changes agreed upon or requested by the board during the first reading shall be sent back to the Policy Committee to attempt to find standardization across all Districts if the policy is intended to be identical SAU-wide, and the process shall restart. If the Board intends to not adopt a uniform version, the changes shall move forward to the next reading.
  7. At the next Board meeting (or a later meeting, if so agreed by the Board), the policy shall be placed on the agenda for a second (or additional) reading, and action. Amendments may be made and acted upon at that meeting, or may be referred for further revision, etc.
  8. Prior to final approval by the Board, each policy will be titled, dated, and coded consistent with the classification system used by the New Hampshire School Boards Association.
  9. 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.
  10. Approved policies become effective immediately unless the motion to approve the policy, or the policy itself, includes a specific implementation date.
- G. Suspension of Policy Process.
1. The Board may adopt, amend, or repeal written policies at any meeting by a majority vote of Board members in attendance, provided that public 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, a meeting agenda delivered to each Board member is deemed sufficient if it identifies the policy to be acted upon.
  2. On matters of unusual or unexpected urgency, the Board may waive the second meeting limitation and take immediate action to adopt a new policy or revise an existing policy.
- H. Policy Dissemination, Records and Manual Updates.
1. All Board policies, and any written administrative rules and regulations implementing such policies constitute governmental records and are subject to the provisions of RSA 91-A.
  2. Notice of new, revised, and deleted policies should be provided to affected groups (i.e., school staff, students, parents) and posted on the district website and by other such appropriate means determined by the Superintendent.

## AMHERST, MONT VERNON, SOUHEGAN, and SAU39 POLICY

### BGAA - POLICY DEVELOPMENT, ADOPTION AND REVIEW

3. The Superintendent shall retain as government records copies of all policies deleted from the Board policy manual.
4. An up-to-date policy manual shall be maintained on the District's website with a hard copy, in the Superintendent's Office.

FIRST READ

# AMHERST, MONT VERNON, SOUHEGAN, and SAU39 POLICY

## DAF – ADMINISTRATION OF FEDERAL GRANTS

This Policy includes “sub-policies” relating to specific provisions of the Uniform Administrative Requirements for Federal Awards issued by the U.S. Office of Budget and Management. Those requirements, which are commonly known as Uniform Grant Guidance (“UGG”), are found in Title 2 of the Code of Federal Regulations (“CFR”) part 200. The sub-policies include:

### Contents

<b>DAF-1 ALLOWABILITY</b> .....	2
<b>DAF-2 CASH MANAGEMENT AND FUND CONTROL</b> .....	6
<b>DAF-3 PROCUREMENT</b> .....	8
<b>DAF-4 PROCUREMENT – ADDITIONAL PROVISIONS PERTINENT TO FOOD SERVICE PROGRAM</b> .....	16
<b>DAF-5 CONFLICT OF INTEREST AND MANDATORY DISCLOSURES</b> .....	17
<b>DAF-6 INVENTORY MANAGEMENT - EQUIPMENT AND SUPPLIES PURCHASED WITH FEDERAL FUNDS</b> .....	18
<b>DAF-7 TRAVEL REIMBURSEMENT – FEDERAL FUNDS</b> .....	19
<b>DAF-8 ACCOUNTABILITY AND CERTIFICATIONS</b> .....	20
<b>DAF-9 TIME-EFFORT REPORTING / OVERSIGHT</b> .....	20
<b>DAF-10 GRANT BUDGET RECONCILIATION</b> .....	21
<b>DAF-11 SUB-RECIPIENT MONITORING AND MANAGEMENT</b> .....	21

**NOTICE: Notwithstanding any other policy of the District, all funds awarded directly or indirectly through any Federal grant or subsidy programs shall be administered in accordance with this Policy, and any administrative procedures adopted implementing this Policy.**

The Board accepts federal funds, which are available, provided that there is a specific need for them and that the required matching funds are available. The Board intends to administer federal grant awards efficiently, effectively and in compliance with all requirements imposed by law, the awarding agency and the New Hampshire Department of Education (NHDOE) or other applicable pass-through entity.

This policy establishes the minimum standards regarding internal controls and grant management to be used by the District in the administration of any funds received by the District through Federal grant programs as required by applicable NH and Federal laws or regulations, including, without limitation, the UGG.

The Board directs the Superintendent or his/her designee to develop, monitor, and enforce effective administrative procedures and other internal controls over federal awards as necessary in order to provide reasonable assurances that the District is managing the awards in compliance with all requirements for

# AMHERST, MONT VERNON, SOUHEGAN, and SAU39 POLICY

## DAF – ADMINISTRATION OF FEDERAL GRANTS

federal grants and awards. Systems and controls must meet all requirements of federal and/or law and regulation and shall be based on best practices.

The Superintendent is directed to assure that all individuals responsible for the administration of a federal grant or award shall be provided sufficient training to carry out their duties in accordance with all applicable requirements for the federal grant or award and this policy.

To the extent not covered by this Policy, the administrative procedures and internal controls must provide for:

1. identification of all federal funds received and expended and their program source;
2. accurate, current, and complete disclosure of financial data in accordance with federal requirements;
3. records sufficient to track the receipt and use of funds;
4. effective control and accountability over assets to assure they are used only for authorized purposes and
5. comparison of expenditures against budget.

### DAF-1 ALLOWABILITY

The Superintendent is responsible for the efficient and effective administration of grant funds through the application of sound management practices. Such funds shall be administered in a manner consistent with all applicable Federal, State and local laws, the associated agreements/assurances, program objectives and the specific terms and conditions of the grant award.

A. **Cost Principles:** Except whether otherwise authorized by statute, costs shall meet the following general criteria in order to be allowable under Federal awards:

1. Be “necessary” and “reasonable” for proper and efficient performance and administration of the Federal award and be allocable thereto under these principles.
  - a. To determine whether a cost is “reasonable”, consideration shall be given to:
    - i. whether a cost is a type generally recognized as ordinary and necessary for the operation of the District or the proper and efficient performance of the Federal award;
    - ii. the restraints or requirements imposed by such factors as sound business practices, arm’s length bargaining, Federal, State, local, tribal and other laws and regulations;
    - iii. market prices for comparable goods or services for the geographic area;
    - iv. whether the individuals concerned acted with prudence in the circumstances considering their responsibilities; and

DAF – ADMINISTRATION OF FEDERAL GRANTS

- v. whether the cost represents any significant deviation from the established practices or Board policy which may increase the expense. While Federal regulations do not provide specific descriptions of what satisfied the “necessary” element beyond its inclusion in the reasonableness analysis above, whether a cost is necessary is determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the District can demonstrate that the cost addresses an existing need and can prove it.
  - b. When determining whether a cost is “necessary”, consideration may be given to whether:
    - i. the cost is needed for the proper and efficient performance of the grant program;
    - ii. the cost is identified in the approved budget or application;
    - iii. there is an educational benefit associated with the cost;
    - iv. the cost aligns with identified needs based on results and findings from a needs assessment; and/or
    - v. the cost addresses program goals and objectives and is based on program data.
  - c. A cost is allocable to the Federal award if the goods or services involved are chargeable or assignable to the Federal award in accordance with the relative benefit received.
2. Conform to any limitations or exclusions set forth as cost principles in Part 200 or in the terms and conditions of the Federal award.
  3. Be consistent with policies and procedures that apply uniformly to both Federally-financed and other activities of the District.
  4. Be afforded consistent treatment. A cost cannot be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been assigned as an indirect cost under another award.
  5. Be determined in accordance with generally accepted accounting principles.
  6. Be representative of actual cost, net of all applicable credits or offsets.

The term “applicable credits” refers to those receipts or reductions of expenditures that operate to offset or reduce expense items allocable to the Federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to/or received by the State relate to the Federal award, they shall be credited to the Federal award, either as a cost reduction or a cash refund, as appropriate.

DAF – ADMINISTRATION OF FEDERAL GRANTS

7. Be not included as a match or cost-share, unless the specific Federal program authorizes Federal costs to be treated as such.
8. Be adequately documented:
  - a. in the case of personal services, the Superintendent shall implement a system for District personnel to account for time and efforts expended on grant funded programs to assure that only permissible personnel expenses are allocated;
  - b. in the case of other costs, all receipts and other invoice materials shall be retained, along with any documentation identifying the need and purpose for such expenditure if not otherwise clear.

**B. Selected Items of Cost:** The District shall follow the rules for selected items of cost at 2 C.F.R. Part 200, Subpart E when charging these specific expenditures to a Federal grant. When applicable, District staff shall check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, State, District and program-specific rules, including the terms and conditions of the award, may deem a cost as unallowable and District personnel shall follow those rules as well.

**C. Cost Compliance:** The Superintendent shall require that grant program funds are expended and are accounted for consistent with the requirements of the specific program and as identified in the grant application. Compliance monitoring includes accounting for direct or indirect costs and reporting them as permitted or required by each grant.

**D. Determining Whether A Cost is Direct or Indirect**

1. “Direct costs” are those costs that can be identified specifically with a particular final cost objective, such as a Federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

These costs may include: salaries and fringe benefits of employees working directly on a grant-funded project; purchased services contracted for performance under the grant; travel of employees working directly on a grant-funded project; materials, supplies, and equipment purchased for use on a specific grant; and infrastructure costs directly attributable to the program (such as long distance telephone calls specific to the program, etc.).

2. “Indirect costs” are those that have been incurred for a common or joint purpose benefitting more than one (1) cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs.

These costs may include: general data processing, human resources, utility costs, maintenance, accounting, etc.

Federal education programs with supplement not supplant provisions must use a restricted indirect cost rate. In a restricted rate, indirect costs are limited to general management costs. General management costs do not include divisional administration that is limited to one (1) component of the District, the governing body of the District, compensation of the

DAF – ADMINISTRATION OF FEDERAL GRANTS

Superintendent, compensation of the chief executive officer of any component of the District, and operation of the immediate offices of these officers.

The salaries of administrative and clerical staff should normally be treated as indirect costs. Direct charging of these costs may be appropriate only if **all** the following conditions are met:

- a. Administrative or clerical services are integral to a project or activity.
- b. Individuals involved can be specifically identified with the project or activity.
- c. Such costs are explicitly included in the budget or have the prior written approval of the Federal awarding agency.
- d. The costs are not also recovered as indirect costs.

Where a Federal program has a specific cap on the percentage of administrative costs that may be charged to a grant, that cap shall include all direct administrative charges as well as any recovered indirect charges.

Effort should be given to identify costs as direct costs whenever practical, but allocation of indirect costs may be used where not prohibited and where indirect cost allocation is approved ahead of time by NHDOE or the pass-through entity (Federal funds subject to 2 C.F.R Part 200 pertaining to determining indirect cost allocation).

- E. **Timely Obligation of Funds:** Obligations are orders placed for property and services, contracts and subawards made, and similar transactions during a given period that require payment by the non-Federal entity during the same or a future period.

The following are examples of when funds are determined to be “obligated” under applicable regulation of the U.S. Department of Education:

When the obligation is for:

1. Acquisition of property – on the date which the District makes a binding written commitment to acquire the property.
2. Personal services by an employee of the District – when the services are performed.
3. Personal services by a contractor who is not an employee of the District – on the date which the District makes a binding written commitment to obtain the services.
4. Public utility services – when the District received the services.
5. Travel – when the travel is taken.
6. Rental of property – when the District uses the property.

**DAF – ADMINISTRATION OF FEDERAL GRANTS**

7. A pre-agreement cost that was properly approved by the Secretary under the cost principles in 2 C.F.R. Part 200, Subpart E – Cost Principles – on the first day of the project period.

**F. Period of Performance:** All obligations must occur on or between the beginning and ending dates of the grant project. This period of time is known as the period of performance. The period of performance is dictated by statute and will be indicated in the Grant Award Notification (“GAN”). As a general rule, State-administered Federal funds are available for obligation within the year that Congress appropriates the funds for. However, given the unique nature of educational institutions, for many Federal education grants, the period of performance is twenty-seven (27) months. This maximum period includes a fifteen (15) month period of initial availability, plus a twelve (12) month period of carry over. For direct grants, the period of performance is generally identified in the GAN.

In the case of a State-administered grant, obligations under a grant may not be made until the grant funding period begins or all necessary materials are submitted to the granting agency, whichever is later. In the case of a direct grant, obligations may begin when the grant is substantially approved, unless an agreement exists with NHDOE or the pass-through entity to reimburse for pre-approval expenses.

For both State-administered and direct grants, regardless of the period of availability, the District shall liquidate all obligations incurred under the award not later than forty-five (45) days after the end of the funding period unless an extension is authorized. Any funds not obligated within the period of performance or liquidated within the appropriate timeframe are said to lapse and shall be returned to the awarding agency. Consistently, the District shall closely monitor grant spending throughout the grant cycle.

**DAF-2 CASH MANAGEMENT AND FUND CONTROL**

Payment methods must be established in writing that minimize the time elapsed between the drawdown of federal funds and the disbursement of those funds. Standards for funds control and accountability must be met as required by the Uniform Guidance for advance payments and in accordance with the requirements of NHDOE or other applicable pass-through-entity.

In order to provide reasonable assurance that all assets, including Federal, State, and local funds, are safeguarded against waste, loss, unauthorized use, or misappropriation, the Superintendent shall implement internal controls in the area of cash management.

The District’s payment methods shall minimize the time elapsing between the transfer of funds from the United States Treasury or the NHDOE (pass-through entity) and disbursement by the District, regardless of whether the payment is made by electronic fund transfer, or issuance or redemption of checks, warrants, or payment by other means.

The District shall use forms and procedures required by the NHDOE, grantor agency or other pass-through entity to request payment. The District shall request grant fund payments in accordance with the provisions of the grant. Additionally, the District’s financial management systems shall meet the standards for fund control and accountability as established by the awarding agency.



**DAF – ADMINISTRATION OF FEDERAL GRANTS**

The Superintendent or his/her designee is authorized to submit requests for advance payments and reimbursements at least monthly when electronic fund transfers are not used, and as often as deemed appropriate when electronic transfers are used, in accordance with the provisions of the Electronic Fund Transfer Act (15 U.S.C. 1693-1693r).

When the District uses a cash advance payment method, the following standards shall apply:

- A. The timing and amount of the advance payment requested will be as close as is administratively feasible to the actual disbursement for direct program or project costs and the proportionate share of any allowable indirect costs.
- B. The District shall make timely payment to contractors in accordance with contract provisions.
- C. To the extent available, the District shall disburse funds available from program income (including repayments to a revolving fund), rebates, refunds, contract settlements, audit recoveries, and interest earned on such funds before requesting additional cash payments.
- D. The District shall account for the receipt, obligation and expenditure of funds.
- E. Advance payments shall be deposited and maintained in insured accounts whenever possible.
- F. Advance payments will be maintained in interest bearing accounts unless the following apply:
  - 1. The District receives less than \$120,000 in Federal awards per year.
  - 2. The best reasonably available interest-bearing account would not be expected to earn interest in excess of \$500 per year on Federal cash balances.
  - 3. The depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources.
  - 4. A foreign government or banking system prohibits or precludes interest bearing accounts.
- G. Pursuant to Federal law and regulations, the District may retain interest earned in an amount up to \$500 per year for administrative costs. Any additional interest earned on Federal advance payments deposited in interest-bearing accounts must be remitted annually to the Department of Health and Human Services Payment Management System (“PMS”) through an electronic medium using either Automated Clearing House (“ACH”) network or a Fedwire Funds Service payment. Remittances shall include pertinent information of the payee and nature of payment in the memo area (often referred to as “addenda records” by Financial Institutions) as that will assist in the timely posting of interest earned on Federal funds.

DAF – ADMINISTRATION OF FEDERAL GRANTS

DAF-3 PROCUREMENT

All purchases for property and services made using federal funds must be conducted in accordance with all applicable Federal, State and local laws and regulations, the Uniform Guidance, and the District's written policies and procedures.

Procurement of all supplies, materials equipment, and services paid for from Federal funds or District matching funds shall be made in accordance with all applicable Federal, State, and local statutes and/or regulations, the terms and conditions of the Federal grant, District policies, and procedures.

The Superintendent shall maintain a procurement and contract administration system in accordance with the USDOE requirements (2 CFR 200.317-.326) for the administration and management of Federal grants and Federally-funded programs. The District shall maintain a contract administration system that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall also conform to the provisions of the District's documented general purchase Policy DJ.

The District avoids situations that unnecessarily restrict competition and avoids acquisition of unnecessary or duplicative items. Individuals or organizations that develop or draft specifications, requirements, statements of work, and/or invitations for bids, requests for proposals, or invitations to negotiate, are excluded from competing for such purchases. Additionally, consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. And, where appropriate, an analysis shall be made to lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach. These considerations are given as part of the process to determine the allowability of each purchase made with Federal funds.

Contracts are awarded only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration is given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. No contract is awarded to a contractor who is suspended or debarred from eligibility for participation in federal assistance programs or activities.

Purchasing records are sufficiently maintained to detail the history of all procurements and must include at least the rationale for the method of procurement, selection of contract type, and contractor selection or rejection; the basis for the contract price; and verification that the contractor is not suspended or debarred.

To foster greater economy and efficiency, the District may enter into State and local intergovernmental agreements where appropriate for procurement or use of common or shared goods and services.

- A. **Competition**: All procurement transactions shall be conducted in a manner that encourages full and open competition and that is in accordance with good administrative practice and sound business judgement. In order to promote objective contractor performance and eliminate unfair competitive advantage, the District shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for bids or requests for proposals from competition for such procurements.

DAF – ADMINISTRATION OF FEDERAL GRANTS

Some of the situations considered to be restrictive of competition include, but are not limited to, the following:

1. unreasonable requirements on firms in order for them to qualify to do business;
2. unnecessary experience and excessive bonding requirements;
3. noncompetitive contracts to consultants that are on retainer contracts;
4. organizational conflicts of interest;
5. specification of only a “brand name” product instead of allowing for an “or equal” product to be offered and describing the performance or other relevant requirements of the procurement; and/or
6. any arbitrary action in the procurement process.

Further, the District does not use statutorily or administratively imposed State, local, or tribal geographical preferences in the evaluation of bids or proposals, unless (1) an applicable Federal statute expressly mandates or encourages a geographic preference; (2) the District is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

To the extent that the District uses a pre-qualified list of persons, firms or products to acquire goods and services, the pre-qualified list must include enough qualified sources as to ensure maximum open and free competition. The District allows vendors to apply for consideration to be placed on the list as requested.

- B. Solicitation Language:** The District shall require that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it shall conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offers shall be clearly stated; and identify all requirements which the offerors shall fulfill and all other factors to be used in evaluating bids or proposals.

The Board will not approve any expenditure for an unauthorized purchase or contract.

- C. Procurement Methods:** The District shall utilize the following methods of procurement:

1. Micro-purchases

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$10,000. To the extent practicable, the District shall distribute micro-purchase equitably among qualified suppliers. Micro-purchases may be

DAF – ADMINISTRATION OF FEDERAL GRANTS

made without soliciting competitive quotations if the Superintendent considers the price to be reasonable. The District maintains evidence of this reasonableness in the records of all purchases made by this method.

2. Small Purchases (Simplified Acquisition)

Small purchase procedures provide for relatively simple and informal procurement methods for securing services, supplies, and other property that does not exceed the competitive bid threshold of \$250,000. Small purchase procedures require that price or rate quotations shall be obtained from an adequate number of qualified sources.

3. Sealed Bids

Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment which amounts to \$250,000 and when the Board determines to build, repair, enlarge, improve, or demolish a school building/facility the cost of which will exceed \$250,000.

a. In order for sealed bidding to be feasible, the following conditions shall be present:

- i. a complete, adequate, and realistic specification or purchase description is available;
- ii. two (2) or more responsible bidders are willing and able to compete effectively for the business; and
- iii. the procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

b. When sealed bids are used, the following requirements apply:

- i. Bids shall be solicited in accordance with the provisions of State law and DJE. Bids shall be solicited from an adequate number of qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.
- ii. The invitation for bids will include product/contract specifications and pertinent attachments and shall define the items and/or services required in order for the bidder to properly respond.
- iii. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.
- iv. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine the low bid when prior experience indicates that such discounts are usually taken.

DAF – ADMINISTRATION OF FEDERAL GRANTS

- v. The Board reserves the right to reject any and all bids for sound documented reason.
- vi. Bid protests shall be handled pursuant to the process set forth in DAF-3.I.

4. Competitive Proposals

Procurement by competitive proposal, normally conducted with more than one sources submitting an offer, is generally used when conditions are not appropriate for the use of sealed bids or in the case of a recognized exception to the sealed bid method.

If this method is used, the following requirements apply:

- a. Requests for proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to the publicized requests for proposals shall be considered to the maximum extent practical.
- b. Proposals shall be solicited from an adequate number of sources.
- c. The District shall use its written method for conducting technical evaluations of the proposals received and for selecting recipients.
- d. Contracts shall be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

The District may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated, and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

5. Noncompetitive Proposals

Procurement by noncompetitive proposals allows for solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

- a. the item is available only for a single source;
- b. the public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- c. the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District; and/or
- d. after solicitation of a number of sources, competition is determined to be inadequate.

DAF – ADMINISTRATION OF FEDERAL GRANTS

**D. Contracting with Small and Minority Businesses, Women’s Business Enterprises, and Labor Surplus Area Firms:** The District must take necessary affirmative steps to assure that minority businesses, women’s business enterprises, and labor surplus area firms are used when possible. Affirmative steps must include:

1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
2. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
6. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

**E. Contract/Price Analysis:** The District shall perform a cost or price analysis in connection with every procurement action in excess of \$250,000 (i.e., the Simplified Acquisition/Small Purchase limit), including contract modifications. (See 2 CFR 200.323(a)). A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the District shall come to an independent estimate prior to receiving bids or proposals.

When performing a cost analysis, the District shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor’s investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

**F. Time and Materials Contracts:** The District shall use a time and materials type contract only (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to the District is the sum of the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

DAF – ADMINISTRATION OF FEDERAL GRANTS

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, the District sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the District shall assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls, and otherwise performs in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

- G. Suspension and Debarment:** The District will award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. All purchasing decisions shall be made in the best interests of the District and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the District shall consider such factors as (1) contractor integrity; (2) compliance with public policy; (3) record of past performance/ and (4) financial and technical resources.

The Superintendent shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts. The District is subject to and shall abide by the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 CFR Part 180.

Suspension is an action taken by the District that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 CFR chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensue. A person so excluded is suspended. (See 2 CFR Part 180 Subpart G).

Debarment is an action taken by the Superintendent to exclude a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 CFR chapter 1). A person so excluded is debarred. (See 2 CFR Part 180 Subpart H).

The District shall not subcontract with or award sub-grants to any person or company who is debarred or suspended. For contracts over \$25,000 the District shall confirm that the vendor is not debarred or suspended by either checking the Federal government's System for Award Management ("SAM"), which maintains a list of such debarred or suspended vendors at [www.sam.gov](http://www.sam.gov) (which replaced the former Excluded Parties List System or EPLS); or collecting a certification from the vendor. (See 2 CFR Part 180 Sub part C).

Documentation that debarment/suspension was queried must be retained for each covered transaction as part of the documentation required under DAF-3, paragraph J. This documentation should include the date(s) queried and copy(ies) of the SAM result report/screen shot, or a copy of the or certification from the vendor. It should be attached to the payment backup and retained for future audit review.

**H. Additional Requirements for Procurement Contracts Using Federal Funds:**

1. For any contract using Federal funds under which the contract amount exceeds the upper limit for Simplified Acquisition/Small Purchases (see DAF-3.C.2), the contract must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and must provide for sanctions and penalties. (See 2 CFR 200, Appendix II(A)).

DAF – ADMINISTRATION OF FEDERAL GRANTS

2. For any contract using Federal funds under which the contract amount exceeds \$10,000, it must address the District's authority to terminate the contract for cause and for convenience, including the manner by which termination will be effected and the basis for settlement. (See 2 CFR 200, Appendix II(B)).
3. For any contract using Federal funds under which the contract amount exceeds \$150,000, the contract must include clauses addressing the Clean Air Act and the Federal Water Pollution Control Act. (See 2 CFR 200, Appendix II(G)).
4. For any contract using Federal funds under which the contract exceeds \$100,000, the contract must include an anti-lobbying clause, and require bidders to submit Anti-Lobbying Certification as required under 2 CFR 200, Appendix II (J).
5. For each contract using Federal funds and for which there is no price competition, and for each Federal fund contract in which a cost analysis is performed, the District shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of the contractor's past performance, and industry profit rates in the surrounding geographical area for similar work. (See 2 CFR 200.323(b)).
6. **"Domestic Preference" Requirement:** The District/SAU must provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States, to the greatest extent practicable. This requirement applies whether the District is purchasing the products directly or when the products are purchased by third parties on the District's behalf (e.g. subcontractor, food service management companies, etc.). It also generally applies to all purchases, even those below the micro-purchase threshold, unless otherwise stipulated by the Federal awarding agency. See also additional "Buy American" provisions in DAF-4.C regarding food service procurement.
7. **Huawei Ban:** The District may not use Federal funds to procure, obtain, or enter into or renew a contract to procure or obtain equipment, services, or systems which substantially use telecommunications equipment or services produced by Huawei Technologies Company or ZTE Corporation, or any of their subsidiaries.

- I. **Bid Protest:** The District maintains the following protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency.

A bidder who wishes to file a bid protest shall file such notice and follow procedures prescribed by the Request For Proposals (RFPs) or the individual bid specifications package, for resolution. Bid protests shall be filed in writing with the Superintendent within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Superintendent shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.



## AMHERST, MONT VERNON, SOUHEGAN, and SAU39 POLICY

Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed, shall constitute a waiver of proceedings.

- J.* **Maintenance of Procurement Records**: The District shall maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price (including a cost or price analysis), and records regarding disbarment/suspension queries or actions. Such records shall be retained consistent with District Policy EHB and District Administrative Procedures EHB-R.

FIRST READ

DAF – ADMINISTRATION OF FEDERAL GRANTS

DAF-4 **PROCUREMENT – ADDITIONAL PROVISIONS PERTINENT TO FOOD SERVICE PROGRAM**

The following provisions shall be included in all cost reimbursable contracts for food services purchases, including contracts with cost reimbursable provisions, and in solicitation documents prepared to obtain offers for such contracts: (7 CFR Sec. 210.21, 215.14a, 220.16)

- A. **Mandatory Contract Clauses:** The following provisions shall be included in all cost reimbursable contracts for food services purchases, including contracts with cost reimbursable provisions, and in solicitation documents prepared to obtain offers for such contracts:
1. Allowable costs will be paid from the nonprofit school food service account to the contractor net of all discounts, rebates and other applicable credits accruing to or received by the contractor or any assignee under the contract, to the extent those credits are allocable to the allowable portion of the costs billed to the school food authority;
  2. The contractor must separately identify for each cost submitted for payment to the school food authority the amount of that cost that is allowable (can be paid from the nonprofit school food service account) and the amount that is unallowable (cannot be paid from the nonprofit school food service account); or
  3. The contractor must exclude all unallowable costs from its billing documents and certify that only allowable costs are submitted for payment and records have been established that maintain the visibility of unallowable costs, including directly associated costs in a manner suitable for contract cost determination and verification;
  4. The contractor's determination of its allowable costs must be made in compliance with the applicable departmental and program regulations and Office of Management and Budget cost circulars;
  5. The contractor must identify the amount of each discount, rebate and other applicable credit on bills and invoices presented to the school food authority for payment and individually identify the amount as a discount, rebate, or in the case of other applicable credits, the nature of the credit. If approved by the state agency, the school food authority may permit the contractor to report this information on a less frequent basis than monthly, but no less frequently than annually;
  6. The contractor must identify the method by which it will report discounts, rebates and other applicable credits allocable to the contract that are not reported prior to conclusion of the contract; and
  7. The contractor must maintain documentation of costs and discounts, rebates and other applicable credits, and must furnish such documentation upon request to the school food authority, the state agency, or the department.
- B. **Contracts with Food Service Management Companies:** Procedures for selecting and contracting with a food service management company shall comply with guidance provided by the NHDOE, including standard forms, procedures and timelines for solicitation, selection and approval of proposals and contracts.

DAF – ADMINISTRATION OF FEDERAL GRANTS

C. **“Buy American” Requirement:**

Under the “Buy American” provision of the National School Lunch Act (the “NSLA”), school food authorities (SFAs) are required to purchase, to the maximum extent practicable, *domestic commodity or product*. As an SFA, the District is required to comply with the “Buy American” procurement standards set forth in 7 CFR Part 210.21(d) when purchasing commercial food products served in the school meals programs. This requirement applies whether the District is purchasing the products directly or when the products are purchased by third parties on the District’s behalf (e.g., food service management companies, group purchasing cooperatives, shared purchasing, etc.).

Under the NSLA, “*domestic commodity or product*” is defined as an agricultural commodity or product that is produced or processed in the United States using “*substantial*” agricultural commodities that are produced in the United States. For purposes of the act, “*substantial*” means that over 51 percent of the final processed product consists of agricultural commodities that were grown domestically. Products from Guam, American Samoa, Virgin Islands, Puerto Rico, and the Northern Mariana Islands are allowable under this provision as territories of the United States.

1. **Exceptions:** The two main exceptions to the Buy American requirements are:
  - a) The product is not produced or manufactured in the U.S. in sufficient and reasonably available quantities of a satisfactory quality; or
  - b) Competitive bids reveal the costs of a U.S. product are significantly higher than the non-domestic product.
2. **Steps to Comply with Buy American Requirements:** In order to help assure that the District remains in compliance with the Buy American requirement, the Superintendent or his/her designee shall
  - a) Include a Buy American clause in all procurement documents (product specifications, bid solicitations, requests for proposals, purchase orders, etc.);
  - b) Monitor contractor performance;
  - c) Require suppliers to certify the origin of the product;
  - d) Examine product packaging for identification of the country of origin; and
  - e) Require suppliers to provide specific information about the percentage of U.S. content in food products from time-to-time.

DAF-5 **CONFLICT OF INTEREST AND MANDATORY DISCLOSURES**

The District complies with the requirements of State law and the Uniform Guidance for conflicts of interest and mandatory disclosures for all procurements with federal funds.

Each employee, board member, or agent of the school system who is engaged in the selection, award or administration of a contract supported by a federal grant or award and who has a potential conflict of interest must disclose that conflict in writing to the Superintendent or his/her designee, who, in

DAF – ADMINISTRATION OF FEDERAL GRANTS

turn, shall disclose in writing any such potential conflict of interest to NHDOE or other applicable pass-through-entity.

A conflict of interest would arise when the covered individual, any member of his/her immediate family, his/her partner, or an organization, which employs or is about to employ any of those parties has a financial or other interest in or received a tangible personal benefit from a firm considered for a contract. A covered individual who is required to disclose a conflict shall not participate in the selection, award, or administration of a contract supported by a federal grant or award.

Covered individuals will not solicit or accept any gratuities, favors, or items from a contractor or a party to a subcontractor for a federal grant or award. Violations of this rule are subject to disciplinary action.

The Superintendent shall timely disclose in writing to NHDOE or other applicable pass-through-entity, all violations of federal criminal law involving fraud, bribery, or gratuities potentially effecting any federal award. The Superintendent shall fully address any such violations promptly and notify the Board with such information as is appropriate under the circumstances (e.g., taking into account applicable disciplinary processes).

**DAF-6 INVENTORY MANAGEMENT - EQUIPMENT AND SUPPLIES PURCHASED WITH FEDERAL FUNDS**

Equipment and supplies acquired (“property” as used in this policy DAF-6) with federal funds will be used, managed, and disposed of in accordance with applicable state and federal requirements. Property records and inventory systems shall be sufficiently maintained to account for and track equipment that has been acquired with federal funds. In furtherance thereof, the following minimum standards and controls shall apply to any equipment or pilferable items acquired in whole or in part under a Federal award until such property is disposed in accordance with applicable laws, regulations and Board policies:

- A. **“Equipment” and “Pilferable Items” Defined:** For purposes of this policy, “equipment” means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of \$5,000, or the capitalization level established by the District for financial statement purposes. “Pilferable items” are those items, *regardless of cost*, which may be easily lost or stolen, such as cell phones, tablets, graphing calculators, software, projectors, cameras and other video equipment, computer equipment and televisions.
- B. **Records:** The Superintendent or his/her designee shall maintain records that include a description of the property; a serial number or other identification number; the source of the funding for the property (including the federal award identification number (FAIN)); who holds title; the acquisition date; the cost of the property; the percentage of the federal participation in the project costs for the federal award under which the property was acquired; the location, use, and condition of the property; and any ultimate disposition data, including the date of disposition and sale price of the property.

## AMHERST, MONT VERNON, SOUHEGAN, and SAU39 POLICY

### DAF – ADMINISTRATION OF FEDERAL GRANTS

- C. **Inventory**: No less than once every two years, the Superintendent or his/her designee shall cause a physical inventory of all equipment and pilferable items must be taken and the results reconciled with the property records at least once every two years. Except as otherwise provided in this policy DAF-6, inventories shall be conducted consistent with Board Policy DID.
- D. **Control, Maintenance and Disposition**: The Superintendent shall develop administrative procedures relative to property procured in whole or in part with Federal funds to:
1. prevent loss, damage, or theft of the property; Any loss, damage, or theft must be investigated;
  2. to maintain the property and keep it in good condition; and
  3. to ensure the highest possible return through proper sales procedures, in those instances where the District is authorized to sell the property.

#### DAF-7 **TRAVEL REIMBURSEMENT – FEDERAL FUNDS**

The Board shall reimburse administrative, professional and support employees, and school officials, for travel costs incurred in the course of performing services related to official business as a federal grant recipient.

For purposes of this policy, “travel costs” shall mean the expenses for transportation, lodging, subsistence, and related items incurred by employees and school officials who are in travel status on official business as a federal grant recipient.

School officials and district employees shall comply with applicable Board policies and administrative regulations established for reimbursement of travel and other expenses.

The validity of payments for travel costs for all district employees and school officials shall be determined by the Superintendent of his/her designee.

Travel costs shall be reimbursed on a mileage basis for travel using an employee’s personal vehicle and on an actual cost basis for meals, lodging and other allowable expenses, consistent with those normally allowed in like circumstances in the district’s non-federally funded activities, and in accordance with the district’s travel reimbursement policies and administrative regulations.

Mileage reimbursements shall be at the rate approved by the Board or Board policy for other district travel reimbursements. Actual costs for meals, lodging and other allowable expenses shall be reimbursed only to the extent they are reasonable and do not exceed the per diem limits established by Board policy, or, in the absence of such policy, the federal General Services Administration for federal employees for locale where incurred.

All travel costs must be presented with an itemized, verified statement prior to reimbursement.

In addition, for any costs that are charged directly to the federal award, the Superintendent or his/her designee shall maintain sufficient records to justify that:

- A. Participation of the individual is necessary to the federal award.

**DAF – ADMINISTRATION OF FEDERAL GRANTS**

B. The costs are reasonable and consistent with Board policy.

**DAF-8 ACCOUNTABILITY AND CERTIFICATIONS**

All fiscal transactions must be approved by the Superintendent or his/her designee who can attest that the expenditure is allowable and approved under the federal program. The Superintendent and his/her designee submits all required certifications.

**DAF-9 TIME-EFFORT REPORTING / OVERSIGHT**

The Superintendent will establish sufficient oversight of the operations of federally supported activities to assure compliance with applicable federal requirements and to ensure that program objectives established by the awarding agency are being achieved. The District will submit all reports as required by federal or state authorities.

As a recipient of Federal funds, the District shall comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Section 200.430 of the Code of Federal Regulations requires certification of effort to document salary expenses charged directly or indirectly against Federally-sponsored projects. This process is intended to verify the compensation for employment services, including salaries and wages, is allocable and properly expended, and that any variances from the budget are reconciled.

- A. **Compensation:** Compensation for employment services includes all remuneration, paid currently or accrued, for services of employees rendered during the period of performance under the Federal award, including but not necessarily limited to wages and salaries. Compensation for personal services may also include fringe benefits, which are addressed in 2 CFR 200.431 Compensation – fringe benefits. Costs of compensation are allowable to the extent that they satisfy the specific requirements of these regulations, and that the total compensation for individual employees:
1. is reasonable for the services rendered, conforms to the District’s established written policy, and is consistently applied to both Federal and non-Federal activities; and
  2. follows an appointment made in accordance with the District’s written policies and meets the requirements of Federal statute, where applicable.
- B. **Time and Effort Reports:** Time and effort reports shall:
1. be supported by a system of internal controls which provide reasonable assurance that the charges are accurate, allowable, and properly allocated;
  2. be incorporated into the official records of the District;
  3. reasonably reflect the total activity for which the employee is compensated by the District, not exceeding 100% of the compensated activities;

**DAF – ADMINISTRATION OF FEDERAL GRANTS**

4. encompass both Federally assisted and other activities compensated by the District on an integrated basis;
5. comply with the District’s established accounting policies and practices;
6. support the distribution of the employee’s salary or wages among specific activities or cost objectives if the employee works on more than one (1) Federal award, a Federal award and non-Federal award, an indirect cost activity and a direct cost activity, two (2) or more indirect activities which are allocated using different allocation bases, or an unallowable activity and a direct or indirect cost activity.

The District will also follow any time and effort requirements imposed by NHDOE or other pass-through entity as appropriate to the extent that they are more restrictive than the Federal requirements. The Superintendent or his/her designee is responsible for the collection and retention of employee time and effort reports. Individually reported data will be made available only to authorized auditors or as required by law.

**DAF-10 GRANT BUDGET RECONCILIATION**

Budget estimates are not used as support for charges to Federal awards. However, the District may use budget estimates for interim accounting purposes. The system used by the District to establish budget estimates produces reasonable approximations of the activity actually performed. Any significant changes in the corresponding work activity are identified by the District and entered into the District’s records in a timely manner.

The District’s internal controls include a process to review after-the-fact interim charges made to a Federal award based on budget estimates and ensure that all necessary adjustments are made so that the final amount charged to the Federal award is accurate, allowable, and properly allocated.

**DAF-11 SUB-RECIPIENT MONITORING AND MANAGEMENT**

When entering agreements involving the expenditure or disbursements of federal grant funds, the District shall determine whether the recipient of such federal funds is a “contractor” or “subrecipient”, as those terms are defined in 2 CFR §200.23 and §200.93, respectively. See also guidance at 2 CFR §200.330 “Subrecipient and contractor determinations”. Generally, “subrecipients” are instrumental in implementing the applicable work program whereas a “contractor” provides goods and services for the District’s own use. Contractors will be subject to the District’s procurement and purchasing policies (e.g., *DAF-3* relative to federal grant funds, *DJE* relative to bidding requirements for non-federal money projects, etc.). Subrecipients are subject to this Policy.

Under the UGG, the District is considered a "pass-through entity" in relation to its subrecipients, and as such requires that subrecipients comply with applicable terms and conditions (flow-down provisions). All subrecipients of Federal or State funds received through the District are subject to the same Federal and State statutes, regulations, and award terms and conditions as the District.

**DAF – ADMINISTRATION OF FEDERAL GRANTS**

**A. Sub-award Contents and Communication.**

In the execution of every sub-award, the District will communicate the following information to the subrecipient and include the same information in the sub-award agreement.

1. Every sub-award will be clearly identified and include the following Federal award identification:
  - a) Subrecipient name
  - b) Subrecipient's unique ID number (DUNS)
  - c) Federal Award ID Number (FAIN)
  - d) Federal award date
  - e) Period of performance start and end date
  - f) Amount of federal funds obligated
  - g) Amount of federal funds obligated to the subrecipient
  - h) Total amount of the Federal award
  - i) Total approved cost sharing or match required where applicable
  - j) Project description responsive to FFATA
  - k) Name of Federal awarding agency, pass through entity and contact information
  - l) CFDA number and name
  - m) Identification of the award is R&D
  - n) Indirect cost rate for the Federal award
2. Requirements imposed by the District including statutes, regulations, and the terms and conditions of the Federal award.
3. Any additional requirements the District deems necessary for financial or performance reporting of subrecipients as necessary.
4. An approved indirect cost rate negotiated between subrecipient and the Federal government or between the pass-through entity and subrecipient.
5. Requirements that the District and its auditors have access to the subrecipient records and financial statements.
6. Terms and conditions for closeout of the sub-award.

**B. Subrecipient Monitoring Procedures.**

The Superintendent is responsible for having all the District project managers monitor subrecipients. The District will monitor the activities of the subrecipient to ensure the sub-award is used for authorized purposes. The frequency of monitoring review will be specified in the sub-award and conducted concurrently with all invoice submission.

Subrecipient monitoring procedures include:

1. At the time of proposal, assess the potential of the subrecipient for programmatic, financial, and administrative suitability.



DAF – ADMINISTRATION OF FEDERAL GRANTS

2. Evaluate each subrecipient's risk of noncompliance prior to executing a sub-award. In doing so, the District will assess the subrecipient's:
  - a) Prior experience with the same or similar sub-awards.
  - b) Results of previous audits and single audit (if applicable).
  - c) New personnel or new or substantially changed systems.
  - d) The extent and results of Federal awarding agency monitoring.
3. Confirm the statement of work and review any non-standard terms and conditions of the sub-award during the negotiation process.
4. Monitor financial and programmatic progress and ability of the subrecipient to meet objectives of the sub-award. To facilitate this review, subrecipients are required to submit sufficient invoice detail and a progress report. The District project managers will encourage subrecipients to submit regular invoices.
5. Invoices and progress reports will be date stamped upon receipt if received in hard copy. A record of the date of receipt will be maintained for those invoices sent electronically.
6. In conducting regular oversight and monitoring, the District project managers will:
  - a) Verify invoices that include progress reports.
  - b) Review progress reports to ensure project is progressing appropriately and on schedule.
  - c) Compare invoice to agreement budget to ensure eligibility of costs and that costs do not exceed budget.
  - d) Review invoice to ensure supporting documentation is included and invoices costs are within the scope of work for the projects being invoiced.
  - e) Obtain report, certification and supporting documentation of local (non-federal)/in-kind match work from the subrecipient.
  - f) Review subrecipient match tasks for eligibility.
  - g) Initial the progress report and invoice confirming review and approval prior to payment.
  - h) Raise any concerns to the Superintendent or his/her designee.
7. The Superintendent or his/her designee, upon recommendation from the project's manager, will approve the invoice payment and will initial invoices confirming review and approval prior to payment.
8. Payments will be withheld from subrecipients for the following reasons:
  - a) Insufficient detail to support the costs billed;
  - b) Unallowable costs;
  - c) Ineligible costs; and/or

DAF – ADMINISTRATION OF FEDERAL GRANTS

- d) Incomplete work or work not completed in accordance with required specifications.
- 9. Verify every subrecipient is audited in accordance with 2 CFR §200 Subpart F – Audit Requirements.
- C. **Subrecipient Project Files.** Subrecipient project files will contain, at a minimum, the following:
  - a) Project proposal
  - b) Project scope
  - c) Progress reports
  - d) Interim and final products
  - e) Copies of other applicable project documents as required, such as copies of contracts or MOUs

D. **Audit Requirements.**

All subrecipients are required to annually submit their audit and Single Audit report to the District for review to ensure the subrecipient has complied with good accounting practices and federal regulations. If a deficiency is identified, the District will:

- 1. Issue a management decision on audit findings pertaining to the Federal award.
- 2. Consider whether the results of audits or reviews indicate conditions that necessitate adjustments to pass through entity’s own records.

E. **Methodology for Resolving Findings.**

The District will work with subrecipients to resolve any findings and deficiencies. To do so, the District may follow up on deficiencies identified through on-site reviews, provision of basic technical assistance, and other means of assistance as appropriate.

The District will only consider taking enforcement action against non-compliant subrecipients in accordance with 2 CFR 200.338 when noncompliance cannot be remedied. Enforcement may include taking any of the following actions as appropriate:

- a) Temporarily withhold cash payments pending correction of the deficiency
- b) Disallow all or part of the cost of the activity or action not in compliance.
- c) Wholly or partly suspend or terminate the sub-award.
- d) Initiate suspension or debarment proceedings.
- e) Withhold further Federal awards for the project or program.
- f) Take other remedies that may be legally available.

**Legal References:**

*42 USC 1751 – 66 National School Lunch Act*

*2 C.F.R. Part 180*

*2 C.F.R. Part 200*

*200.0 - 200.99; 200.305; 200.313(d); 200.317-.326; 200.403-.406; 200.413(a)-(c); 200.430; 200.431; 200.458; 200.474(b)*

DAF – ADMINISTRATION OF FEDERAL GRANTS

*200 Appendix II*  
*7 CFR Part 210*  
*210.16; 210.19; 210.21; 215.14a; 220.16*

FIRST READ

## AMHERST, MONT VERNON, and SOUHEGAN POLICY

### JLCJA - EMERGENCY PLAN FOR SPORTS RELATED INJURIES and ADDITIONAL PROTOCOLS FOR ATHLETICS PARTICIPATION

A. Creation of Plan. No later than August 1, 2022,<sup>1</sup> the Superintendent or his/her designee [in consultation with each building Principal, the Athletic Director/Coordinator \_\_\_\_\_, district athletic trainer(s) and school nurse(s)], shall establish a “Sports Injury Emergency Action Plan” (at times referred to in this policy as the “Plan”) for responding to serious or potentially lifethreatening injuries sustained from sports or other school sponsored athletic activities. The Sports Injury Emergency Action Plan shall:

- a. Document the proper procedures to be followed when a student sustains a serious injury or illness while participating in school sponsored sports or other athletic activity;
- b. List the employees, team coaches, and licensed athletic trainers in each school who are trained in first aid or cardiopulmonary resuscitation;
- c. Identify the employees, team coaches, or licensed
- d. Identify the activity location, address, or venue for the purpose of directing emergency personnel;
- e. Identify the equipment and supplies and location thereof needed to respond to the emergency;
- f. Identify the location of any automated external defibrillators and personnel trained in the use of the automated external defibrillator; and
- g. Document policies related to cooling for an exertional heat stroke victim consistent with guidelines established by the American College of Sports Medicine and the National Athletic Trainers’ Association.

B. Dissemination of Sports Injury Emergency Action Plan. The Sports Injury Emergency Action Plan shall be posted within each school and disseminated to, and coordinated with, pertinent emergency medical services, fire department, and law enforcement.

C. Additional Written Protocols and Procedures Required. No later than August 1, 2022, the Superintendent or his/her designee [in consultation with each building Principal, the Athletic Director/Coordinator \_\_\_\_\_, district athletic trainer(s) and school nurse(s)], shall develop written procedures and protocols as described below:

1. Hydration, Heat Acclimatization and Wet Globe Temperature – protocols relating to hydration, heat acclimatization and wet bulb globe temperature as established by the American College of Sports Medicine and the National Athletic Trainers’ Association;

2. Student Medical History – procedures for obtaining student-participant medical information for each student athlete prior to engaging in sports. Such information must include:

- a. injury or illness related to or involving any head, face, or cervical spine;
- b. cardiac injury or diagnosis;
- c. exertional heat stroke;
- d. sickle cell trait;
- e. asthma;
- f. allergies; or
- g. diabetes.

Access, filing, and confidentiality of student-participant medical information shall be managed in accordance with the Family Educational Rights and Privacy Act (FERPA), and the Health Insurance Portability and Accountability Act (HIPAA)<sup>2</sup>.

**AMHERST, MONT VERNON, and SOUHEGAN POLICY**

**JLCJA - EMERGENCY PLAN FOR SPORTS RELATED INJURIES and  
ADDITIONAL PROTOCOLS FOR ATHLETICS PARTICIPATION**

3. Student Return to Play- Procedures governing a student's to return to play after a sports or illness related injury pertaining to this policy are in addition to the return to play provisions specific to head injuries set forth in Board policy {\*\*}JLCJ, and copies of the procedures must be maintained at the SAU office and available to the Department of Education and public upon request.

D. **Annual Review and Update.** The Superintendent and/or designee shall assure that the Sports Injury Emergency Action Plan, and all procedures and protocols adopted pursuant to this policy are reviewed no less than annually and updated as necessary. Copies of the updated Plan and procedures should be provided to the Board no later than the start of each school year.

E. **Inclusion of Sports Injury Emergency Action Plan with Emergency Response Plan.** The Sports Injury Emergency Action Plan shall be included with each school's annual Emergency Response Plan (see Board policy {\*\*}EBCA).

Legal References:

20 U.S.C. §1232g, Family Educational Rights and Privacy Act (FERPA)

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

RSA 200:40-c, Emergency Plan for Sports Related Injuries

FIRST DRAFT

**BEDH - PUBLIC PARTICIPATION IN SCHOOL BOARD MEETINGS**

*Category: Recommended*

*Related Policies: BEDB, KE & KEB*

The primary purpose of School Board meetings is to conduct the business of the Board as it relates to school policies, programs and operations. The Board encourages residents to attend Board meetings so that they may become acquainted with the operation and programs of the schools. All official meetings of the Board shall be open to the press and public. However, the Board reserves the right to meet and to adjourn or recess a meeting at any time. The Board also reserves the right to enter non-public session at any time, in accordance with the provisions RSA 91-A:3.

In order to assure that persons who wish to appear before the Board may be heard and, at the same time, assure that the Board may conduct its business and meetings properly and efficiently, the Board adopts as policy the following procedures and rules pertaining to public participation at Board meetings.

**Rules of Order**

1. The Board will provide a maximum of thirty minutes to hear public comments at the beginning of each regular Board meeting. This period may be extended by a majority vote of the Board. Additionally, the Board may include additional public comment period for specific agenda items with a time limit for public comment specified on the pertinent agenda.
2. Individual speakers will be allotted three minutes per person. Speakers may not relinquish allotted time to another speaker. For specific meetings and/or specific agenda items, the Board may at the outset of the public comment period increase the individual time limit for all speakers.
3. The Chair will recognize speakers on a first come basis.
4. In order to comply with the minute requirements of RSA 91-A:2, II, speakers shall identify themselves clearly for the record.
5. Persons appearing before the Board are reminded that members of the Board are without authority to act independently as individuals in official matters. Thus, in most instances, any board response will be deferred pending consideration by the full Board.

**Virtual Public Comment**

In an attempt to open public comment period to a larger audience, the Board may accept live comments from the public through its official streaming platform. While the Board will attempt to allow the public to participate remotely, it is not responsible for technical failures that may impede communication. The Board encourages all residents that would like to comment during public time to attend in person. In addition to the above, the following rules apply to Remote Public Comments:

1. Comments from people present in person will be taken first, then the remaining time will be allotted to remote comments.

2. To comply with the requirements of RSA 91-A:2, II, comments will only be accepted orally, and a participant's camera must be turned on.
3. A participant's display name on the streaming platform must include their full legal name and town of residence.
4. Upon speaking, the participant must state their full name and town of residence.

With the aim of maintaining focus on the issues in discussion, it is desired that all speakers strive to adhere to ordinary norms of decorum and civility.

**District Policy History:**

*First reading:*

*Second reading/adopted:*

***District revision history:***

**Legal References:**

*RSA 91-A:2, Meetings Open to the Public*

*RSA 91-A:3, Non-Public Sessions*

*U.S. Const., 1st Amendment*

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

First Reading

## AMHERST, MONT VERNON, and SOUHEGAN POLICY

### IHBAA – EVALUATION REQUIREMENTS FOR CHILDREN WITH SPECIFIC LEARNING DISABILITIES AND PROCEDURE FOR INDEPENDENT EDUCATIONAL EVALUATIONS

I. The District will ensure that all evaluation requirements for children with learning disabilities are evaluated consistent with applicable state and federal laws and regulations. All staff, students, parents/guardians and other interested persons are directed to the New Hampshire Department of Education Special Education Policies and Procedures Manual

II. With regard to Independent Educational Evaluations, the following procedures shall apply:

SAU #39 shall ensure that local educational evaluation criteria shall be in compliance with the minimum standards of the state of New Hampshire and the federal government.

District personnel are required to evaluate children when: the IEP Team has decided a referral for special education warrants an evaluation; or any time conditions warrant an evaluation. District personnel are also required to re-evaluate educationally disabled children at least once every three (3) years unless waived pursuant to applicable state and federal regulations as well as when conditions warrant a re-evaluation.

Federal law gives parents/guardians the right to seek an independent educational evaluation at their own expense whenever they desire to do such. Such evaluation is defined as one that is conducted by a qualified examiner who is not employed by a school district responsible for the child in question. Whenever parents/guardians obtain an evaluation at private expense, the results of the evaluation must be considered by the school district if it meets school district criteria.

Parents/guardians also have the right to an independent evaluation at public expense under certain circumstances if the parents/guardians disagree with a special education evaluation obtained by the school district. Should a parent/guardian request an independent evaluation at public expense, the school district must, without delay, either initiate a hearing to show that its evaluation is appropriate, or ensure that an independent educational evaluation is provided at public expense. If the evaluation is at public expense, the criteria for the evaluation, including location of the evaluation and qualifications of the examiner, must be the same as the criteria that the school district uses for its evaluations. Public expense means that the independent evaluation is either paid in full or provided at no cost to the parents/guardians.

Should the District initiate a due process hearing to demonstrate the appropriateness of its evaluation, and the results of the hearing favor the District, parents/guardians still have the right to an independent evaluation at their own expense.

Criteria for independent educational evaluations shall be as follows:

1. The evaluation shall comply with relevant provisions of state and federal Special Education laws, including 34 CFR 300.530-300.536 and NH Code of Administrative Rules Ed 1107.
2. A New Hampshire based evaluator or an evaluator with an office in contiguous states shall be



**IHBAA – EVALUATION REQUIREMENTS FOR CHILDREN WITH SPECIFIC LEARNING DISABILITIES AND PROCEDURE FOR INDEPENDENT EDUCATIONAL EVALUATIONS**

used unless unique circumstances justify the selection of an evaluator in another location. In the cases of such unique circumstances the person seeking an evaluation outside of the designated area shall show that a) unique circumstances require evaluation outside the designated area and b) the costs of the evaluation are not excessive.

3. Evaluators shall hold current certification or license if so required by the state in which they are located. The examiner shall be a qualified examiner who meets the criteria for such under Ed 1107.04 and who is qualified to test for a suspected disability in accordance with Table 1100.0, “Qualified Examiners by Type of Disability”.

4. The evaluator shall be able to interpret the instructional implications of the evaluation results if such an evaluation is used to determine educational needs.

5. All tests administered shall be the current version of the test and shall be administered in accord with the test instructions

6. Tests shall be appropriate for the age, educational level, and disability (or suspected disability) of the child. They must be reliable, valid and norm or criterion referenced.

7. As necessary, the evaluator shall obtain appropriate releases signed by the parents/guardians/guardian and shall review educational records provided by the student’s local public school in addition to any records provided by the parents/guardians.

8. As appropriate, the evaluator shall observe the child in one or more educational settings and make at least one contact with the child’s general education teacher for the purpose of determining how the student is progressing in the general curriculum. In addition, the evaluator is encouraged to make additional contacts with other involved general and special education teachers and related service providers. All observations in the educational setting shall be arranged through the school building administrator and building level coordinator.

9. District and independent evaluators, parents/guardians, Special Services Directors, and/or designees are encouraged to communicate directly with one another to share pertinent information but to do such in a manner consistent with the Family Education Rights and Privacy Act [“FERPA”]

10. District and independent evaluators shall provide written reports to the parents/guardians and District representatives summarizing results of the evaluation. All evaluation reports shall include appropriate standardization and reporting methods as designed by test publishers. An evaluation shall take place under standard test/evaluation conditions. If the evaluation cannot take place under standard conditions because of the child’s suspected disability, the deviation from standard conditions shall be noted in the report. All completed evaluation reports shall be released in accord with the state and federal regulations requiring disclosure prior to IEP Team meetings.

11. An evaluator shall maintain the highest standard of professional ethics and adhere to the standards of their professional association.

**IHBAA – EVALUATION REQUIREMENTS FOR CHILDREN WITH SPECIFIC LEARNING DISABILITIES AND PROCEDURE FOR INDEPENDENT EDUCATIONAL EVALUATIONS**

12. Evaluations of students with limited English proficiency shall be conducted in the student's native language unless the student has a greater proficiency in another language.

13. The District's financial commitment to pay for an independent evaluation at public expense shall not exceed the generally accepted rate schedule for such evaluations in New Hampshire.

Unique circumstances may justify a waiver of any of the above. If a parent/guardian or District staff member is aware of a unique circumstance, they shall inform the District's Special Education Director immediately in writing. Only the Special Education Director or Superintendent of Schools may grant a waiver from the criteria.

When the District has agreed to pay for an independent evaluation at public expense, payment shall be made upon receipt of the evaluator's report, compliance with the District's evaluation criteria (unless a waiver of unique circumstances has been made), and receipt of an invoice from the evaluator. Should there be a disagreement on payment, the District must initiate a hearing without undue delay to demonstrate that the evaluation does not meet the District's criteria.

References:

NH Code of Admin Rules Ed 1100.1, 1102.21, 1107.0, 1107.02, 1107.04.

Code of Federal Regulations Section 34 CFR 300.12, 300.22, 300.320, 300.500 (a)(b), 300.502 (a-e), 300.531, 300.530-536.

First Step

## JICC - STUDENT CONDUCT ON SCHOOL BUSES

Students using school buses and other District transportation are under the jurisdiction of the School from the time they board the bus until they exit the bus. Additionally, Board policy JICDD applies to “out-of-school” student conduct, including, but not limited to, conduct at or near school bus stops.

The Superintendent or their designee will develop rules and regulations for conduct on buses. These rules and regulations shall be printed in the Student Handbook, and provided in other languages as needed.

Continued failure to abide by the rules set forth in the Student Handbook, disorderly conduct, or persistent refusal to submit to the authority of the driver may result in a student to be denied or suspended from the privilege of transportation in accordance with the RSA 189:9-a, and applicable District rules and procedures.- Additionally, conduct on District transportation is subject to additional interventions, supports or consequences as provided in the Student Handbook.

If a student is to lose the privilege of riding the bus (“transportation suspension”), advance warning will be given, except for misconduct that threatens the health, safety, or welfare of other students, staff or any other person. Parents/guardians of students who have had bus privileges suspended have a right to appeal the suspension within 10 calendar days to the person who issued the original suspension. Transportation suspensions exceeding 20 consecutive days must be approved by the Board. Transportation suspensions shall not begin until the next school day following the day written notification of suspension is sent to the pupil’s parent/guardian. The Superintendent shall include such appeal and review procedures in the Student Handbook referenced in the preceding paragraph. Transportation suspensions may extend to all District transportation according to the Student Handbook.

Students transported in a school bus shall be under the authority of the District and under control of the bus driver. The driver of the bus, along with the bus monitor, if applicable, is responsible for the orderly conduct of the students transported. Each driver and monitor has the support of the Board in maintaining good conduct on the bus.

### **Legal References:**

*RSA 189:6-a, School Bus Safety*

*RSA 189:9-a, Pupils Prohibited for Disciplinary Reasons*

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

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

## AMHERST, MONT VERNON, and SOUHEGAN POLICY

### EBCG – COMMUNICABLE & INFECTIOUS DISEASES

#### A. POLICY:

Students and employees of the District are expected to attend the schools of the district without being infected with serious communicable diseases. Nonetheless, the Board recognizes that staff, students, volunteers and others may come in contact with blood borne pathogens, viruses and other communicable diseases during the school day or school sponsored activities, or may carry those pathogens, viruses and diseases unknowingly into the school community. The Board adopts this policy as a means to minimize risk and respond to these health concerns while respecting the rights of all students and employees, including those who are so infected.

RSA 200:39 permits the exclusion from school of students who exhibit symptoms of contagion, or are a hazard to him/herself or others. As provided in this policy, determinations as to inclusion or exclusion of students or employees with communicable diseases from school will take into account the educational implications for the student and others with whom he or she comes into contact, recommendations from the New Hampshire Department of Health and Human Services (“NHDHHS”), the New Hampshire Department of Education, and the United States Public Health Services Centers for Disease Control (“CDC”).

#### 1. Students.

It is the policy of the District that students with communicable diseases should not be excluded from attending school in their regular classrooms so long as their attendance results in a situation where the risk of transmission of illness to students or employees of the School District, or hazard to themselves, is negligible. All decisions regarding inclusion or exclusion shall be made consistent with this section and the procedures set forth in section B of this policy.

#### 2. Employees.

It is the policy of the Board that employees (which for the purposes of this policy will include individual consultants/contractors, and volunteers) with communicable diseases not be excluded from attending to their customary employment and duties so long as they are physically able to perform tasks assigned to them and so long as their employment results in a situation where the risk of transmission of illness to students or other employees of the District, or hazard to themselves, is negligible.

#### 3. Special Circumstances and Conditions.

The Board recognizes that some students or employees, because of age, disability or other special conditions, may pose greater risks for the transmission of communicable diseases than other persons infected with the same illness. Examples include children who display biting behavior

and students and employees who are unable to control their body fluids or have uncovered wounds. These conditions need to be taken into account and considered in assessing the risk of transmission of the disease and the resulting effect upon the educational program of the student or employment of the employee.

## AMHERST, MONT VERNON, and SOUHEGAN POLICY

### EBCG – COMMUNICABLE & INFECTIOUS DISEASES

In the instance of diseases causing suppressed immunity, attendance may be denied to a child with suppressed immunity in order to protect the welfare of the child with suppressed immunity when others in the school have an infectious disease which, although not normally life threatening, could be life threatening to the child with suppressed immunity.

#### B. **PROCEDURES WHEN COMMUNICABLE DISEASE IS SUSPECTED:**

##### 1. **Reporting.**

School District employees, including contracted individuals and/or agencies who are performing contracted responsibilities for the School District, and who become aware of a communicable disease or other potentially serious health problem regarding themselves, or of students or other employees, unless prohibited by statutory confidentiality, they will report it to the school nurse, or building Principal/designee.

##### 2. **Response.**

The health risk to others in the school district environment from the presence of a student or employee with a communicable disease shall be determined on a case-by-case basis. In all cases in which the school nurse, or other person designated by the Superintendent, becomes aware that a student or employee of the School District has contracted a communicable disease of the kind in section A of this policy, s/he will take the following steps:

- a. A parent/guardian of a student will be contacted in order to discuss the situation and determine whatever facts are available; the same information will be communicated promptly among the Superintendent/designee, school nurse and Principal/designee.
- b. Upon receiving written consent from a parent or guardian of a student or, in the case of an employee, the employee or his/her health care agent (i.e., adult to whom authority to make health care decisions is delegated under an advance directive meeting the requirements of RSA 137-J:20), the school nurse/Superintendent's designee will attempt to confer with the treating healthcare provider, if any, in order to determine any significant medical facts concerning the diagnosis of the disease or factors affecting the possible transmission of the disease.
- c. Notify and consult with the health care professionals knowledgeable about the particular disease. Following such consultation, the school nurse, Superintendent or their designee, shall determine the immediate, short-term action to be taken relative to educational placement of the student or work assignment for the employee.
- d. When a communicable disease of the kind identified in section A of this policy is suspected or confirmed in an individual, the school nurse shall consult with the Superintendent or their designee and appropriate public health officials, to determine whether a student or employee shall be excluded from school or from attending to their customary employment, and whether additional measures are required to protect other members of the school population. Factors specific to individuals, such as biting behaviors, lack of control of body fluids, existence of

**EBCG – COMMUNICABLE & INFECTIOUS DISEASES**

uncovered wounds or other medically identifiable conditions may also be considered. Recommendations regarding the least restrictive educational placement for a student or continued attendance at work for an employee may be sought on a case by case basis.

In addition to the information obtained in steps a-c, decisions to exclude shall consider criteria from NHDHHS Bureau of Infectious Disease included in its publication "*When Children Should be Excluded or Dismissed from a Childcare Setting*", or the American Academy of Pediatrics "*Red Book: Report of the Committee on Infectious Diseases*", or other general or specific guidance from the NHDHHS or the United States Centers for Disease Control.

- i. Decisions regarding students. Unless the school nurse is unavailable, the ultimate decision to exclude a child from school under this Policy due to a contagious or communicable illness shall be made by the school nurse after consulting with the Superintendent/designee and Principal/designee.

If the school nurse is unavailable, a decision to exclude shall be made by the Superintendent/designee.

If the student is a student with an IEP, 504 plan, or other such individualized learning plan, then decisions regarding alternative settings shall be made according to the applicable laws, regulations and policies.

Students who are aggrieved by the education plan determinations may appeal said determinations pursuant to state and federal special education law if the infected student is eligible for or claims that s/he is eligible for special education or special education and related services. Excluded students who do not claim that they are eligible for special education or special education and related services, but who are aggrieved by the Superintendent/designee's determinations, may appeal said determinations to the Board.

- ii. Decisions regarding employees. Determinations regarding exclusion or reassignment of employees shall be made by the Superintendent/designee. Absent significant risk to the employee or risk of transmission to students or other employees, the Superintendent/designee shall not alter the job assignment of the infected person. Volunteers are subject to any directives issued by the administration, as are contractors and consultants, subject to the terms of their respective agreements.

If the Superintendent/designee, after taking the steps above, determines that there is a medically recognized risk of transmission of disease in the School setting or that a significant health problem restricts the infected person's ability to work, or presents a substantial hazard to the employee, the Superintendent/designee shall, if necessary, develop an individually tailored plan to accommodate the staff member if possible. Additional

**EBCG – COMMUNICABLE & INFECTIOUS DISEASES**

persons may be consulted if necessary for gaining additional information, but the infected person must approve of the notification of any additional persons who are informed of the infected person's identity. The Superintendent/designee may consult with legal counsel to ensure that any official action is consistent with state and federal law. If an individually tailored plan is necessary, said plan should be medically, legally, educationally and ethically sound.

- iii. Testing, Social Distancing and Other Extraordinary Measures. Some infectious diseases, viruses, etc., may be so dangerous and/or the risk of casual transmission so great, that effective response will require broader measures. Based upon specific recommendations of local, state and/or federal health authorities, the Superintendent or their designee is authorized to implement such additional, extraordinary emergency measures as may be necessary and appropriate to address the health risk: e.g., school closure, population exclusion (stay-at-home type instructions), mandatory screenings, mandatory use of personal protective equipment (PPE's), social distancing orders, administrative leaves or temporary adjustments in duties. Such measures should be taken with prior notice to the Board, if practicable, or as soon as possible thereafter. The Board Chair may determine that the circumstances, or the measures implemented by the Superintendent or their designee, warrant a special or an emergency meeting of the Board.

**3. Practices to Minimize Contamination in Schools.**

Universal precautions as recommended by local, county and state health authorities are to be followed at all times when handling blood or other body fluids of any student or employee. Parents, guardians, and employees are not generally required to advise the school if their child has a communicable disease (some exception may exist under specific legislation or Executive/emergency orders, in which, such legislation or Executive orders shall supersede this policy to the extent necessary to remove any conflict). Because the District may not rely on self-reporting, it is appropriate to adopt procedures for the handling of body fluids from any child or employee. This also eliminates the need to notify all maintenance, transportation and building personnel if the District becomes aware of a student or employee with communicable diseases. It is recommended the following procedures be used on a routine basis when blood or any other body fluids including vomitus and fecal or urinary incontinence are involved.

- a. Gloves should be worn when cleaning up any body fluids.
- b. Spills should be cleaned up, the affected area washed with soap and water and disinfected district approved cleaner or disinfectant will be used, appropriate to the situation as determined by the Director of Facilities.
- c. All disposable materials, including gloves and diapers, should be discarded into a plastic bag before discarding in a conventional trash system. The mop should also be disinfected with the solution described in (b),above.

**EBCG – COMMUNICABLE & INFECTIOUS DISEASES**

- d. Toys and other personal non-disposable items should be cleaned with soap and water followed by the solution described in (b), above. A normal laundry cycle is adequate for other non-disposable items.
- e. Persons involved in the clean-up should wash their hands afterward.

Additional precautions may be recommended or required in certain instances (e.g., social distancing, masks, etc.).

**4. Confidentiality and Data Privacy.**

Public concern regarding communicable diseases is neither an excuse nor defense for the violation of data privacy rights of students or employees who have or are rumored to have such illnesses.

- A. Personally identifiable health information regarding students is private data and is not to be disseminated to the public or to staff without the strict observance of student privacy rights.
- B. Personally identifiable health data and information regarding employees is private data and may not be released to the public nor to fellow employees without strict observance of privacy rights of public employees.
- C. Parents/guardians of other children attending the school, or other school employees, may only be notified of a possible exposure to a communicable disease to the extent permitted, or required, under applicable law, regulations or Executive order. In general, such information will not identify the particular student or employee who has the disease.
- D. Any District employee who violates the confidentiality provisions of this policy shall be subject to discipline. A confidentiality breached by an independent contractor/consultant, could result in termination of the contract for cause.

**5. Staff and Student Education.**

The Board recognizes that the education of its residents, staff, and students regarding the risks involved in the spread of infectious diseases in the school setting will help to minimize the risk of transmission to other students and employees while protecting the rights of infected students and employees.

- A. All school district employees should receive instruction regarding appropriate universal precautions for use in school settings, precautions to be employed where contagious diseases may be encountered and community resources for referral and information.
- B. Any information provided as part of a student's instruction pertaining to sexually transmitted diseases shall comply with Board policy IHAM.

**6. Implementation.**

The Superintendent or their designee is authorized to implement this policy through and procedures, or administrative directives which they deem necessary or appropriate.



**EBCG – COMMUNICABLE & INFECTIOUS DISEASES**

**Legal References:**

*RSA 189:1-a, Duty to Provide Education*

*RSA 189:31, Removal of Teacher*

*RSA 186-C, Special Education*

*RSA 193:1, Duty of Parent; Compulsory Attendance by Pupil*

*RSA 193:3, Change of School or Assignment, Manifest Educational Hardship or Best Interest, Excusing Attendance*

*RSA 200:32, Physical Examination of Student*

*RSA 200:36, Medical Examination of School Personnel*

*RSA 200:39, Exclusion from School*

*NHDHHS Bureau of Infectious Disease's: "When Children Should be Excluded or Dismissed from a Childcare Setting," may be found at:*

<https://www.dhhs.nh.gov/dphs/cdcs/documents/childrendismissed.pdf>

First Read

# AMHERST, MONT VERNON, and SOUHEGAN POLICY

## EEAEA MANDATORY DRUG AND ALCOHOL TESTING – SCHOOL BUS SCHOOL BUS DRIVERS AND CONTRACTED CARRIERS

### 1. Statement of Policy

The Board believes that the safety of students while being transported to and from school or school activities is of utmost importance and is the primary responsibility of the driver of the vehicle.

This policy applies to two categories of drivers:

- a. school bus drivers (see RSA 189:13-b; 263:29 & 29-a); and
- b. “contracted carriers”: drivers of vehicles designed to transport 16 or more passengers, including the driver, which are a contract carrier of passengers that has been contracted by the school (see RSA 376:2).

To fulfill such a responsibility, each driver, as well as others who perform safety-sensitive functions with commercial vehicles that transport students, must be mentally and physically alert at all times while on duty. To that end, the Board has established this policy related to the fitness for duty of transportation personnel.

### 2. Medical Examination of School Bus Operators

In accordance with RSA 200:37, before employing any person as a school bus operator, directly or through a vendor, the District shall require that such persons submit a certificate signed by a licensed physician setting forth the physician’s findings as a result of the examination to determine the physical condition of drivers in accordance with the requirements of 49 CFR 391.41- 391.49. Such certificate shall be submitted to the District prior to the commencement of such employment and the District shall retain a copy of such certification. Every 2 years thereafter, either prior to the commencement of the school year or prior to the reemployment of such persons as a school bus operator, the School District shall require submission of a like certificate, except that school bus operators attaining the age of 70 shall be required to undergo an annual examination and to submit a certificate annually (*this provision does not apply to contracted carriers*).

### 3. School Bus Driver’s Certificate

No person shall be employed as a school bus operator, directly or through a vendor, unless the person has received a School Bus Driver’s Certificate as required by RSA 263:29.

Contracted carriers shall comply with all applicable provisions of RSA 376:2, as well as have a valid commercial driver’s license and operate a vehicle with a valid state inspection sticker.

### 4. Criminal Background Investigation

Before employing any person as a school bus operator, directly or through a vendor, the School District shall require a criminal background investigation as set forth in RSA 189:13-a and District Policy. If the school bus operators are employed directly by or volunteer for the District, then the employee will pay for the investigation. If the District contracts with a vendor to provide student transportation services either the vendor or the bus operator will pay for the investigation at the discretion of the vendor.

## AMHERST, MONT VERNON, SOUHEGAN, and SAU39 POLICY

### EAEA MANDATORY DRUG AND ALCOHOL TESTING – SCHOOL BUS SCHOOL BUS DRIVERS AND CONTRACTED CARRIERS

#### 5. Mandatory Drug and Alcohol Testing

In compliance with the United States Department of Transportation's Title 49 Code of Federal Regulations, Part 391 – all CDL holders and personnel performing safety sensitive functions related to the transportation of the students of this School District will be required to submit to drug and alcohol testing. Testing procedures and facilities used for the tests shall conform to the requirements of the Code of Federal Regulations, Title 49: Part 40. The District and any transportation contractor transporting students on behalf of the District shall utilize the Drug and Alcohol Clearinghouse to comply with all requirements for drug and alcohol testing and reporting, in accordance with 49 C.F.R. Parts 382 and 391.

The term CDL holder means someone who is required as part of their job duties to hold a Commercial Drivers License. The term safety-sensitive function refers to all tasks associated with the operation and maintenance of commercial vehicles. A commercial vehicle is any vehicle capable of carrying 16 or more passengers including the driver.

If the District employs the transportation personnel directly, the District will be responsible for ensuring compliance with the Mandatory Drug and Alcohol Testing requirements. If the District contracts with a vendor to provide student transportation services, the vendor shall be the employer and provide assurance to the District on an annual basis that they are in compliance with the Mandatory Drug and Alcohol Testing requirements.

The Drug and Alcohol Testing will include pre-employment, random, reasonable suspicion and post-accident testing as defined by Department of Labor Regulations. The District supports a zero tolerance policy related to substance abuse. Therefore any personnel who have a confirmed positive test for drugs or a confirmed alcohol concentration of 0.02 or greater will be terminated from employment.

## AMHERST, MONT VERNON, and SOUHEGAN POLICY

### JICD – 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 Student Handbook.

#### 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 disrupts the education of others or prevents the teacher from teaching. 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.

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 Principal's discretion. 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 Principal is authorized to establish, announce and post additional guidelines and rules regarding detention, supervision, building access, etc. The length and timing

JICD – STUDENT DISCIPLINE AND DUE PROCESS

of the detention, is within the discretion of the licensed employee disciplining the student or the building Principal, 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 at least 12 hours prior to the administration of a temporary reassignment.  
The building Principal is authorized to issue reassignment, restrictions from activities, or place a student on probation for repeated failure to conform to the Student Handbook, 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 often (10) consecutive school days or less. RSA 193:13, I (a).

The Superintendent or his/her written designee 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 students or school personnel (including, but not limited to, an 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 Student Handbook.

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 Student Handbook.

**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**

## JICD – STUDENT DISCIPLINE AND DUE PROCESS

**explaining the disciplinary taken).** See New Hampshire Department of Education Rule Ed 317.04(f)(1).

- 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 student 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:

- 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 student 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 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 *[or other person designated under B.6.b, above]* 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.
- e. Alternative Educational Services. The school shall provide alternative educational services to a suspended student whenever the student is suspended **in excess of 20 cumulative days** within any school year. The alternative educational services shall be designed to enable the student to advance from grade to grade.

JICD – STUDENT DISCIPLINE AND DUE PROCESS

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

Any time a student is suspended **more than 10 school days in any school year**, upon the student's return to school the school district shall develop an intervention plan designed to proactively address the student'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 student'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 student 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;
- iii. Any act of violence pursuant to RSA 651:5, XIII;
- iv. Criminal threatening pursuant to RSA 631:4, II(a); 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:1, or under the Gun Free School Zones Act, unless such student has written authorization from the Superintendent.

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

- (1) The student's age.
- (2) The student's disciplinary history.
- (3) Whether the student is a student with a disability.
- (4) The seriousness of the violation or behavior committed by the student.
- (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 student.

## JICD – STUDENT DISCIPLINE AND DUE PROCESS

- 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)** 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 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 student 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.

**Legal References:**

*18 U.S.C. § 921, Et seq., Firearms*

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

*RSA 189:15, Regulations*

*RSA 193:13, Suspension & Expulsion of students*

*RSA Chapter 193-D, Safe Schools Zones*

*RSA 631:4, Criminal Threatening*

*RSA 651:5, XIII "Act of Violence"*

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

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

*NH Code of Administrative Rules, Section Ed. 306.04(g), Suspension & Expulsion*

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

*Disciplinary Procedures*

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