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How to Participate

- To close or reopen your panel.
- To download today's presentation or any additional documents. Use this to also submit text questions.
- Questions should be entered into the Chat Box during discussion of a specific or related policy.
- If time allows, I will also entertain questions at the end.
- We will NOT be using the hand raise function.



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Sample Policies Included in the Fall 2022 Update

Slides do not follow alphabetical listing:

BBB	School Board Elections	JLCB	Immunizations of Students
BBBF	Student Board Members	JLCDA	Medical Treatment – Parental Consent
BEDH	Public Comment & Participation at Board Meetings	JLCF	Wellness
EBB	School Safety	KFA	Public Conduct on School Property
EBBD	Indoor Air Quality & Water Quality		
EBCA	Crisis Prevention & Emergency Response Plans		
EBCD	School or District Closings		
ECD	Unmanned Aircraft Systems – Drones		
EG	District Communication Plan		
EG-R	Communication Plan Outline		
EHAB	Data Governance and Security		
EHB	Data/Records Retention and Destruction		
IC	School Year and Calendar		
ICA	School Calendar		
IHBA	Programs for Pupils with Disabilities		
IHBAA	Evaluation Requirements for Children with Specific Learning Disabilities		
IHBAB	Special Educational Evaluations		
IHBAC	Developmental Delay as Qualifying Disability		
IHBAM	District Special Education Policy and Procedures Manual		
IHBG	Home Education Instruction		
IKFC	Alternate Diploma/Students w Significant Cognitive Disabilities		
IMBA	Distance Education		
JFAM	Education of Military Children & Military Connected Students		
JICA	Student Dress Code		
JICI	Weapons on School Property – Students		
JJA	Student Activities & Organizations		
JJA-R	Student Activities & Organizations - Eligibility Standards		
JJJ	Access to Public School Programs by Nonpublic, Charter School and Home Educated Pupils		
JJJ-R	Procedure for Access to Public School Programs by Nonpublic, Charter School and Home Educated Pupils		

WITHDRAWN POLICIES

EBCA-R	School Emergency Plan Checklist
EBCE	School Closings (see EBCD)
IHBAA-R	Special Education Procedures
IHBG-R	Participation in School Activities by Home Ed., Charter & NonPublic Pupils
KDA	Public Information Program (See EG)

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BBB – School Board Elections

Optional Policy

Summary: NHSBA revised sample policy to reflect **HB 1381**'s (2022 N.H. Laws Ch. 195) amendment to **RSA 189:1-c**, which previously permitted boards to have a student board member, but now requires boards have a student board member from each District high school.

[BBB School Board Elections](#)

[HB 1381 - Ch 195. Student Board Members.pdf](#)

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BBBF – Student Board Members

Recommended Policy (for districts with high schools)

- NHSBA revised sample policy in response to **HB 1381** (2022 N.H. Laws Ch. 195), which amended RSA 189:1-c and RSA 194:23-f to require districts with high schools to have at least one student board member from each district high school within the district. Previously, boards were permitted, but not required to have such members, and districts with more than one high school could establish a rotation between or among the schools. NHSBA also added Sections B and C to BBBF to include the statutory requirements relative to selection, duties, and terms of student board members.

[BBBF Student Board Members](#)

[HB 1381 - Ch 195. Student Board Members.pdf](#)

<http://www.gencourt.state.nh.us/rsa/html/XV/194/194-23-f.htm>

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BEDH – Public Comment & Participation at Board Meetings

Recommended Policy

- NHSBA revised sample policy BEDH to reflect the enactment of RSA **189:74** (see, **SB 410**). The new statute now requires school boards to provide no less than a 30-minute public comment opportunity at each of its meetings. Previously, while most school boards included public comment periods in their meetings, it was not required.
- **Boards must observe the 30 minute requirement no later than the first meeting after September 5, 2022 whether or not they formally modify the policy first.**
- NHSBA points out in both the adoption notes and the revision notes that the law leaves boards with choices about how the public comment period is administered. For example, boards may: (1) request – but not require – pre-registration, (2) set per speaker time limitations, (3) restrict comment that disclose student/staff PII, and/or (4) exclude/allow remote comments.
- Policy revisions also included other optional provisions not specific to 189:74.

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BEDH – Public Comment CONTINUED

Recommended Policy

Language from NHSBA revised BEDH, paragraph B.3:

The Board will provide a minimum of thirty ____ [fn 1.] minutes [optional] and a maximum of ____ [e.g. forty-five, thirty, etc] minutes to hear public comment. This period may be extended by a majority vote of the Board. Additionally, the Board may include additional public comment periods for specific agenda items with a time limit for public comment specified on the pertinent agenda. If speakers do not fill the minimum 30 minute public comment period, [fn. 2] the Board will move to table the remainder of the time until the end of the meeting [or] later in the meeting [or for Boards who move into nonpublic session directly after the meeting] immediately before scheduled nonpublic session]. If insufficient speakers remain to fill the 30 minutes, the Board will close public comment.

fn. #1 May be more, but not fewer than 30 minutes.

fn. #2 The first sentence of 189:74 implies that the Board needs to provide “opportunity” for public comment, while the second sentence says the period must be “no less than 30 minutes.” One reasonable reading would be that the “opportunity” for 30 minutes would suffice. This sample, however, suggests that if not enough speakers are present at the point in the agenda for public comment, the board can table the remainder until the end of the meeting. If no speakers are then present, the board could adjourn.

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BEDH – Public Comment CONTINUED

Recommended Policy

One District’s approach....

This time can be extended by a majority vote from the Board. If there are not enough speakers at the beginning of the meeting to exhaust the full 30 minutes, the Board will provide an opportunity at the end of the meeting, prior to any non-public session, for a second session of public comment of no less than the balance of the 30 minutes. **When this second session is complete or there are no more speakers, then the public session requirement is met.**

NHSBA webinar, October 11, noon: “Public Comment at Board Meetings”.

[BEDH Public Comment](#)

[SB 410 - Ch 333 - Public Comment Requirement.pdf](#)

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EBB – School Safety

Priority/Required Policy

- NHSBA revised sample policy to:
 - Change what was previously called the site-specific Emergency Response Plan to now be titled the site-specific Emergency Operations Plan in response to **HB 1125** (2022 N.H. Laws Ch. 187) and NHSBA sample policy EBCA; and
 - Add that the general safety plan will include (1) the Sports Injury Emergency Action Plan and should include procedures for responding to serious or potentially life-threatening injuries sustained from sports or other school sponsored activities (NHSBA sample policy JLCJA) and (2) the District Communications Plan.

[EBB School Safety](#)

[HB 1125 - Ch 187. Emergency Operations Plan .pdf](#)

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EBCA – Crisis Prevention & Emergency Response Plans

Recommended Policy

- NHSBA revised sample policy EBCA to:
 - Reflect the 2022 passage of **HB 1125**, which amended RSA 189:64 to (a) change the name of the site specific plans from “Emergency Response Plans” to “Emergency Operations Plans” as used by the Federal Dept. of Homeland Security), (b) the state submission date for the EOP from 9/1 to 10/15 of each year, and (c) the recipient of the submission from N.H. DOE to the N.H. Department of Safety; and
 - remove some redundancies and to clarify the distinction and relationship among the site-specific EOPs, the District-wide plan, and other related plans/policies.

[EBCA Crisis Prevention & Emergency Response Plans](#)

[HB 1125 - Ch 187. Emergency Operations Plan .pdf](#)

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EBBD – Indoor Air Quality & Water Quality

Priority/Required Policy

- NHSBA revised sample policy EBBD to add section II on Water Quality and Access reflective of **HB 1421** (2022 N.H. Laws Ch. 325), which seeks to limit exposure to lead in drinking water and requires schools to install compliant water bottle filling stations or to test and remediate all water outlets in the facility.

[EBBD Indoor Air Quality & Water Quality](#)

[HB 1421 - Ch 325. Lead in school drinking water.pdf](#)

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EBCD – School or District Closings

Recommended Policy

- NHSBA revised sample policy EBCE to:
 - Combine sample policies EBCE (School Closings) and EBCD (Emergency Closings – which is now withdrawn). NHSBA combined the policies in an effort to have fewer but more comprehensive policies where two samples have substantial overlap.
 - Add the section on distance education to meet the criteria of **Ed. Rules 306.22** and **306.18(a)(7)**
 - Add a section on emergency early release.

[EBCD School or District Closings](#)

[DOE Ed 306.18 + 22 2022 Final.pdf](#)

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IC – School Year and Calendar

Recommended Policy

- NHSBA revised sample policy to:
 - Combine sample policies IC and ICA (which has now been withdrawn) in an effort to make fewer and more comprehensive policies. In adopting IC, districts should withdraw policy ICA.
 - Include the addition of separate elementary and middle school requirements for instructional time.
 - Add information on distance learning reflective of the 2022 update to **Ed. Rules 306.18 (a)(7), and 306.22** effectively limiting the use of “blizzard bags”/remote instruction during inclement weather.

[IC School Year and Calendar](#)

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IMBA – Distance Education

Recommended Policy

- NHSBA revised sample policy IMBA to draw a distinction between district-wide distance education due to inclement weather and individualized distance education. Revisions also include the addition of N.H. Department of Education Rules Ed **306.18(a)(7)** and **306.22** as amended in 2022.

[IMBA Distance Education](#)

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EHAB – Data Governance and Security

Priority/Required Policy

- NHSBA revised sample policy EHAB sections B(1)(d) and F to reflect the 2022 passage of [HB 1277](#), enacting new statute – RSA 31:103-b (which is applicable to school districts as political subdivisions of the state) and amends RSA 359-C:19-21, regarding **cybersecurity incidents and data breaches** respectfully. Revisions also included updating legal references and adding additional reference to and resource from the New Hampshire Department of Education.

[EHAB Data Governance and Security](#)

[HB 1277 - Ch 109. Reporting of Cybersecurity Incidents.pdf](#)

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IHBA – Programs for Pupils with Disabilities

Recommended Policy

- NHSBA revised sample policy IHBA to reflect 2022's [SB 394](#) and [HB 1513](#), which both amend the definition in RSA 186-C:2 of “child with a disability” to include to include such children until they reach the age of 22.

[IHBA Programs for Pupils with Disabilities](#)

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IKFC – Alternate Diploma for Students with Significant Cognitive Disabilities

Recommended Policy

- NHSBA revised sample policy IKFC to reflect 2022’s **SB 394** and **HB 1513**, which both amend the definition in RSA 186-C:2 of “child with a disability” to include such students until they reach age 22.

[IKFC Alternate Diploma for Students with Significant Cognitive Disabilities](#)

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IHBG – Home Education Instruction

Recommended Policy

- NHSBA revised sample policy to:
 - Reflect passage of **HB 1663** by (a) adding language in paragraph D.1 (codified at RSA 193-A:6, I) reiterating that parents own home educated child’s portfolio; and (b) changing language of paragraph G (re programs and activities) to merely redirect to policy JJJ for the substantive standard. In conjunction with that change to IHBG, NHSBA also revised related policy JJJ, and recoded (with revisions) former IHBG-R (sample administrative guidelines relating to home educated and non-public students participation in district programming and activities) as JJJ-R. See September 2022 revision notes to sample JJJ for more information.
 - Add language to paragraph A.3 reflecting the district’s continuing duties under RSA 193-A:6, III if requested by the parent/guardian.

[IHBG Home Education Instruction](#)

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

Priority Policy / Required by Law

See also revision notes for IHBG, JJA, JJA-R & JJJ-R.

- NHSBA substantially revised sample policy JJJ in response to passage 2022 **HB1663**, which among other things amended RSA 193:1-c. That statute now requires a policy to the effect that District curricular courses and co/extra-curricular programs must not be more restrictive for non-public students than for the District's enrolled students. While NHSBA's samples IHBG and JJJ, as well as procedural document IHBG-R, already included the general substantive standard of 193:1-c, as amended, the policy was previously coded as recommended, rather than required.
- The major revisions to JJJ, along with revisions to other related policies/procedures (IHBG, IHBG-R, JJA, JJA-R & JJJ-R) are intended to better coordinate the "equal access" provisions relating to home educated and other non-enrolled district students' participation in public school district courses, programs and activities.

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JJJ – CONTINUED

- Significant revisions to JJJ include:
 - Change of classification from Recommended to Priority/Required by Law.
 - Multiple changes intended to ensure that the requirements of 193:1-c are implemented, rather than merely included in policy language (e.g., addition of a provision that the building Principal, or her designee, will verify student eligibility for participation);
 - Addition of an appeal process (formerly in JJA);
 - Inclusion of provision relative to access to text books and school libraries (formerly in IHBG).
- NHSBA urges school boards and administrators to review their existing policies and procedures to ensure that the policies and procedures concerning home school pupil participation are no more restrictive than they are for pupils enrolled within the district and to make sure these sample procedures reflect your policies and procedures relative to pupils enrolled in the district, and further, that staff responsible for taking registrations or sign-ups for various programs are familiar with the requirements of this policy.

[JJJ Access to Public School Programs by Non-public Students](#)
[HB 1663 - Ch 131. Requirements for home edu. students.pdf](#)

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JJJ-R – Procedure for Access to Public School Programs by Nonpublic, Charter School and Home Educated Pupils

Procedure

- JJJ-R is a recoded version of former IHBG-R. The recoding is intended to align the program participation procedures (JJJ-R Revised former IHBG-R and recoded to JJJ-R – revised to change code of what was previously IHBG-R to now be titled JJJ-R, to add a section on Participation in District Programs, to reference other sample policies and to remove language regarding use of school texts.
- See also revision notes for IHBG, JJA, JJA-R & JJJ.

[JJJ-R Procedures for Access to Public School Programs](#)

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JJA – Student Activities & Organizations

Optional Policy

- NHSBA revised sample policy JJA, along with several other home-education policies, in response to **HB 1663** (2022 N.H. Laws Ch. 131), to reflect the statutory mandate that policies relative to District courses, programs and activities must not be more restrictive for non-public students than for the District's enrolled students. The revisions to JJA include:
 - Adding that the building Principal, or her designee, will verify student eligibility for participation; and
 - Adding that participation in student activities and organizations must have the same requirements for both district students and non-public students.

[JJA Student Activities & Organizations](#)

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JJA-R – Student Activities & Organizations – Eligibility Standards

Optional Regulations

- The impetus for the revisions to sample JJA-R (and sample policy JJA) was to better align this sample with policy JJJ (now a required policy). Sample JJJ pertains to access to courses, programs and co/extra-curricular activities by home educated and other non-enrolled district students. While revisions to this policy may be postponed to better correspond with annual publication of handbooks and regulations, Districts must be mindful that that non-enrolled district students must have equal access to courses and programs (see RSA 193:1-c, and RSA 193-A:6, III).
- These regulations are intended only as an example of procedures that the Superintendent might adopt to provide additional guidance in the administration of Board policy JJA. Additional or different criteria that a school or district uses to make decisions or eligibility requirements may be added as deemed appropriate (provided they are no more restrictive for home educated, and charter and non-public students than for enrolled students).

[JJA Student Activities & Organizations Eligibility Standards](#)

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JFAM – Education of Military Children & Military Connected Students

Recommended Policy

- NHSBA created sample policy JFAM to reflect provisions of **HB 1653** (2022 N.H. Laws Ch. 310), pertaining to public schools. These provisions include:
 - Amendments to RSA 110-C:1, RSA 193:12, and RSA 194-D to establish residency and enrollment procedures for military-connected students; and
 - Amendment adding chapter RSA 110-E to require each public school to provide appropriate support services to military-connected students whose parent or guardian is a member of the armed forces while on active duty.

[JFAM Education of Military Children & Military Connected Students](#)

[HB 1653 - Ch 310. Military-connected Students.pdf](#)

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JLCB – Immunizations of Students

Recommended Policy

- NHSBA revised sample policy JLCB due to passage of **HB 1035**, which amended RSA 141-C:20-c that removes the requirement that a parent's request for a religious exemption to immunizations required for school attendance be notarized by deleting the word notarized under Section E-2.
- Additionally, a new paragraph D was included to reflect a 30 day window for proof of immunizations for children of military families under RSA 110-D, as related to new NHSBA sample policy JFAM.

[JLCB Immunizations of Students](#)

[HB 1035 - Ch 55. Repealed notarization requirement for immunization exemption .pdf](#)

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JLDA – Medical Treatment - Parental Consent

Recommended Policy

- NHSBA created sample policy JLCDA as a result of **HB 1244** (2022 N.H. Laws Ch. 110), which requires a child's parent or legal guardian to provide explicit written consent for any medical or dental treatment provided in a school setting.

[JLDA Parental Consent to Medical Treatment](#)

[HB 1244 - Ch 110. Parental consent to at school med treatment.pdf](#)

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JLCF – Wellness

Priority/Required Policy

- NHSBA revised sample policy JLCF § III-C (“Water”) to reflect **SB 233** (2022 N.H. Laws Ch. 149) which, among other things, amended RSA 200:11-b by:(1) adding that students shall be permitted to bring certain types of water bottles to schools and
 - (1) adding that students shall be permitted to bring certain types of water bottles to schools;
 - (2) stating that Principals may enact discipline for misuse of water bottles; and
 - (3) requiring all renovated or newly constructed public school buildings to have water bottle filling stations.

[JLCF Wellness](#)

[SB 234 - Ch 344 Suicide Prevention.pdf](#)

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JLDBB – Suicide Prevention and Response

Priority/Required Policy

- NHSBA added Section E to reflect the 2022 passage of the Jason Dickey Suicide Prevention Act (**SB 234**, RSA 193-J:2-a) which requires that the National Suicide Prevention Lifeline shall be included on student identification cards, effective as of July 31, 2022.

[JLDBB Suicide Prevention and Response](#)

[SB 234 - Ch 344 Suicide Prevention.pdf](#)

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KFA – Public Conduct on School Property

Recommended Policy

- NHSBA restructured and generally revised sample policy; significant revisions are described below.
 - Added provisions relative to scope of policy and personnel authorized to enforce the policy.
 - Expanded and clarified types of prohibited conduct (see last bullet for notes regarding passage of HB1178).
 - Added provisions relative to consequences for violating the policy, e.g., issuance of no trespass letters;
 - Added a severability provision;
 - Removed the former generic prohibition to possessing weapons (to reflect 2022 enactment of RSA 159-E), but added language prohibiting use, or reckless, attempted or threatened use of any object, device or substance whatsoever - including firearms and knives – to injure, intimidate, harass or coerce another.

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KFA – Continued

- **In the opinion of many commentators, the enactment of RSA 159-E further confused what was already a perceived inconsistency between state and federal laws pertaining to firearms on school property.**
- In early Summer 2022, the N.H. Attorney General's office indicated it would release guidance relating to HB1178. As of the publication of this policy August 31, 2022, the guidance had not yet been released.
- This revised sample endeavors only to stay within the objectively clear reading of those laws. (While NHSBA determined that revisions to JICI were not necessary at this time, revision may be forthcoming as the application of HB1178 becomes known).
- **Boards should review with local counsel other possible policy options concerning firearms (e.g., re staff), and district and building administrators should review with local law enforcement protocols for responses to individuals carrying firearms on school grounds.**

[KFA Public Conduct on School Property 2022-U2 \(F\).docx](#)

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Policies Revised/Created Not Related to Legislation

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ECD – Unmanned Aircraft Systems - Drone

Optional Policy

- NHSBA created sample policy ECD at the request of member districts. The sample includes provisions for several types of drone usage implicating different FAA regulations and standards (e.g., educational, extra-curricular, third party recreational, third party hired, etc.). Boards could modify the statute to include some categories of usage, and exclude others, but in all events the drones and drone operation must meet FAA requirements.

[ECD Unmanned Aircraft Systems - Drone](#)

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EG – Creation of Communication Plans

Recommended Policy

- NHSBA created sample policy EG to provide guidance on the creation of a communications plan to help guide school administrators in providing information to stakeholders. The policy indicates areas that Boards may require the Superintendent or other personnel include in a communication plan.
- NHSBA also created a technical advisory document, EG-R , to supplement this policy.
- In conjunction with development of EG, NHSBA withdrew former KDA (Public Information Program).

[EG Creation of Communication Plans](#)

[EG-R Communication Plan Outline 2022-U2 \(F\).docx](#)

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EHB – Data/Records Retention and Destruction

Priority/Required Policy

- NHSBA revised sample policy EHB to include more specific provisions relating to the destruction of records and clarify relation to the District Record Retention Schedule.

[EHB Data/Records Retention and Destruction](#)

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IHBAA – Evaluation Requirements for Children with Specific Learning Disabilities

Priority/Required Policy

- NHSBA revised sample policy IHBAA to include options for the method(s) and mode(s) for the district to use in order to determine if a child has a specific learning disability under both federal and state law/rules.

[IHBAA Evaluation Requirements for Children with Specific Learning Disabilities](#)

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IHBAB – Special Education Evaluations

Recommended Policy

- NHSBA created sample policy IHBAB to provide guidance to staff, administrators, parents, and evaluators relative to requirements, procedures, and criteria for district funded special education evaluations, including independent educational evaluations. While the policy is not required, a District may not impose criteria upon IEE's that it does not apply to its own educational evaluations.

[IHBAB Special Education Evaluations](#)

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IHBAC – Developmental Delay as Qualifying Disability

Optional Policy

- NHSBA created sample policy IHBAC to provide districts with the option of including developmentally delayed as a category for special education identification. This sample policy applies to elementary grade levels only.

[IHBAC Developmental Delay as Qualifying Disability](#)

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IHBAM – District Special Education Policy and Procedures Manual

Optional Policy

- NHSBA created new sample policy IHBAM based upon member requests for a policy to guide modifications of the Special Education Policy and Procedures manual.

[IHBAM District Special Education Policy and Procedures Manual](#)

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JICA – Student Dress Code

Optional Policy

- NHSBA revised sample policy JICA to include provisions intended to minimize discrimination against protected classes, and minimize risk of inadvertent, perceived, or real harassment in the enforcement of such a code. The policy was also recoded as optional.

[JICA Student Dress Code](#)

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