

## **Agenda Worksheet**

School Administrative Unit #101  
Wakefield School District Board Meeting:  
Paul School Library  
60 Taylor Way, Sanbornville, NH 03872  
sau101.org

Date: Tuesday, January 2, 2024 6:00pm

**Transportation Committee 5:15pm**

**1. CALL TO ORDER**- Chair, followed by FLAG SALUTE

**2. AGENDA REVIEW**

**3. PRESENTATIONS, PUBLIC HEARINGS**

**4. PUBLIC COMMENTS**: Public's opportunity to speak to items on the agenda.

**5. REPORTS**

- a. Transportation
- b. Superintendent Report
- c. Discipline Reports

**6. CONSENT AGENDA**

- a. AP Manifest- Batch #42465, \$634,464.06; Batch #42445, \$35,434.22
- b. Payroll Manifest- Batch #42457, \$114,736.31; Batch #42472, \$215,463.71

**7. MEETING MINUTES**

- a. WSB Public Minutes 12.19.23

**8. OLD BUSINESS**

- a. Rochester AREA Agreement
  - i. AREA Agreement Committee
- b. Ratification of Teacher's Salary Schedule

**9. NEW BUSINESS**

**10. POLICIES**

- a. BEDG- Minutes (**2<sup>nd</sup> Reading**)
- b. BEDB- Agenda Preparation and Dissemination (**2<sup>nd</sup> Reading**)
- c. DAF- Administration of Federal Grant Funds (**2<sup>nd</sup> Reading**)
- d. JLDBB- Suicide Prevention and Response (**2<sup>nd</sup> Reading**)
- e. EEAB- Establishment of School Bus Routes (**1<sup>st</sup> Reading**)
- f. AC- Non-Discrimination, Equal Opportunity Employment, and Anti-Discrimination Plan (**1<sup>st</sup> Reading**)
- g. AC-E- Annual Notice of Contact Information (**1<sup>st</sup> Reading**)
- h. ADC- Prohibitions Regarding Use and Possession of Tobacco Products (**1<sup>st</sup> Reading**)

**11. NOMINATIONS/HIRES/RESIGNATIONS**

- 1. Linda Hooper- Non CDL Driver

**12. FOLLOW-UP**

**13. NON-PUBLIC:** RSA 91-A:3 II (C)  
Sealed Minutes

**14. ADJOURNMENT:** **PM**

**Upcoming: The next Wakefield School Board meeting will be held January 16, 2024**

**Agenda Worksheet**

Statutory Reasons cited as foundation for the Nonpublic Sessions.

91-A:3, II (a): The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.

91-A:3, II (b): The hiring of any person as a public employee.

91-A:3, II (c): Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.

91-A:3, II (d): Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are averse to those of the general community.

91-A:3, II, (e): Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against this board or any subdivision thereof, or by or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled.

91-A:3, II (i): Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.

91-A:3, II (j): Consideration of confidential, commercial, or financial information that is exempt from public disclosure under RSA 91-A:5, IV in an adjudicative proceeding pursuant to RSA 541 or RSA 541-A.

91-A:3, II (k): Consideration by a school board of entering into a student or pupil tuition contract authorized by RSA 194 or RSA 195-A, which, if discussed in public, would likely benefit a party or parties whose interests are averse to those of the general public or the school district that is considering a contract, including any meeting between the school boards, or committees thereof, involved in the negotiations.

91-A:3, II (1): Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

Wakefield School District  
SAU 101  
Transportation Committee Meeting  
Agenda

Paul School Library  
60 Taylor Way  
Sanbornville NH, 03872

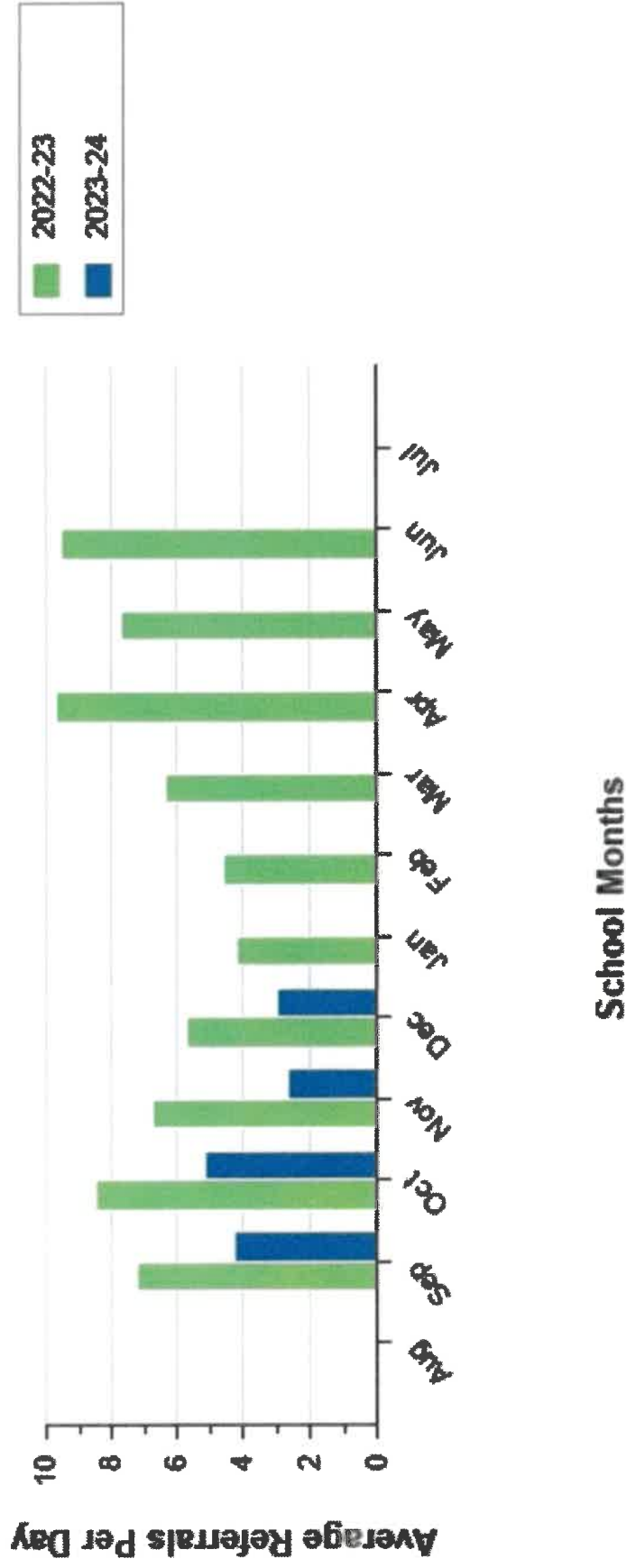
Date: Tuesday, January 2, 2024 5:15pm

1. Update on new van
2. Staffing Update
3. Status of busses to be sold
4. Other Business

Superintendent Report  
Wakefield School District  
January 2, 2024

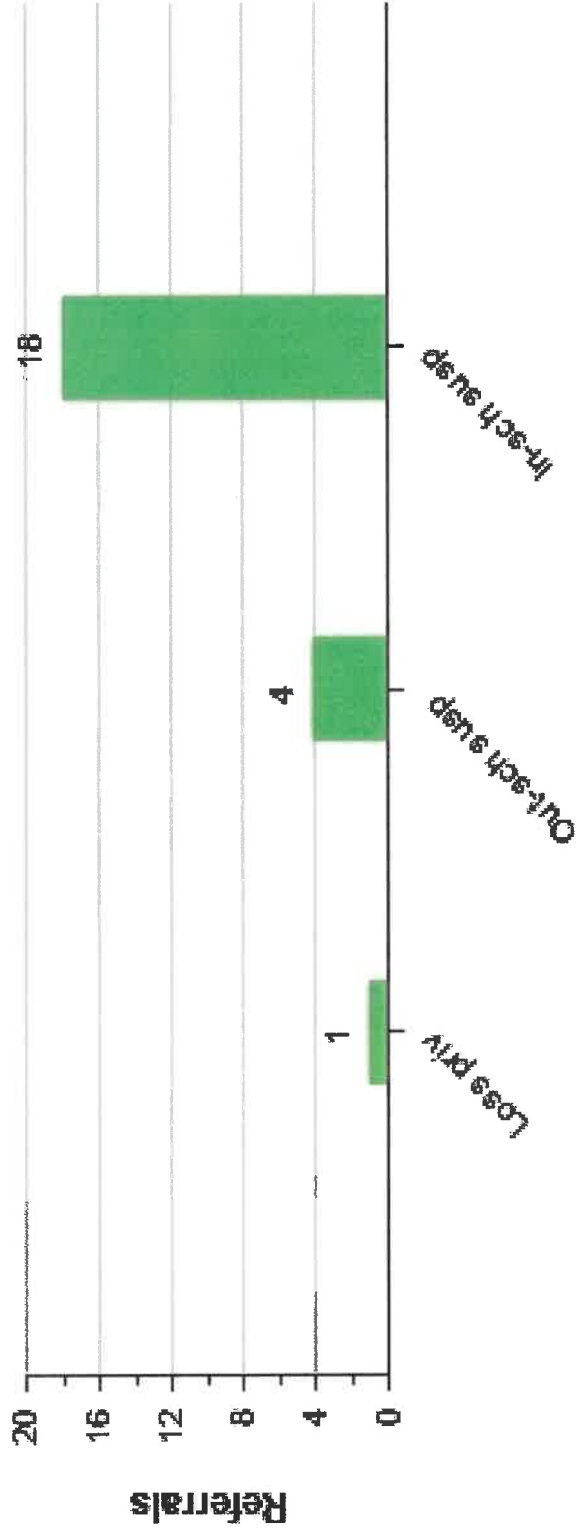
1. Happy New Year, it was so exciting to hear how well attended our annual holiday concert was. It is great to see our community come in and celebrate our students. The concert was so well done, thank you to Mrs. Sullivan, our music teacher, for coordinating this and showing off the talent of our students and thank you to all the staff who came after hours and helped make it such a successful night. We look forward to continuing with the spirit of community throughout the school year.
2. We have recently been designated by the Department of Education as a school in need of "Additional Targeted Support and Improvement" (ATSI). This is one of three designations a school might be given in New Hampshire, and it is as a result of three subgroups in our school which did not meet state cut scores in a variety of indicators. Our school leadership is meeting with the DOE department of accountability on Thursday, December 28<sup>th</sup> and further details will be brought to the board as we learn what expectations we must meet. The three subgroups that did not perform well are our students with disabilities population, economically disadvantaged students and students of a different race. The work we do the remainder of this year will include a focus on utilizing our interventionists and special education staff to address the gaps these subgroups are showing.
3. I am excited to start the new year with a focus on finalizing our literacy standards with vertical planning to assure our teachers are consistently meeting the grade level standards, and all staff are aware of all grade level expectations. To do this work, we will be using all non-instructional time working with our staff to come to a consensus on our literacy standards. Non instructional time will include our staff meetings, our leadership team meetings, teacher professional learning communities and professional development days. In November our staff worked on producing a "curriculum resource dump" which was an activity which allowed them to get a quick inventory of the curriculum resources that are being used in classrooms. This work will align nicely with the finalization of literacy standards with the standards work moving towards consistently matching our resources to our standards. There have been some dates established by our behavioral health team for monitoring our data regarding our SEL programming, and we will work with the staff at our first staff meeting in January to determine at least 2 data days, where we spend time monitoring the data teachers are gathering through the work, they are doing with our literacy standards. In addition, our district leadership team will be monitoring the work done monthly. We believe that strong literacy skills are necessary for every content area we teach in our school and will be looking at the many ways we use literacy when teaching/learning science, social studies, math, and the arts. It is clear from the research that our best work is done when we do it collaboratively as a staff rather than in smaller silos. I am excited to embark on this endeavor and will report back to the board monthly on how our work is going. It is crucial that the time needed to do this work be carved out and structurally planned so that our teachers have the time they need to teach and do the work necessary for focused improved student achievement.
4. I am pleased with our budget process and want to commend all our department heads for getting the job in a timely manner! As a reminder, the Public Hearing on January 9<sup>th</sup> at 6:30 at the town hall is a great opportunity for the community to ask questions about the budget, I look forward the continued support of the community which we saw during the budget process. Thank you to all who worked so hard to help get our budget approved.

# **Average Referrals Per Day Per Month - Multi-Year** **All, 2022-23 - 2023-24**



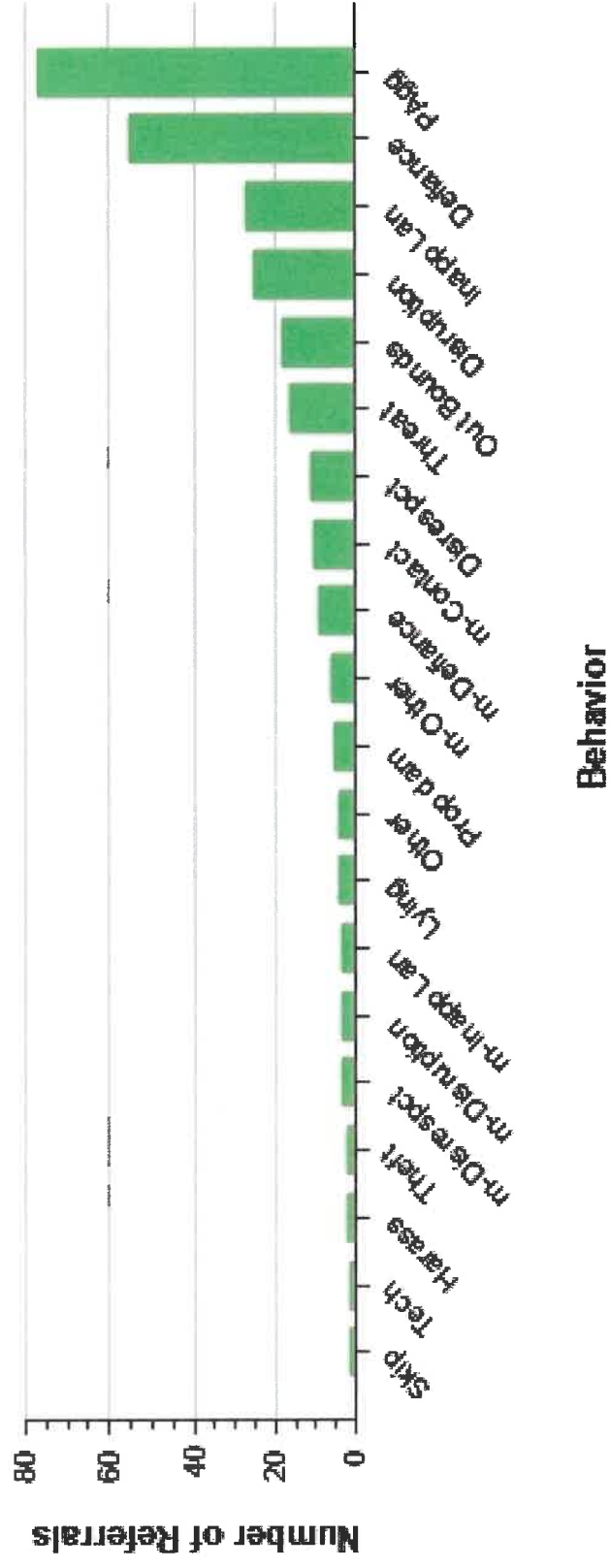
# Referrals by Action Taken

Drill Down



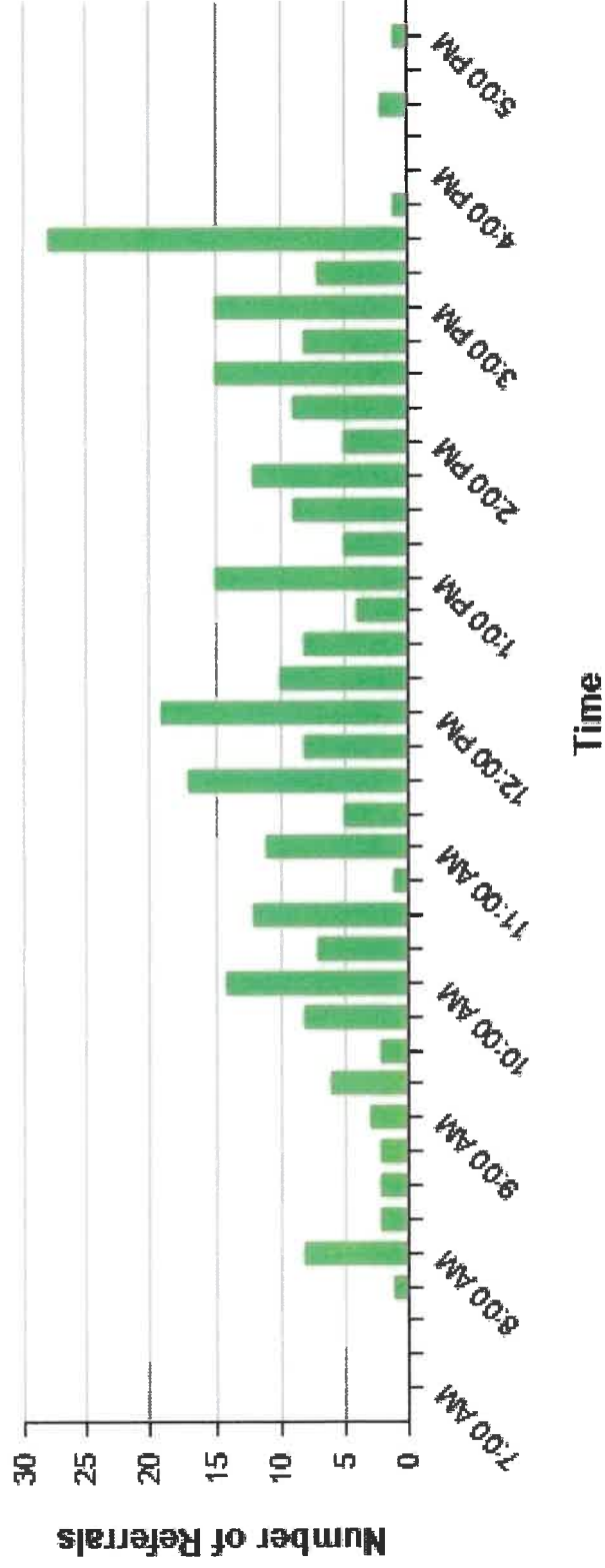
## Referrals by Behavior

All, Aug 1, 2023 - Jul 31, 2024



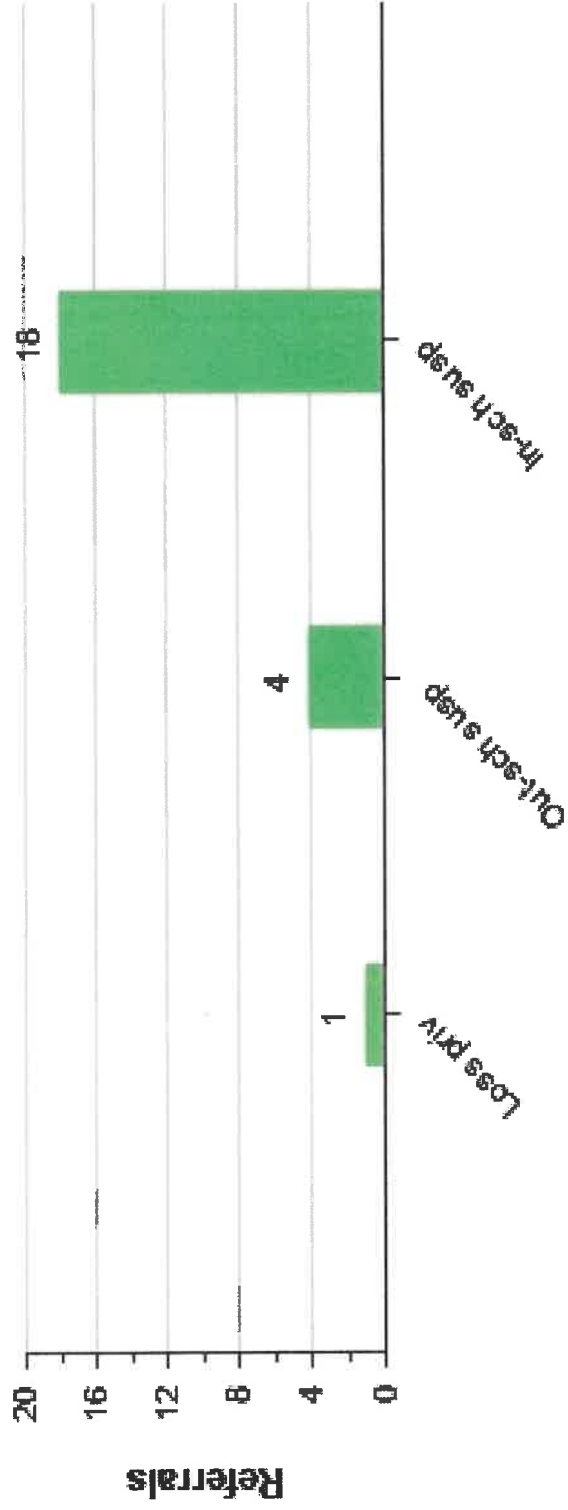
# Referrals by Time

All, Aug 1, 2023 - Dec 28, 2023



# Referrals by Action Taken

Drill Down



# WAKEFIELD SCHOOL DISTRICT AP CHECK REGISTER

Report # 62889

Check Batch: 42465  
Check Header: (N/A)  
Check Numbers: (First) - (Last)  
Check Dates: (Earliest) - (Latest)  
Cash Account Numbers: (First) - (Last)  
Bank Account Code: (N/A)  
Check Authorization Code: AP  
Minimum Check Amount: \$0.00  
Sorted By:  
Include Payable Information: No  
Include Payable Dist Information: No  
Include Authorization Information: Yes

Batch #	Check #	Check Date	Vendor Code	Vendor Name	Electronic Amount	Check Amount
42465	22938	12/21/2023	948	BASIX AUTOMATION INTEGRATORS	0.00	555.00
	22939	12/21/2023	9503	C&S COMMERCIAL FOOD EQUIPMENT SERVICES,	0.00	196.00
	22940	12/21/2023	1190	CLEAN-O-RAMA	0.00	3,391.63
	22941	12/21/2023	9375	DRUMMOND WOODSUM &	0.00	2,859.31
	22942	12/21/2023	1840	FLAYNE ELLIS	0.00	103.21
	22943	12/21/2023	585	HEALTH TRUST	0.00	5,571.71
	22944	12/21/2023	2881	KEBLER, ANNE	0.00	74.64
	22945	12/21/2023	1073	LEARNING WITHOUT TEARS	0.00	42.30
	22946	12/21/2023	9612	LEGENDRE, DIANE	0.00	980.00
	22947	12/21/2023	9687	MERCHANTS AUTOMOTIVE GROUP INC	0.00	25,823.00
	22948	12/21/2023	2288	MSB SCHOOL SERVICES	0.00	49.22
	22949	12/21/2023	596	NH SCHOOL HEALTH CARE COALITION	0.00	80,635.00
	22950	12/21/2023	9668	OPTIMUM TRANSPORTATION	0.00	2,700.00
	22951	12/21/2023	9290	PAGE STREET LEASING, LLC	0.00	75.00
	22952	12/21/2023	9681	Pam Harris Consulting LLC	0.00	1,540.00
	22953	12/21/2023	686	ROCHESTER SCHOOL DEPARTMENT	0.00	500,000.00
	22954	12/21/2023	9530	SOLJANT	0.00	3,250.00
	22955	12/21/2023	9191	TORRES, LUIS	0.00	293.44
	22956	12/21/2023	804	TREASURER, STATE OF NH	0.00	4,888.38
	22957	12/21/2023	9669	VOYA HOLDINGS, INC	0.00	1,261.22
	22958	12/21/2023	1944	WINNIPESAUKEE DRUG CONSORTIUM SERVICES L,	0.00	175.00
Totals:					0.00	\$634,464.06

# WAKEFIELD SCHOOL DISTRICT AP CHECK REGISTER

Batch #	Check #	Check Date	Vendor Code	Vendor Name	Electronic Amount	Check Amount
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## WAKEFIELD SCHOOL DISTRICT - SCHOOL BOARD AND SUPERINTENDENT APPROVALS

*Mary Collins*  
Mary Collins, School Board Chairman

*Bob Ouellette*  
Bob Ouellette, School Board Vice Chairman

Sandrea Taliaferro, School Board Member

Brennan Peaslee, School Board Member

*Robert DeCoffmacker*  
Robert DeCoffmacker, School Board Member

*Carlene Stewart*  
Carlene Stewart, Treasurer

*Anne Kehler*  
Anne Kehler, CEO

21 Checks Listed.

# WAKEFIELD SCHOOL DISTRICT AP CHECK REGISTER

Report # 62758

Check Batch: 42445  
 Check Header: (N / A)  
 Check Numbers: (First) - (Last)  
 Check Dates: (Earliest) - (Latest)  
 Cash Account Numbers: (First) - (Last)  
 Bank Account Code: (N/A)  
 Check Authorization Code: AP  
 Minimum Check Amount: \$0.00  
 Sorted By:  
 Include Payable Information: No  
 Include Payable Dist Information: No  
 Include Authorization Information: Yes

Batch #	Check #	Check Date	Vendor Code	Vendor Name	Electronic Amount	Check Amount
42445	22929	12/15/2023	9606	Bultman, Alyssa	0.00	600.00
	22930	12/15/2023	9685	HURLEY, KIMBERLY	0.00	3,768.00
	22931	12/15/2023	9565	MILLEN, ELAINE	0.00	7,250.00
	22932	12/15/2023	2128	NAPA AUTO PARTS	0.00	707.20
	22933	12/15/2023	1366	NEW ENGLAND CENTER FOR CHILDREN	0.00	22,417.50
	22934	12/15/2023	506	PIONEER MECHANICAL	0.00	120.00
	22935	12/15/2023	9191	TORRES, LUIS	0.00	293.44
	22936	12/15/2023	9682	VALDEPENNA, BRIANNA	0.00	85.00
	22937	12/15/2023	2164	W.B. MASON COMPANY	0.00	193.08
	Totals:				0.00	\$35,434.22

12

# WAKEFIELD SCHOOL DISTRICT AP CHECK REGISTER

Batch #	Check #	Check Date	Vendor Code	Vendor Name	Electronic Amount	Check Amount
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## WAKEFIELD SCHOOL DISTRICT - SCHOOL BOARD AND SUPERINTENDENT APPROVALS

Mary Collins  
Mary Collins, School Board Chairman

Bob Ouellette  
Bob Ouellette, School Board Vice Chairman

Sandrea Taliaferro, School Board Member

Brennan Peaslee, School Board Member

Robert DeCollmacker  
Robert DeCollmacker, School Board Member

Carlene Stewart  
Carlene Stewart, Treasurer

Anne Kibler  
Anne Kibler, CEO

# Wakefield School Board Public Minutes

December 19, 2023

Held in Paul School Library

Draft



BOARD MEMBERS		ADMINISTRATORS	
Mary Collins, Chair	✓	Anne Kebler, Superintendent	✓
Bob Ouellette, Vice Chair	✓	Frank Markiewicz, Business Administrator Via Zoom	✓
Brennan Peaslee	✓	Sarah Howard, Special Ed Director	
Sandrea Taliaferro	✓	Norma DiRocco, Principal	✓
Robert DeColfmacker		Ivy Levitt-Carlson, Assistant Principal	

Those Present: Mary Soares from Clearview TV

Mrs. Collins led those present in the salute to the flag at 6:00.

## **Presentations/Public Hearings** **Reports**

Eighth grade student and class officer Jaden Toussaint gave an overview of the school happenings and all the things the eighth graders have been up to like fund raisers. He said his class has almost raised enough money for a third day for their Boston class trip.

## **Administrators Report**

The months of November and December have been busy here at The Paul School. During the month of November our teachers hosted parent teacher conferences. On conference night families were able to learn about their children's academics, shop at our family clothing drive and support our 8th grade students by purchasing items from the bake sale. The annual turkey trot was a success at the Paul School. Our students collectively ran over 20 miles. It was a great event and students were excited to run as many laps as possible. A huge shout out to Lovell Lake who provided turkeys for our school to raffle to students and staff members. In December, the holiday concert was a wonderful event for families in our primary grades. Mrs. Sullivan conducted a beautiful event that truly got our school into the holiday spirit. We look forward to celebrating our students continually in the winter and spring. We look forward to celebrating the holiday season with our students in this last week of school.

In the building we have been highlighting the letter "P" and "A" from our PAWS statements. In the month of November, we Practiced Safety in all areas of the school and in December students have been showing the qualities of Acting Responsibly. Each week students are tasked with a new challenge and at the end of the week a grade level is chosen as the winner. Mrs. Nason has

been working with her eighth grade students to help develop videos of each PAWS statement to help our staff and students know the expectations. Each month our Panther of the month is also awarded based on the PAWS statements. This is supporting our Tier I interventions and driving our strategies for improvement.

If anyone in the community is looking to give back to our students and school we are looking for angels in the community to donate to our students in need of lunch program assistance. To support students please send cash to the school or checks made out to Paul School Food Program. We appreciate any donations as do our families in need. As we close in on another year I am filled with gratitude. I am eternally thankful to the staff, families, community and students for their endless amount of support. It is with great pride that I get to witness the beauty of education each day. I personally wish everyone a happy holiday season and wonderful new year.

#### Facilities Report

Mrs. Taliaferro updated the Board on facilities. There are forty one outlets for water. Six more faucets have been purchased. The Facilities Manager is going to retest the whole building. If we still have some that test high some may be eliminated. All outlets will be conditioned this time. (water running for 20 minutes) A grant to replace all cameras, inside and out plus the buses has been applied for and we are on the approval list. Four outside doors will be replaced and a large window will be installed in the kitchen door. Paving of Taylor Way will take place in June. There will be no change in the price. The Facilities Manager is working on a quote for the outside pavilion. Deep cleaning will take place over Christmas break.

#### Agenda Review

Ratification of the teacher's salary on the next agenda.

#### Public Comment

Mrs. Soares told the Board that sign ups for elected positions begin soon. Mr. Markiewicz said it begins January 24<sup>th</sup> to Friday February 2<sup>nd</sup> at 5:00.

#### Consent Agenda

**Mr. Ouellette made a motion, seconded by Mrs. Collins, to approve the consent agenda. (Vote 3-1)**

#### Meeting Minutes

**Mrs. Peaslee made a motion, seconded by Mrs. Collins, to approve the session 1 non public minutes of 12-5-23. (Vote 4-0)**

**Mr. Peaslee made a motion, seconded by Mrs. Collins, to approve the session 2 non public minutes of 12-5-23. (Vote 4-0)**

**Mrs. Peaslee made a motion, seconded by Mrs. Collins, to approve the public minutes of 12-5-23. (Vote 4-0)**

**Mrs. Peaslee made a motion, seconded by Mrs. Taliaferro, to approve the public minutes of 10-17-23 with corrections. (Vote 3-1)**

### **Old Business**

#### **Bus Sale Update**

Mr. Markiewicz said he posted an ad in two places for the two buses and there have been no offers. He will contact a company that sells used bus parts to see if they are interested. No one will take them as a trade in.

### **New Business**

#### **Para Ratification**

**Mrs. Taliaferro made a motion, seconded by Mr. Ouellette to approve the Paras Warrant Article. (Vote 4-0)**

#### **Review of Warrant Articles**

There was a discussion about Article 10 and whether to keep this warrant article or add money to an existing warrant article such as Building Maintenance or Asbestos abatement and Room Renovation. The Board decided to keep the new warrant article and change it to classroom renovations instead of flooring.

Mr. Markiewicz told the Board that the Budget Committee said that the items in this article should be in the operating budget. Using this warrant article would be a nightmare for the Trustees requesting money for small items like switches.

**Mr. Ouellette made a motion, seconded by Mrs. Collins, to delete Article 11 the Computer Trust Fund. (Vote 4-0)**

**Mrs. Taliaferro made a motion, seconded by Mrs. Peaslee, to approve Article 4. (Vote 4-0)**

### **Committee Updates**

#### **Wellness Committee**

Mrs. Kebler told the Board that that the Wellness Committee has instituted the 64 Days of Hunger with backpacks sent home with students. Recess lesson plans are being made for indoor as well as outdoor recess. The nurse has started a staff challenge for weight loss.

#### **Culture and Climate**

This group is trying to improve the culture and climate. They recently had pizza from the Poor People's Pub.

#### **Tech Committee**

These minutes are incomplete and will be on the next agenda.

Joint Loss Committee

Mr. Ouellette said this committee meets quarterly. He said he's happy he's on this committee and they are able to accomplish a great deal.

Mr. Upton will be discussing the gym floor with the Board at a meeting in January.

Adjournment

**Mr. Ouellette made a motion, seconded by Mrs. Peaslee, to adjourn the meeting at 7:01 (Vote 4-0)**

Respectfully submitted for approval at the next School Board meeting,

Priscilla Colbath

School Board Secretary

10-16-23 AREA Meeting Minutes  
Held in Room 144 Rochester SAU  
Draft

In attendance from Wakefield: Mary Collins, Bob Ouellette, Sandra Taliaferro, Brennan Peaslee, Superintendent Anne Kebler

Audience: Randie Fox

In attendance for Spaulding: Chair Paul Lynch, Vice Chair Sarah Harrington, Matthew Pappas, Matthew Beaulieu, Anne Grassie, David Camire, Matthew Munn, Superintendent Kyle Repucci, Principal Justin Roy, Spaulding Teachers and Administration.

The meeting was called to order at 6:00.

**AREA Agreement and AREA Agreement Committee**

Mrs. Peaslee explained that Wakefield has had more than the allowable 10% of students wishing to attend a high school other than Spaulding. She said the Wakefield Board is requesting an increase of the 10%. She said we had three open spots this year and nine students applying. Mr. Repucci said that the two superintends could confer and if there is a good reason and is in the best interest of the student they could come to a solution. He said the agreement says additional students could be approved by mutual agreement. He read a portion of the agreement.

Mrs. Taliaferro asked about getting out of the 10% and having a hard number. Rochester said they didn't know how that would work. They'd need to go through the process of changing the agreement. Mr. Ouellette said this is the first year he has heard anything positive, it's always been a no. Mrs. Taliaferro asked for the parameters for the best interest of the child. The Rochester Chair said that would have to be determined at the Board level. We need to stay within the framework of the process. If we amended the agreement the attorneys would have to get involved. A committee would have to be set up for talks to change the agreement.

**Wakefield Middle School opportunities to play in sports next year**

The Rochester Chair said that allowing Wakefield middle school students to play sports on Rochester teams isn't in the agreement. Mrs. Peaslee said Joelle Bournel came to our Board about middle School students being dropped from Rochester teams. The Athletic Director explained that there are potential problems with start times and getting Wakefield kids to Rochester for games. Also, there could be budget issues, uniforms etc. He doesn't want to take kids from the Wakefield Rec teams. Mrs. Peaslee said it was for sports Wakefield doesn't have, two from cheering and one from wrestling.

Mrs. Peaslee said this all started with homeschooled kids. The Director said it shouldn't have and that has been rectified. Mr. Repucci said this would require an outside agreement, an MOU between attorneys. Mrs. Grassie said we are always talking about helping Wakefield kids before they get to Spaulding and this would be one way. She believes this should be looked at. Mr. Repucci felt this should be a discussion with the attorneys and the two superintendents looking at costs and logistics.

**Wakefield Students – Are they ready academically?**

The Administration introduced themselves. A comparison chart was shown and Principal Justin Roy pointed out that Wakefield students, according to the data, are academically right on point with the Rochester students. He said staff and administrators can't tell Wakefield students from Rochester students. The Administrators talked about Wakefield getting their pick of tech classes. They are planning on doing an exploratory event for eighth graders this year. Students will learn a little about each program. They will begin tracking the number of Wakefield students that take tech courses. Raider Pathways is an alternative study program for struggling students. Smaller class sizes, structured and the students feel connected.

**Calendar Coordination – Shared PD opportunities for middle school teachers**

Mr. Repucci said that the principals are talking about shared PD days for middle school teachers. There are plans in the works.

**Public Comment**

Mrs. Fox said she would like outreach prior to kids going to Spaulding. She said she planned to have a warrant article having the AREA agreement vacated and expressed her thoughts as to why she's spearheading this for families and students.

The meeting was adjourned at 6:30

Respectfully submitted for approval at the next School Board meeting,

Priscilla Colbath  
School Board Secretary

## MINUTES

The secretary ~~should~~ will keep a record of the board meetings. The minutes of the board ~~should~~ will be kept in an official minute book and will include resolutions and motions. Papers not a part of a formal motion may be omitted if they are referred to and identified by some method. ~~Additional revisions to policy BEDG include merged minute sections regarding non-public sessions from policy BEC.~~

Copies of the draft minutes of a meeting will be sent to the members of the board before the meeting at which they are to be approved. Corrections to the minutes may be made only at the meeting at which they are to be approved.

All minutes ~~should~~ will be kept in accordance with RSA 91-A:2 and RSA 91-A:3 and will be in the custody of the Superintendent. Minutes of all public meetings ~~should~~ will be made available for public inspection no later than five (5) business days after the meeting. Minutes for all non-public sessions ~~should~~ will be made available for public inspection within seventy-two (72) hours after the non-public session.

### Legal References:

*RSA 91-A:2 II, Public Records and Meetings: Meetings Open to Public*

*RSA 91-A:3 III, Public Records and Meetings: Non Public Sessions*

*RSA 91-A:4 I, Public Records and Meetings: Minutes and Records Available for Public Inspection*

Mrs. Priscilla Colbath, Chairperson  
Mrs. Judith Nason  
Mrs. J. Lisbeth Olimpio  
Mrs. Vivian Macedo  
Mr. Stephen Brown

Adopted by the Board: 19 November 1991  
Reaffirmed by the Board: 6 December 2000  
Revised by the Board: 6 August 2008  
Revised by the Board: 17 October 2012

MEETING MINUTES

Category: Recommended

Related Policy: BEC & EH  
Related Administrative Procedure: EH-R

ADOPTION/REVISION NOTES –

Text between the highlighted lines “~ ~ ~”, and highlights in this sample should be removed prior to adoption.

- (a) Much of the content of this sample policy reflects requirements of the New Hampshire’s Right to Know Law. In general, elements of the policy that are best practice recommendations use language that is permissive (e.g., “should”) rather than mandatory (e.g., “shall”, “must” or “will”).

*In many respects, the policy is more of a TA than “board policy”.*

- (b) General – As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption/revision to assure suitability with the district’s own specific circumstances, internal coding system, current policies, and organizational structures.
- (c) Highlighted language or blank, underscored spaces indicate areas which Boards should review, change or complete to reflect local personnel titles, internal/ external policy references, duty assignments etc.
- (d) **{\*\*}** indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.
- (e) Withdrawn & earlier versions of revised policies should be maintained separately as part of the permanent records of the District.

A. Minutes Required.

Under RSA 91-A, the school board, and each of the school 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”/“recording clerk”<sup>1</sup> 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

<sup>1</sup>**[Delete footnote]** Many districts refer to the minute taker as the “Clerk”. NHSBA believes that title might cause confusion relative to the distinction between the “District Clerk”, and the minute taker. If using “clerk” to reference the minute taker, we suggest using the title “Recording Clerk”.

**MEETING MINUTES**

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 School 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>2</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 paragraph **C**, 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

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<sup>2</sup>**[Delete footnote]** This is the only requirement relative to the subject matter discussed. Minutes are not a transcript, but a record of the board's "doings" and actions. A board may require or include more extensive "descriptions", e.g., summaries of debate, etc., but that is not required.

## MEETING MINUTES

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>3</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, 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.

<sup>3</sup>[Delete footnote] RSA 91-A:2, II-b requires each district to either post "approved" minutes on the district's website, or a notice as to where approved minutes may be inspected and copied. The statute does not discuss "draft" minutes, other than to require that minutes of every meeting be available for inspection and copying within 5 business days of the meeting (or 72 hours for minutes of non-public sessions).

**MEETING MINUTES****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 paragraphs **B.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 paragraph **C.2.**, above), along with the statutory reason permitting the sealing (see D.2, below), 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

## 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 paragraphs B.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:

*[NOTE: items marked with an \* are specifically required under the 2021 amendments to RSA 91-A:3, III. The remaining items on the list are recommended to help assure compliance.]*

- 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>4</sup> when possible, state the date the minutes should be unsealed or at least reviewed by the Board or other public body; and

<sup>4</sup> The 2021 amendment to RSA 91-A:3, III (see 2021 HB108), states that minutes relative to non-public sessions under 91-A:3, II(d) “must be made available to the public as soon as practicable after the transaction has closed or the public body has decided not to proceed with the transaction.” Thus, while the bill does not state that the original motion must include such a date, it would be helpful to assure future compliance with the new provision.

## MEETING MINUTES

- 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 periodically and unsealed by majority vote of the Board if the circumstances justifying sealing the minutes no longer apply. Although 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.

**District Policy History:**

First reading: \_\_\_\_\_

Second reading/adopted: \_\_\_\_\_

***District revision history:***

**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

**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.

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***When adopting this sample or variation of the same, a district should not include the NHSBA history or NHSBA policy notes appearing below. The district should, to the extent possible, include its own adoption/revision history, as well as the legal references and disclaimer as indicated above.***

**NHSBA history:** Revised – Sept. 2021, Nov. 2019, Sept. 2018, and Sept. 2017.

## MEETING MINUTES

**NHSBA revision notes:** **September 2021** – General re-write, merged minute sections regarding non-public sessions from BEC, restructured generally, and also included references reflecting 2021 amendments to RSA 91-A:3. **November 2019** – minor changes made to include reference to new EH-R (Administrative Procedures for Public Access to District Records) and slight changes to more accurately reflect statutory requirements. Some paragraphs of the former version were rearranged for better flow. **September 2018** – revised to reflect 2018 N.H. Laws Ch. 244's requirement that minutes include the identity of members making the first and seconds of all motions. Additional revisions to the policy are included to more clearly reflect the process for sealing non-public minutes. **September 2017**, revised to include requirements of 2017 N.H. Laws Ch. 234 concerning inclusion on a district website of board minutes – or a description of where and when minutes may be inspected. Additional revisions clarified requirements for content of minutes, availability of draft minutes, and the duty to unseal the sealed minutes of non-public sessions in some circumstances.

**DISCLAIMER:** This sample policy manual is copyrighted to the New Hampshire School Boards Association and is intended for the sole and exclusive use of NHSBA Policy Service Subscribers. No portion of this manual may be reproduced, copied, transmitted, distributed, in any form, except as needed for the development of policy by a subscribing district. The materials contained in the manual are provided for general information only and as a resource to assist subscribing districts with policy development. School districts and boards of education should consult with legal counsel and revise all sample policies and regulations to address local facts and circumstances prior to adoption. NHSBA continually makes revisions based on school districts' needs and local, state, and federal laws, regulations and court decisions, and other relevant education activity.

## AGENDA PREPARATION AND DISSEMINATION

The superintendent shall prepare all agendas for meetings for the Board.

Items to be placed on the agenda will be received by the superintendent by noon time on ~~Thursday~~ **Wednesday** prior to the meeting. Every board member has the right to place items on the agenda by contacting the Chairman and/or Superintendent. Matters not included in the agenda may be presented during the meeting provided the board agrees to discuss the matter. The board may choose not to deal with every agenda item.

Consistent with RSA 91-A:3 and the laws pertaining to student and family privacy rights, the board will not place any matter on the public meeting agenda that is to be properly discussed in a non-public session. This shall not preclude the board from giving notice of its intent to hold or enter into a non-public session and the statutory reason for doing such.

Any board member, staff member, student, or citizen of the district may suggest items of business. The Chairman and/or Superintendent will put the item on the next available agenda. **A summary of topic discussions must be included.** The inclusion of items suggested by staff members, students, or citizens shall be at the discretion of the board chairman and/or Superintendent. **15 minutes will be set aside for speaker to address the Board.**

The board will follow the order of business set up by the agenda unless the order is altered by a majority vote of the members present. Items of business may be added and discussed and acted upon if a majority of the board agrees to consider item. The board, however, may not revise board policies, or adopt new ones, unless such action has been scheduled, or unless there is an emergency.

The agenda and supporting materials will be distributed to board members on Friday prior to the board meeting. Board members ~~shall be expected~~ **are required** to read the information provided to them and to contact the appropriate person to request additional information that may be deemed necessary to assist them in their decision-making responsibilities.

When the final agenda has been established, it will be made available to the public. Members of the public ~~who wish to speak at board meetings regarding an~~ **shall only speak** to agenda items. ~~must contact the superintendent.~~ Additionally, the board reserves the right to limit public discussion at board meetings to agenda items only. Speakers will be allotted three minutes per person. **Speakers may not relinquish their time to other members of the public. Each speaker will be able to speak once.**

### Legal References:

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

Mrs. Mary Collins, Chairman  
Mr. Robert DeColfmacker, Vice Chairman  
Mr. Bob Ouellette  
Mrs. Brennan Peaslee  
Mrs. Sandra Taliaferro

Adopted by the Board: 2 January 2008  
Revised by the Board: 19 September 2012  
Reaffirmed by the Board:

## PUBLIC PARTICIPATION AT BOARD MEETINGS

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, it may conduct its meetings properly and efficiently, the Board adopts as policy the following procedures and rules pertaining to public participation at Board meetings:

1. 30 minutes will be set aside for the public to address the Board. Speakers will be allotted three minutes per person. There will be one opportunity for public comment on items that are on the agenda which will be at the beginning of the public meeting. Speakers will only be able to speak once, and speakers may not relinquish their speaking time to other public speakers.
2. If there are not enough speakers at the beginning of the meeting to exhaust the full 30 minutes, the Board will move forward and conduct the business of the board agenda. The amount of time left from the 30 minutes will be noticed, and the board chair will recognize a member of the public for comment should a new member of the public enter the meeting.
3. Members of the public may offer comments on agenda items only. The Board will not entertain comments on items that do not appear on the agenda. Requests to address the Board on matters not on the agenda must be presented to the Superintendent and must set forth the specifics of the subject to be addressed. When appropriate, the Board may place such requests on the agenda.
4. Consistent with RSA [91-A:3](#), Policy [BEDB](#), and the laws pertaining to student and family privacy rights, the Board will not place any matter on the public agenda that is to be properly discussed in a non-public session. Complaints regarding individual employees, personnel or students will be directed to the Superintendent in accord with Policies [KE](#) and [KEB](#).
5. All speakers are to conduct themselves in a civil manner. Obscene, libelous, defamatory, or violent statements will be considered out of order and will not be tolerated.

Mary Collins, Chairperson  
Brennan Peaslee, Vice Chairperson  
Sandra Taliaferro  
Bob Ouellette  
Robert DeColfmacker

Adopted by the Board: 6 December 2000  
Reaffirmed by the Board: 6 May 2002  
Reaffirmed by the Board: 2 January 2008  
Reaffirmed by the Board: 19 September 2012  
Revised by the Board: 21 August 2013  
Reaffirmed by the Board: 4 June 2019  
Revised by the Board: 7 February 2023

6. Any comments which do not adhere to the above rules of order, or which disrupt the official business of the Board may be ruled out of order by the Chair. Repeated disruption may result in the individual being asked to leave the meeting. Obscene speech, comments threatening bodily harm, or other unprotected speech will not be tolerated.
7. In order to comply with the minute requirements of RSA 91-A:2, II, speakers shall identify themselves clearly for the record.

**Legal Reference:**

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

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

RSA 189:74

Mary Collins, Chairperson  
Brennan Peaslee, Vice Chairperson  
Sandra Taliaferro  
Bob Ouellette  
Robert DeColfmacker

Adopted by the Board: 6 December 2000  
Reaffirmed by the Board: 6 May 2002  
Reaffirmed by the Board: 2 January 2008  
Reaffirmed by the Board: 19 September 2012  
Revised by the Board: 21 August 2013  
Reaffirmed by the Board: 4 June 2019  
Revised by the Board: 7 February 2023

*Category: Priority/Required by Law*

*Related Policies: DI, DID, DJ, DJC, DJE, DJF & DK  
See also: ADB, EFAA, EHB, JICI & JRA*

## **ADMINISTRATION OF FEDERAL GRANT FUNDS**

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 Business Administrator 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 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.

Mary Collins, Chairman  
Robert DeColfmacker, Vice Chairman  
Sandrea Taliaferro  
Bob Ouellette  
Brennan Peaslee

**Adopted by the Board: 1 October 2019**

**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
    - 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.

Mary Collins, Chairman  
Robert DeColfmaeker, Vice Chairman  
Sandra Taliaferro  
Bob Ouellette  
Brennan Peaslee

**Adopted by the Board:** 1 October 2019

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.

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

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Sandra Taliaferro  
Bob Ouellette  
Brennan Peaslee

Adopted by the Board: 1 October 2019

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 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:

Mary Collins, Chairman  
Robert DeColfmaeker, Vice Chairman  
Sandra Taliaferro  
Bob Ouellette  
Brennan Peaslee

Adopted by the Board: 1 October 2019

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.
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

Mary Collins, Chairman  
Robert DeColfmaeker, Vice Chairman  
Sandra Taliaferro  
Bob Ouellette  
Brennan Peaslee

Adopted by the Board: 1 October 2019

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.

The 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.

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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-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.

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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.

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 "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

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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 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 Policy

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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.

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

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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.

**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

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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.

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 Disbarment:** 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

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[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)).
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. The District 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. 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

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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.

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.

#### **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

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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.

**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.). 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

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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 /Officer/Food Service Director], shall) 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) Require suppliers to provide specific information about the percentage of U.S. content in food products.

#### **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 Business Administrator, who, in 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

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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 Business Administrator 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.

**C. Inventory:** No less than once every two years, the Superintendent or Business Administrator 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.

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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 or Business Administrator.

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 Business Administrator shall maintain sufficient records to justify that:

- A. Participation of the individual is necessary to the federal award.
- 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 Business Administrator who can attest that the expenditure is allowable and approved under the federal program. The Superintendent or Business Administrator 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

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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;
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 Business Administrator 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

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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.

**Legal References:**

*2 C.F.R. Part 180*

*2 C.F.R. Part 200*

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

*200 Appendix II*

*7 CFR Part 210*

*210.16; 210.19; 210.21; 215.14a; 220.16*

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**Adopted by the Board: 1 October 2019**

## SUICIDE PREVENTION AND RESPONSE

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

**A. District Suicide Prevention Plan and Biennial Review.** The District shall maintain a coordinated written District Suicide Prevention Plan (the "Plan") to include guidelines, protocols and procedures with the objectives of prevention, risk assessment, intervention and response to youth suicides and suicide attempts.

1. Specific Requirements for Plan Terms: The District Suicide Prevention Plan shall include terms relating to:
  - a. Suicide prevention (risk factors, warning signs, protective factors, referrals);
  - b. Response to in-or-out-of-school student suicides or suicide attempts (postvention, suicide contagion);
  - c. Student education regarding safe and healthy choices, coping strategies, recognition of risk factors and warning signs of mental disorders and suicide; and help seeking strategies;
  - d. Training of staff, designated volunteers, and contracted personnel on the issues of youth suicide risk factors, warning signs, protective factors, response procedures, referrals, post-intervention and resources available within the school and community;
  - e. Confidentiality considerations;
  - f. Designation of any personnel, in addition to District Suicide Prevention Coordinator and Building Suicide Prevention Liaison, to act as points of contact when students are believed to be at an elevated risk of suicide;
  - g. Information regarding state and community resources for referral, crisis intervention, and other related information;

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- h. Dissemination of the Plan or information about the Plan to students, parents, faculty, staff, and school volunteers;
  - i. Promotion of cooperative efforts between the District and its schools and community suicide prevention program personnel;
  - j. Such include such other provisions deemed appropriate to meet the objectives of this Policy (e.g., student handbook language, reporting processes, "postvention" strategies, memorial parameters, etc.).
2. Biennial Review: No less than once every two years, the Superintendent, in consultation with the District Suicide Prevention Coordinator and ~~Building~~ Suicide Prevention Liaisons with input and evidence from community health or suicide prevention organizations, and District health and guidance personnel, shall update the District Suicide Prevention Plan, and present the same to the Board for review. Such Plan updates shall be submitted to the Board in time for appropriate budget consideration.

**B. Suicide Prevention Coordinator and Liaisons.**

1. District Suicide Prevention Coordinator. The Superintendent or designee shall appoint the District Suicide Prevention Coordinator, who, under the direction of the Superintendent shall be responsible for:
- a. developing and maintaining cooperative relationships with and coordination efforts between the District and community suicide prevention programs and personnel;
  - b. annual updating of (i) State and community crisis or intervention referral intervention information, and (ii) names and contact information of Building Suicide Prevention Liaisons, for inclusion in student handbooks and on the District's website;
  - c. developing - or assisting individual teachers with the development - of age appropriate student educational programing, such that all students receive information in the importance of safe and healthy choices and coping strategies, recognizing risk factors and warning signs of mental disorders and suicide in oneself and others, and providing help-seeking strategies for oneself or others, including how to engage school resources and refer friends for help;
  - d. developing or assisting in the development of the annual staff training required under section C of this policy;
  - e. Such other duties as referenced in this Policy or as assigned by the Superintendent.

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2. **Building Suicide Prevention Liaison.** The Suicide Prevention Liaison or, in his/her absence, the building principal, shall be designated as the Building Suicide Prevention Liaison, and shall serve as the ~~in-building~~ point-of-contact person when a student is believed to be at an elevated risk for suicide. Employees who have reason to believe a student is at risk of suicide, or is exhibiting risk factors for suicide, shall report that information to the Building Liaison, who shall, immediately or as soon as possible, establish and implement a response plan with the District Suicide Prevention Coordinator.
- C. **Annual Staff Training.** The Superintendent shall assure that beginning with the 2020-21 school year, all school building faculty and staff, designated volunteers, and any other personnel who have regular contact with students, including contracted personnel or third-party employees, receive at least two hours of training in suicide awareness and prevention. Such training may include such matters as youth suicide risk factors, warning signs, protective factors, intervention, response procedures, referrals, and postvention and local resources.
- D. **Dissemination.** Student handbooks and the District's website will be updated each year with the contact information for the Building Suicide Prevention Liaisons, State and community crisis or intervention referral intervention resources. The District Suicide Prevention Plan will be made available on the District's, and each school's respective websites.
- E. **Student Identification Cards.** The National Suicide Prevention Lifeline shall be labeled on student identification cards and include the telephone number; National Suicide Prevention Lifeline 988. Prior to the start of each school year, the Superintendent shall certify that the contact information for the National Suicide Prevention Lifeline is accurate and up to date.

**Legal References:**

RSA 193-J: Suicide Prevention Education

RSA 193-J:2-a: Suicide Prevention; Public School Identification Cards

**Other Resources:**

The New Hampshire Department of Education's Bureau of Student Wellness, Office of Social and Emotional Wellness (OSEW), provides resources and technical assistance to school districts to work collaboratively with their community to respond to the needs of students through a multi-tiered system of support for behavioral health and wellness. For further information see: [www.nhstudentwellness.org](http://www.nhstudentwellness.org)

American Foundation for Suicide Prevention (AFSP) - <https://www.afsp.org>

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Suicide Prevention Resource Center - <http://www.sprc.org>

The National Suicide Prevention Lifeline - <https://www.suicidepreventionlifeline.org>

The Trevor Project - <https://www.thetrevorproject.org>

**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

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Adopted by the Board:

## ESTABLISHMENT OF SCHOOL BUS ROUTES

### **A. General Policy.**

The Transportation Coordinator designated by the Superintendent pursuant to Board policy EEA, in consultation with the Principal(s) and transportation provider shall establish bus routes, schedules and stops for all students eligible for transportation pursuant to Board policy EEA. Routes will be over the most direct roads practicable for bus travel. Where an alternate route may be selected without sacrifice to efficiency or economy, preference will be given to that route serving the larger number of students more directly. Routes will be designed to employ as nearly as practicable the full carrying capacity of each bus trip. New routes will be established only when full capacity of the trips on existing routes has been reached or is imminent.

The purpose of bus scheduling shall be to achieve maximum service with a minimum fleet of buses consistent with rendering equitable service to all eligible students. The measure of service rendered shall be the total time between leaving a bus stop in the morning and returning thereto in the afternoon on a regular bus trip. To the greatest extent possible, routes, schedules and stops will minimize and balance the time students spend on buses. However, priority in distance to stops will be given to younger children.

Authorized bus stops shall be located at convenient intervals in places where students can be loaded or unloaded, cross highways and await arrival of buses with the utmost safety permitted based upon highway conditions, terrain, and visibility. Bus stops will be situated so that no student is required to walk more than 1 mile to reach a stop. Per RSA 189:8, the maximum distance to stops can be extended to 1 ½ miles for students residing in areas which are inaccessible by the District's established mode of transportation, provided that the vehicle, route and schedule have been approved by the commissioner of education. The number of bus stops on each trip shall be limited, consistent with the policy, so as to enable buses to maintain a reasonable timetable and schedule.

### **B. Process for Establishing Bus Routes and Stops.**

1. Transportation coordinator obtains student enrollment list in early July.
2. Transportation Coordinator ~~and building Principal(s)~~, evaluate past year's routes and stops, find houses of new students, and draft a route/stop proposal.
3. Proposed route and stop schedule is reviewed with Superintendent and/or designee.
4. In August Superintendent approves final route and stop schedule.<sup>1</sup>

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5. Routes and stops are posted on the District and school websites.
6. Late enrollments and other factors may necessitate alteration of approved and publicized routes and stops.

**C. Parent/Guardian Requests for Changes and Appeals.**

1. Change Requests. Students entitled to transportation service will be assigned to a school bus and stop and will be expected to adhere to the assignment. Parent requests for changes in a child's regular bus assignment should be sent to the Transportation Coordinator. Bus assignment changes will be made based on the following criteria:
  - a. Request must be written by parent or guardian.
  - b. Space must be available.
  - c. Change in a student's regular bus assignment may be approved for the year, the half year, or the quarter. Changes for shorter periods will not be honored by the coordinator.
  - d. Emergency situations or one-day changes may be authorized on a case-by-case basis by the Principal or his/her designee. Any such one-time change must be requested in writing and in advance by the parent/guardian. The Principal/designee will coordinate the change directly.
2. Appeals of Change Requests.
  - a. Appeals under C.1 must be presented in writing to the Superintendent within 10 calendar days of the Transportation Coordinator's decision.
  - b. The Superintendent will review relevant information and consult with the parent/guardian, Principal and transportation contractor.
  - c. If the Superintendent perceives a safety concern or if there is agreement that a change or addition to the route/stop is justified, the Superintendent will immediately make the change.
  - d. If the Superintendent does not approve the request, the parent/guardian may request a review by the School Board. To initiate the review/appeal the parent/guardian must

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request review/appeal in writing to the Superintendent within 10 calendar days from the date of the Superintendent's decision.

- e. The Board will hear the appeal as part of its next available agenda subject to the availability of the parent/guardian.
- f. The Board will make its decision after hearing all appropriate information.

## **Non-Discrimination, Equal Opportunity Employment, and Anti-Discrimination Plan**

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

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

### **A. Equal Opportunity of Employment and Prohibition Against Discrimination in Employment.**

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

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

### **B. Policy Application.**

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

Mr. Stephen Brown, Chairperson  
Mr. Relf Fogg  
Mrs. Bonnie Cyr  
Mr. Robert Ouellette  
Mrs. Norma Joy

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Reaffirmed by the board: 15 January 2014

Examples of sites and activities include all District buildings and grounds, school buses and other vehicles, field trips, and athletic competitions.

**C. District Anti-Discrimination Plan.**

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

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

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

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

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

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

Human Rights [or Non-Discrimination] Officer \_\_\_\_\_

Title IX Coordinator \_\_\_\_\_

504 Coordinator \_\_\_\_\_

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

U.S. Department of Education, Office of Civil Rights

U.S. Department of Agriculture, Office of Civil Rights

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Mrs. Norma Joy

Adopted by the Board: 15 November 2006  
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N.H. Human Rights Commission  
N.H. Department of Justice, Civil Rights Unit  
N.H. Department of Education, Commissioner of Education

**E. Complaint and Reporting Procedures.**

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

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

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

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

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

At any time, whether or not an individual files a complaint or report under this Policy, an

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individual may file a complaint with the Office for Civil Rights (“OCR”), of the United States Department of Education, or with the New Hampshire Commissioner for Human Rights.

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

*Note:* Complaints to OCR must be filed in writing no later than 180 days after the alleged act(s) of discrimination. OCR may waive its 180 day time limit based on OCR policies and procedures

2. New Hampshire Commission for Human Rights, 2 Industrial Park Drive, Concord, NH 03301; Telephone number: (603) 271-2767; Email: [humanrights@nh.gov](mailto:humanrights@nh.gov)

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

H. **Retaliation Prohibited.**

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

I. **Administrative Procedures and Regulations.**

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

J. **Notice of Compliance.**

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

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Mrs. Norma Joy

Adopted by the Board: 15 November 2006  
Reaffirmed by the board: 15 January 2014

## **NON-DISCRIMINATION**

The School Board in accordance with the requirements of the federal and state laws, and the regulations which implement those laws, hereby declares formally that it is the policy of the Board, in its actions and those of its employees, that there shall be no discrimination on the basis of age, sex, race, creed, color, marital status, physical or mental disability, national origin, or sexual orientation for employment in, participation in, admission/access to, or operation and administration of any educational program or activity in the school district.

Inquiries, complaints, and other communications relative to this policy and to the applicable laws and regulations concerned with non-discrimination shall be received the superintendent or his/her designee.

This policy of non-discrimination is applicable to all persons employed or served by the district. Any complaints or alleged infractions of the policy, law or applicable regulations will be processed through the grievance procedure. This policy implements PL 94-142, Section 504 of the Rehabilitation Act of 1973, Title II of the American with Disabilities Act, Title VI or VII of the Civil Rights act of 1964, Title IX of the Education Amendments of 1972, and the laws of New Hampshire pertaining to non-discrimination.

Legal Reference:

RSA 354-A:6, Opportunity for Employment without Discrimination a Civil Right  
RSA 354-A:7, Unlawful Discriminatory Practices

The Age Discrimination in Employment Act of 1967  
Title I of The Americans with Disabilities Act of 1990  
Title VII of The Civil Rights Act of 1964 (15 or more employees)

Appendix: AC-4

**Mr. Stephen Brown, Chairperson**  
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**Mrs. Bonnie Cyr**  
**Mr. Robert Ouellette**  
**Mrs. Norma Joy**

**Adopted by the Board: 15 November 2006**  
**Reaffirmed by the Board: 15 January 2014**

**Policy AC: Non-Discrimination, Equal Opportunity Employment, and Anti-Discrimination Plan**

Status: ADOPTED

Original Adopted Date: 07/01/1998 | Last Revised Date: 11/01/2019 | Last Reviewed Date: 11/01/2019

Category: Priority/Required by Law

ADOPTION/REVISION NOTES –

Text between the highlighted lines “~ ~ ~ ~ ~”, and highlights in this sample should be removed prior to adoption.

- a. The November 2019 revision is intended to meet the basic policy requirements of SB263, (2019 N.H. Laws 282) while more extensive revisions to related NHSBA sample discrimination policies and procedures undergo review and revision. See NHSBA Revision Note, below.
- b. Additionally, this revision incorporates the provisions (revised) of previous NHSBA sample GBA, which has been withdrawn as of December 2019.
- c. **Many districts have adopted policies other than NHSBA's policies relative to discrimination, harassment, etc., and used different policy codes than NHSBA.** Districts should take extra care to cross-reference according to their own policies and policy codes.
- d. General – As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption to assure suitability with the district's own specific circumstances, internal coding system, current policies, and organizational structures. Highlighted language or blank, underscored spaces indicate areas which Boards must change/complete to reflect local personnel titles, policy references, duty assignments etc.
- e. Withdrawn and earlier versions of revised policies should be maintained as permanent records of the District. Some districts maintain a “Repealed/Revised” section within their manuals.
- f. {\*\*} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.

**NHSBA history:** Revised - November 2019; September 2018; September 2008; February 2005; February 2004, July 1998

**NHSBA Notes, November 2019:** Sample policy AC was revised to reflect the 2019 passage of SB263, 2019 N.H. Laws Ch. 282 ,which among other things: (1) identifies education as a civil right protected under RSA 354-A;(2) expanded (or clarified) the list of classes protected against discrimination under state law; (3) created specific right of claimants or the state attorney General's office to bring discrimination complaints to the NH Human Rights Commission and Superior Court, and (3) requires each district to adopt a policy that sets the framework for developing a coordinated plan to prevent and address incidents of discrimination. The November 2019 revision is intended to meet the minimum requirements of SB263, while more extensive revisions to related NHSBA sample discrimination policies and procedures undergo review and revision. Additionally, incorporates the substantive provisions of former NHSBA sample policy GBA. **September 2018:** Addition of provision prohibiting discrimination in employment practices on the basis of gender identity is required by the passage of HB1319 (2018), which, among other things, amended RSA 354-A:6, and 354-A:7. **NHSBA Note, September 2014:** Addition of provision prohibiting discrimination on the basis of economic status, per RSA 186:11, XXXIII (effective July 2014). Addition of new paragraph prohibiting discrimination in employment matters against victims of domestic violence, harassment, sexual assault, or stalking, per RSA 275:71 (effective July 2014).

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

Finally, there shall be no denial to any person of the benefits of educational programs or activities, on the basis of any of the above classes, or economic status.

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

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

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

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

**B. Policy Application.**

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

**C. District Anti-Discrimination Plan.**

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

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

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

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

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

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

Human Rights [or Non-Discrimination] Officer \_\_\_\_\_ [check district policies for title]

Title IX Coordinator \_\_\_\_\_ [check district policies (e.g., JBAA, GBAA?) for title]

504 Coordinator \_\_\_\_\_ [check district policies for title]

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

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

N.H. Department of Justice, Civil Rights Unit  
N.H. Department of Education, Commissioner of Education

**E. Complaint and Reporting Procedures.**

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

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

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

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

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

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

1. Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8<sup>th</sup> Floor, Boston, MA 02109-3921; Telephone number: (617) 289-0111; Fax number: (617) 289-0150; Email: OCR.Boston@ed.gov(<https://simbli.eboardsolutions.com/SU/bplusdYSMOvcV8ARgaplusRwoVGQ==>)

Note: Complaints to OCR must be filed in writing no later than 180 days after the alleged act(s) of discrimination. OCR may waive its 180 day time limit based on OCR policies and procedures

2. New Hampshire Commission for Human Rights, 2 Industrial Park Drive, Concord, NH 03301; Telephone number: (603) 271-2767; Email: humanrights@nh.gov

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

**G. Retaliation Prohibited.**

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

H. **Administrative Procedures and Regulations.**

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

I. **Notice of Compliance.**

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

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**District Policy History:**

*First reading:* \_\_\_\_\_

*Second reading/adopted:* \_\_\_\_\_

*District revision history:*

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

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

**DISTRICT PERSONNEL:**

**Human Rights [or Non-Discrimination] Officer**

**Name:**  
**Address:**  
**Telephone:**  
**Email Address:**

**Title IX Coordinator**

**Name:**  
**Address:**  
**Telephone:**  
**Email Address:**

**504 Coordinator**

**Name:**  
**Address:**  
**Telephone:**  
**Email Address**

**OUTSIDE AGENCIES:**

Mary Collins, Chairman  
Bob Ouellette, Vice Chairman  
Sandra Taliaferro  
Robert DeColfinacker  
Brennan Peaslee

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

Office of Civil Rights, U.S. Dept of Agriculture; 1400 Independence Avenue, SW, Washington, D.C., 20250-9410; Telephone - 866-632-9992; Email – [program.intake@usda.gov](mailto:program.intake@usda.gov)

N.H. Commission for Human Rights, 2 Industrial Park Drive, Concord 0330, Telephone - 603-271-2767; Email – [humanrights@nh.gov](mailto:humanrights@nh.gov)

N.H. Department of Justice, Civil Rights Unit; 33 Capitol Street, Concord, NH 03301; Telephone – 603-271-1181

N.H. Department of Education, Commissioner of Education; 101 Pleasant Street, Concord, NH 03301, Telephone – 603-271-3494; Email - [info@doe.nh.gov](mailto:info@doe.nh.gov)

Mary Collins, Chairman  
Bob Ouellette, Vice Chairman  
Sandra Taliaferro  
Robert DeColfmacker  
Brennan Peaslee

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

*Related Policy: AC*

**ADOPTION/REVISION NOTES –**

**Text between the highlighted lines “~ ~ ~”, and highlights in this sample should be removed prior to adoption.**

- (a) *General – As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption/revision to assure suitability with the district's own specific circumstances, internal coding system, current policies, and organizational structures.*
- (b) *Highlighted language or blank, underscored spaces indicate areas which Boards should review; change or complete to reflect local personnel titles, internal/ external policy references, duty assignments etc.*
- (c) *{\*\*} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.*
- (d) *Withdrawn & earlier versions of revised policies should be maintained separately as part of the permanent records of the District.*

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

**DISTRICT PERSONNEL:**

**Human Rights [or Non-Discrimination] Officer** \_\_\_\_\_ [check district policies for title]

Name:  
Address:  
Telephone:  
Email Address:

**Title IX Coordinator** \_\_\_\_\_ [check district policies (e.g., JBAA, GBAA?) for title]

Name:  
Address:  
Telephone:  
Email Address:

**504 Coordinator** \_\_\_\_\_ [check district policies for title]

Name:  
Address:

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

Telephone:  
Email Address:

**OUTSIDE AGENCIES:**

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

Office of Civil Rights, U.S. Dept of Agriculture; 1400 Independence Avenue, SW,  
Washington, D.C., 20250-9410; Telephone - 866-632-9992; Email –  
[program.intake@usda.gov](mailto:program.intake@usda.gov)

N.H. Commission for Human Rights, 2 Industrial Park Drive, Concord 03301. Telephone -  
603-271-2767; Email – [humanrights@nh.gov](mailto:humanrights@nh.gov)

N.H. Department of Justice, Civil Rights Unit; 33 Capitol Street, Concord, NH 03301;  
Telephone – 603-271-1181

N.H. Department of Education, Commissioner of Education; 101 Pleasant Street, Concord,  
NH 03301, Telephone – 603-271-3494; Email - [info@doe.nh.gov](mailto:info@doe.nh.gov)

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***District revision history:***

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***When adopting this sample or variation of the same, a district should not include the NHSBA history or NHSBA policy notes appearing below. The district should, to the extent possible, include its own adoption/revision history.***

**NHSBA history:** New policy appendix – November 2019

**NHSBA revision notes, November 2019:** This appendix was created to help meet statutory requirements that LEA policies include the specific name and contact information for persons serving in certain capacities (e.g., Title IX Coordinator).

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

*w/o-update/2019 Fall/AC\_E Annual Notice of Contact Info*

DISCLAIMER: This sample policy is copyrighted to the New Hampshire School Boards Association and is intended for the sole and exclusive use of NHSBA Policy Service Subscribers. This sample is provided for general information only and as a resource to assist subscribing Districts with policy development. School Districts and boards of education should consult with legal counsel and revise all sample policies and regulations to address local facts and circumstances prior to adoption. NHSBA continually makes revisions based on school Districts' needs and local, state and federal laws, regulations and court decisions, and other relevant education activity.

**Prohibitions Regarding Use and Possession of Tobacco Products, E-Cigarettes  
and E-Liquids in and on School Facilities and Grounds (tri-coded as  
ADC/JICG/GBED)**

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

- A. **Definitions.** *These definitions shall also include any amendments to the referenced statutes as the same may be amended or replaced from time to time.*

**"Tobacco product(s)"** means any product containing tobacco including, but not limited to, cigarettes, smoking tobacco, cigars, chewing tobacco, snuff, pipe tobacco, smokeless tobacco, and smokeless cigarettes, as well as any other product or item included in RSA 126-K:2, XI.

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

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

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

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

Mrs. Connie Twombly, Chairman  
Mrs. Peggy Richards  
Mr. Joseph Fleck  
Ms. Sara Hayes  
Mrs. Desiree Tumas

Adopted by the Board: 6 December 2000  
Reaffirmed by the Board: 6 May 2002

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

**B. Students**

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

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

**C. Employees**

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

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

**D. All other persons**

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

The building principal(s), and where appropriate, other site supervisor (athletic director, vehicle driver, etc.), or their designee(s), shall have the initial responsibility to enforce

Mrs. Connie Twombly. Chairman  
Mrs. Peggy Richards  
Mr. Joseph Fleck  
Ms. Sara Hayes  
Mrs. Desiree Tumas

Adopted by the Board: 6 December 2000  
Reaffirmed by the Board: 6 May 2002

this section, by requesting that any person who is violating this policy to immediately cease the use of tobacco products, E-cigarette or liquid nicotine. After this request is made, if any person refuses to refrain from using such products in violation of this policy, the principal, site supervisor, or designee may call contact the appropriate law enforcement agency(ies) for possible criminal or other proceedings as provided under state law.

**E. Implementation and Notice - Administrative Rules and Procedures.**

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

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

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

Mrs. Connie Twombly, Chairman  
Mrs. Peggy Richards  
Mr. Joseph Fleck  
Ms. Sara Hayes  
Mrs. Desiree Tumas

Adopted by the Board: 6 December 2000  
Reaffirmed by the Board: 6 May 2002

## **TOBACCO PRODUCTS BAN SMOKE FREE WORKPLACE**

The Wakefield School District will provide a Smoke-Free workplace.

Use and Possession of Tobacco Products is strictly prohibited in or on School Facilities and Grounds at all times by all persons.

Tobacco products means cigarettes, cigars, snuff, smokeless tobacco, smokeless cigarettes, products containing tobacco and tobacco in any other form.

Facilities shall include, but are not limited to: any place supported by public funds and which is used for the instruction of students enrolled in grades K through 12, including Administrative Offices, lounges, gymnasiums, rest rooms, libraries, storage facilities and school buses.

Signs shall be placed stating that use of tobacco products on school grounds is strictly prohibited.

It is the responsibility of the Building Principal or designee to enforce this policy. If the Principal or designee requests that a person violating this policy immediately cease and if that person refuses, it is the intent of this policy that the local police may be called. It shall then be the responsibility of the local police for all enforcement proceedings and applicable fines and penalties.

**Statutory Reference:**

RSA 155:64 - 76

RSA 126 – K:6 & K:7

**Mrs. Connie Twombly, Chairperson  
Mrs. Peggy Richards  
Mr. Joseph Fleck  
Ms. Sarah Hayes  
Mrs. Desiree Tumas**

**Adopted by the Board: 6 December 2000  
Reaffirmed by the Board: 6 May 2002**

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

*Category: Priority/Required by Law*

*Identical policies: GBED & JICG†  
Related policy: IHAMA*

**ADOPTION/REVISION NOTES –**

**Text between the highlighted lines “~ ~ ~”, and highlights in this sample should be removed prior to adoption.**

- (a) †This policy is coded in three sections, foundations (ADC), employee (GBED) and student (JICG), as it has provisions which apply generally, to employees and to students. The three policies used to be written separately for each section/application, but have now been merged into this one version. Districts may, but need not, maintain all three. If choosing to maintain one, NHSBA recommends using ADC, and further that the board formally withdraw the other two, with a permanent record of the withdrawn policy. See 2019 NHSBA Fall Update sample GBA for what record of a withdrawn policy might look like.
- (b) General – As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption/revision to assure suitability with the district’s own specific circumstances, internal coding system, current policies, and organizational structures.
- (c) Highlighted language or blank, underscored spaces indicate areas which Boards should review, change or complete to reflect local personnel titles, internal/ external policy references, duty assignments etc.
- (d) {\*\*} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.
- (e) Withdrawn & earlier versions of revised policies should be maintained separately as part of the permanent records of the District.

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

- A. **Definitions.** *These definitions shall also include any amendments to the referenced statutes as the same may be amended or replaced from time to time.*

**"Tobacco product(s)"** means any product containing tobacco including, but not limited to, cigarettes, smoking tobacco, cigars, chewing tobacco, snuff, pipe tobacco, smokeless tobacco, and smokeless cigarettes, as well as any other product or item included in RSA 126-K:2, XI.

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

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

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

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

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

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

**B. Students**

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

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

**C. Employees**

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

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

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

**D. All other persons**

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

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

**E. Implementation and Notice - Administrative Rules and Procedures.**

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

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

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

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

**District Policy History:**

*First reading:* \_\_\_\_\_

*Second reading/adopted:* \_\_\_\_\_

***District revision history:***

**Legal References:**

RSA 155:64 – 77, Indoor Smoking Act

RSA 126-K:2, Definitions

RSA 126-K:6, Possession and Use of Tobacco Products by Minors

RSA 126-K:7, Use of Tobacco Products on Public Educational Grounds Prohibited

***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.*

***When adopting this sample or variation of the same, a district should not include the NHSBA history or NHSBA policy notes appearing below. The district should, to the extent possible, include its own adoption/revision history, as well as the legal references and disclaimer as indicated above.***

**NHSBA history:** Revised – November 2019, September 2018, February 2004, November 1999, July 1998

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

**NHSBA revision notes: November 2019** - revised in response to 2019 N.H. Laws Ch. 259:109 (HB 511).

Revisions generally reflect expanded definitions of prohibited electronic devices whether for tobacco or cannabis (vaping etc.). **September 2018** – revised to include definitions and prohibitions relative to E-cigarettes and liquid nicotine, as well as reorganized for improved readability.

DISCLAIMER: This sample policy manual is copyrighted to the New Hampshire School Boards Association and is intended for the sole and exclusive use of NHSBA Policy Service Subscribers. No portion of this manual may be reproduced, copied, transmitted, distributed, in any form, except as needed for the development of policy by a subscribing district. The materials contained in the manual are provided for general information only and as a resource to assist subscribing districts with policy development. School districts and boards of education should consult with legal counsel and revise all sample policies and regulations to address local facts and circumstances prior to adoption. NHSBA continually makes revisions based on school districts' needs and local, state, and federal laws, regulations and court decisions, and other relevant education activity.

Certified Staff Nomination			
Name	Title	Effective Date	Salary

Staff New Hire FYI			
Name	Title	Effective Date	Salary
Linda Hooper	Non CDL Driver	12/22/2023	\$19.00 hourly

Resignations			
Name	Title	Effective Date	Salary

Retirements			
Name	Title	Effective Date	Salary

Wakefield School District  
School Administrative Unit #101

**Intent to Hire - Support Staff Hire**

To: (Name) ADMINISTRATIVE ASSISTANT  
From: (Name) Heather Powers  
Date: (Submitting) 11/2/23

**Documents Required when submitting this form:**

Completed Application  
Resume (Para's and ABA Tutors)  
Certs or Transcripts (Para's/ABA Tutors)  
Reference Sheet

**I wish to hire the following employee:**

**Start Date:** ASAP

Employee's Name: Linda Lee Hooper  
Existing Employee (Yes or No):  
If existing, current position: \_\_\_\_\_  
Position being hired for: non CDL Driver  
Replaces (Name): —  
Is this a NEW or EXISTING position? new

Hours Per Day: 20 + \$ 19.00  
Days Per Week: 5  
Day Per Year: \_\_\_\_\_

Non-Certified: \_\_\_\_\_ ID# \_\_\_\_\_ Expiration Date: \_\_\_\_\_  
Certified: Testing for School Bus Certification ID# \_\_\_\_\_ Expiration Date: \_\_\_\_\_

**Hiring Manager Comments:**

Will be driving special ed. van & out of district routes -

**Superintendent Comments:**

**To be filled in by the Superintendent**

Account Number: 100-2731-51110-1-00-00000

Hourly Rate: \$ 19.00

Anne L. Keblin 12/19/23  
Signature of Superintendent Date

Step: —