











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)*