

PENNICHUCK MIDDLE SCHOOL

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STUDENT HANDBOOK 2023-2024

Please note the information contained in this document is subject to change and is not a complete listing of policies and procedures at Pennichuck Middle School.

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WELCOME

It is with great pleasure that we welcome all of our students and families to Pennichuck Middle School. For our incoming sixth graders, we are excited that you are joining us, and anticipate a fun and challenging year. For our incoming seventh and eighth graders, you already know the high standards we have set for you and this year will be no different. We know you will find it exciting and rewarding.

We have spent a lot of time this summer preparing for the school year and look forward to working with each and every one of you. As always, your success will depend on how much effort you put forth. It is our hope that you get involved in school activities, take pride in yourselves and your school, treat others how you would like to be treated, and make a difference.

Have an outstanding school year!

The Pennichuck Staff

NASHUA SCHOOL DISTRICT MISSION STATEMENT

The Nashua School District, in collaboration with parents and in partnership with the community, is committed to providing a high quality education to all students in a safe, nurturing, and motivating

environment dedicated to helping each student become a lifelong learner and a responsible, productive member of a rapidly changing society.

PMS MISSION STATEMENT

The mission of Pennichuck Middle School is to provide a caring, exciting and challenging learning environment that empowers all students to achieve their greatest potential and to become responsible, respectful and productive members of society.

We believe...kids come first.

We believe...learning can be fun.

We believe...all can succeed.

We believe...we can achieve more...together.

ARRIVAL/DEPARTURE FROM SCHOOL GROUNDS

Although the building will be open at 6:45am, we do not recommend that students arrive at this hour as there is no supervision at that time. Students who are transported to school are encouraged to arrive by 7:30am to avoid significant travel delays caused by the large number of cars entering the school grounds shortly before school begins. It is suggested that walkers arrive at school by 7:45am. Students must be in their advisories by 8:00am.

All students are expected to leave school grounds at dismissal time unless they are reporting to a teacher for extra help or participating in an after school activity. Students who misbehave while waiting for a ride home will face disciplinary consequences.

BICYCLES & ALTERNATIVE SCHOOL TRANSPORTATION

Bicycles may be ridden to school; however, students must walk their bicycles on school grounds. This rule also applies to the footbridge when students are coming to or leaving school. Bicycle racks are provided for the purpose of parking bicycles. Please use them. Do not lay bicycles on the ground. Bicycles are to be kept locked while not in use. Students are reminded that bicycles not belonging to them should not be tampered with. Bicycles are brought to school at the student's risk. The school will not assume responsibility for bicycle damage. Any student bringing a bicycle on the school property must have a helmet. Students not wearing a helmet may have their bicycle locked up until a parent can come and pick it up or until the student returns to school with a helmet.

Skateboards/roller blades are not to be used in the school building or on school

grounds. **ATTENDANCE**

Students are required by law to attend school during all times the school is in session. The process of education requires continuity of instruction and participation in order to maximize the educational benefits for all students. Acceptable reasons for absences are personal illness, family emergencies, religious holidays, or other situations which are cleared through the principal prior to the absence.

Students who are absent without parent / guardian permission will be considered truant. Excessive trancies will be reported to the district truant officer.

When a student is going to be absent from school, the parent is urged to call the office at 966-4140 the morning of the absence. The school answering machine is turned on at 4:30 PM Monday-Thursday and Fridays at 3:30 PM and will remain on throughout the evening.

Students who are tardy should report to the main office (or the foyer depending on the time of arrival) and receive an admit slip. Once the student reaches his or her sixth tardy in a trimester, a letter will be sent home. On the 9th tardy and every tardy thereafter during a trimester, a student will receive an after school detention. Consequences will increase if tardiness should continue.

For dismissals, students must bring a note signed by a parent to the main office before advisory. The student will receive a dismissal slip, give it to the appropriate teacher, and will be waiting at the office at the dismissal time. Failure to follow this procedure will result in the office staff having to interrupt classes and not have the child leave on time.

SAFETY – ARRIVING/LEAVING FROM SCHOOL

When discharging or picking up students, please do not use the bus area. The bus area is in the FRONT of the school. Student drop-off/pick-up by parents is located in the back of the school.

For safety rules while riding the school bus, please refer to the section titled "Transportation." (pg. 42)

ADVISORY

There will be an advisory period twice each week, at the beginning of the day. Attendance will be taken and announcements made at this time. Advisory is an approximately 20 minute period in which a small group of students and one staff member meet every morning. That time is spent on school-wide activities, daily check-in, goal setting, and communicating. It is a special time of the day where students and staff can discuss issues and work together to help the student be successful.

SILENT MEDITATION AND PLEDGE OF ALLEGIANCE

Time will be provided at the beginning of each school day for a moment of silent meditation and the Pledge of Allegiance to the flag of the United States. Students are expected to stand at this time as a sign of respect.

DAILY NOTICES

Daily notices are read over the PA system and are posted on the school webpage. These notices are also distributed to faculty via e-mail by midmorning so each classroom will have a copy.

Parents may receive daily notices by signing up on the district website. Open the district page by going to <http://www.nashua.edu>, click on e-news, school announcements, and follow the instructions. You may also sign up for the superintendents newsletters by following the same procedure.

CELL PHONES and OUTSIDE ELECTRONIC DEVICES

Cell Phones allowed on school grounds. During the hours of 8:00am through 2:43pm all cell phones need to be off and away. Students should not need to access their phones during the school day. Other unauthorized devices are also not allowed for use during the school day.

If your child does bring in an electronic device, and it gets lost or stolen, the school will not be held responsible. There is no need to contact the school regarding this; however, we do recommend calling the Nashua Police Department at 594-3500 or contacting the School Resource Officer.

TELEPHONE REGULATIONS AND ACCESS

All student communication is handled through the main office. If a parent wants to contact their child, it should be through the main office. Students must use the phone in the office to call home unless given permission by a staff member.

LOCKERS/DESKS

Lockers are assigned to all students; however, students may be required to share a locker with another classmate. Locker combinations should not be shared with any student not assigned to that locker.

Lockers and desks are school property and use of them is granted to students for securing books, school materials, and personal property. The school retains ownership of the lockers and desks and the right to inspect them or to reclaim them. General or specific searches of school property may be conducted at any time.

Students will be issued locks for their lockers. Only school locks are to be used on student lockers. The custodian may remove ANY PERSONAL LOCKS found on lockers. All locks must be returned at the end of each school year. Lost locks will result in an assessed fee of \$4.50.

Lockers are the property of the school and may be opened at any time by an administrator or a janitor.

CORRIDOR PASSES/BEHAVIOR

- Running, pushing and other roughhousing is not allowed.
- Students are required to have a pass anytime they leave a room.
- No open beverages are to be carried in the corridors.
- Only water is allowed outside of the cafeteria.
- Vending Machine Use - only before school, after school and during lunch.

- Popcorn sales - only at lunch

FIRE DRILL PROCEDURE

When the fire alarm rings file quietly out of the classroom. Your teachers will inform you of procedures on these matters, and where to find your assigned area. You will go to your assigned area, **WITHOUT RUNNING OR PUSHING**. If the teacher is not with you, you will wait at your assigned area until that teacher or any other teacher tells you to return to class. It is important to remain silent and wait for instructions from a staff member during the drill, including coming back into the school building.

LOST AND FOUND

Any lost or misplaced article should be sent to the CAFETERIA. All clothing items are stored on the cart adjacent to the cafeteria.

Each year we have boxes of unclaimed sweaters, boots, sneakers, jackets, coats, mittens, gloves, hats, lunch boxes, etc. Over the school year, the number of articles in the lost-and-found increases to the point of creating a storage problem. If articles are not claimed within a reasonable period of time, the school will dispose of these articles as it sees fit. Parents are invited to come in and check the lost-and-found articles any time.

INSTRUCTIONAL MATERIALS

1. Textbooks and essential instructional materials are loaned to students without charge. 2. Students are held responsible for the loss of textbooks or for damages beyond normal wear.

3. Musical instruments, which are the property of the school department, are loaned to students on an availability basis. Students to whom these instruments are loaned are liable for their loss or damage.

Students are held liable for loss of classroom or school library materials charged to them and for damage beyond normal wear.

LOST BOOK POLICY

Students are expected to take excellent care of all school and library books, and materials and equipment that are loaned or assigned to them. Students must cover their textbooks. All school property should be returned in the same condition, exclusive of normal wear from reasonable use, in which it was received.

Students should immediately report any lost or damaged books, materials and/or equipment to the teacher. Students will be held financially responsible for such loss or damage. The charge to the student will be based upon age and condition of the item at the time of issue. The building Principal or designee will determine the amount of the charge.

STUDENT DRESS CODE

A student's appearance and dress in school should not interfere with the education, safety, and health of that student or his/her fellow students or staff members.

Specifically prohibited items include, but are not limited to:

- Undergarments that are intentionally visible.
- Overly revealing attire, including but not limited to crop tops, muscle shirts, tube tops and shorts that reveal too much
- Clothing that promotes violence, illegal activity, smoking, drugs, alcohol and/or inappropriate language or images
- Hats and hoods are not allowed to be worn in the building
- Sunglasses may only be worn with a doctor's note
- Tights or stockings are not to be worn as pants
- Pajama tops, bottoms, onesies or blankets or slippers
- Chains, spiked collars or spiked bracelets
- Gang-related dress as determined by the school administration
- Current fashion trends and/or accessories are subject to administrative discretion

We encourage students to wear clothing that identifies them as a member of an athletic team however, the clothing must not violate any of the above dress code.

***If students are not properly dressed for school a phone call will be made home requesting a change of clothes. If parents are not able to drop off a change of clothes, students will be offered alternate attire. Administration has final say as to the appropriateness of dress. Refusal to accept alternate attire or repeated failure to follow the above guidelines will result in detention or greater disciplinary action. The enforcement of the above regulations is at the discretion/interpretation of the building administration. The administration reserves the right to issue additional guidelines. Please keep in mind we cannot guarantee that every student who violates the dress code will be sent to the office. As a result, a student may wear something to school one day that is in violation of the dress code and not be sent to the office. However, the same student may wear the same article of clothing another day and be sent to the office for a dress code violation. Just because a student wore something before that was against dress code and did not get sent to the office does not make it acceptable and it will result in a dress code infraction. We acknowledge that it is not a perfect system and ask for parents support in sending students to school in proper attire.

EXTRA-CURRICULAR ACTIVITIES

At Pennichuck Middle School, there are many extra-curricular activities offered to all students. In the area of sports: boys' and girls' soccer, volleyball, cross country, field hockey, boys' and girls' basketball, cheering, baseball, softball, wrestling, and track are included. An updated physical is necessary prior to trying out for sports. At all athletic events students' support is greatly appreciated.

Clubs/organizations include Drama Club, Select Chorus, Student Council, Yearbook, Jazz Band, and Ski Club. Other clubs are sometimes offered depending on student interest.

To be eligible to participate in extra-curricular activities, you must be in good standing with your academics.

To participate in any extra-curricular activity, a student must be present for at least 75% (4 hours) of the school day. Students who are out sick or who are not in school for four or more hours may not attend dances, games, etc. Detentions must be served prior to participating in or attending extra-curricular events.

ACADEMIC ELIGIBILITY REQUIREMENTS FOR EXTRACURRICULAR ACTIVITIES

At the start of a new school year, all students are considered to be eligible to participate in extra-curricular activities. A student who receives a failing grade in any academic subject on a trimester report card is immediately considered ineligible for extra-curricular activities and athletics. Students may also be considered ineligible if they have not met requirements set forth in a school accountability program. Students will remain ineligible until the next trimester report card or if the “probation” status has been lifted in the accountability program. It is each student's responsibility to take advantage of the resources available to help him/her maintain his/her eligibility for participation.

A student must meet these standards for each marking period throughout his/her participation in the extracurricular activity.

All coaches and advisors shall monitor their students' academic performance and urge them to take advantage of existing opportunities for extra help if they are not maintaining the eligibility standard.

FIELD TRIPS

Field trips are educational experiences planned to correlate closely with grade level curricula. Since these lessons occur away from school grounds, permission slips signed by a parent/guardian are a prerequisite for student participation. Students who do not participate are given course-oriented assignments and are supervised by other instructional personnel.

All school rules, dress codes and behavior standards are in effect during field trips. Students are expected to behave accordingly.

The preferred bus passenger ratio for field trips is one adult per ten children. Parents, other than formal chaperones, who might wish to participate, must provide their own transportation.

A parent transporting pupils in his/her own vehicle must complete a Waiver of Liability form, available in the school office. This form ensures that the City of Nashua will provide secondary insurance coverage in the event of an accident. The parent's personal automobile insurance will be the primary source of coverage.

HOMEWORK GUIDELINES

In accordance with Nashua School District policy, middle school student's homework will not exceed a combined time of more than 90 minutes.

Long-term assignments may be given in all subject areas. Students must be aware of the need to budget their time so that these assignments are worked on during the span of time given by the teacher.

Homework should not be given before a one-day school holiday. Homework may be given before a three

day weekend. Homework should not be initiated immediately before a school vacation, although long-term assignments may span a school vacation period.

MARKING SCALE

A+	97 - 100	C	73 - 76
A	93 - 96	C-	70 - 72
A-	90 - 92	D+	67 - 69
B+	87 - 89	D	63 - 66
B	83 - 86	D-	60 - 62
B-	80 - 82	F	59 and below
C+	77 - 79		

MAKE-UP SCHEDULE

Make-up sessions begin at 2:45 and end at 3:25 PM.

Every teacher will conduct at least one afternoon session each week. Student attendance at these sessions shall be on a voluntary basis, but teachers may request you to return. Each teacher or team will develop their own make-up schedule. Students and parents will be informed of this schedule at the start of the school year. Due to extenuating circumstances, teachers may change their make-up afternoons at any time.

These sessions provide an opportunity for you to make up work if you have been absent or are simply behind. It is also an opportunity to work on material you do not understand. Students assigned after school office detention may serve their detention in a make-up session with their teacher(s), at the teacher(s) request. After completing the make-up session these students must bring a signed note from the teacher to the office indicating the time spent in make-up.

Assignments and textbooks may be obtained during absences due to hospitalization or long-term medical reasons by contacting the Guidance Office at 966-4146. A twenty-four hour notice is required for assignments. When a student is on an extended vacation, arrangements with the teacher can be made to make up work using after school sessions upon return.

REPORT CARDS

Report cards are distributed three times a year. The letter grades A, B, C, D and F are used to indicate student's progress. A more detailed explanation of the values of these letter grades will be found on the report cards.

Students may be assessed on their conduct through “Characteristics of a Successful Learner.” Teachers or Teams utilizing this process will supply more information, including a rubric, to students and parents in September/October.

Note: Highschool credit courses will align with the high school grading policies and timelines.

STUDENT PROGRESS UPDATES

Student progress is kept current on a bi-weekly basis in the student information system, Aspen X2. Please refer to your child’s Aspen account for the most current standings in their classes.

In addition, a parent may request individual progress reports from teachers to indicate student improvement by contacting the Guidance Office at 594-4310.

PHYSICAL EDUCATION

Physical Education is a regular part of the school curriculum. Appropriate clothing for physical education classes include sneakers (for safety and efficiency), tee shirts or cotton shirts, shorts or slacks, and a jacket, as classes are often held outside until Thanksgiving. For safety reasons, items of jewelry, such as earrings, chains, and studded adornments, may be requested to be removed by the Physical Education teacher. Children will not be excused from Physical Education class unless they have a medical excuse. They must be seen by the school nurse or, in the case of a prolonged illness, have a written excuse from a doctor.

PROPERTY, LITTER, AND SCHOOL PRIDE

Society provides students with the privileges of a public education. Each student has the responsibility of protecting his/her share of these privileges and, in particular, the use of tax-supported school buildings. Students are expected to demonstrate respect for society by taking pride in their school and not littering school grounds or in any way deface school property.

From time to time, students may be asked to assist with minor clean-up duties at school. While this may be a consequence for making a mess in school, this activity is not limited to this reason. As good citizens, we must all take responsibility for helping to keep our school clean and presentable. This means that students may be asked to help in picking up litter, particularly in the cafeteria.

SCHOOL DANCES

School dances are intended to provide a worthwhile social experience for students. Attendance at a school dance is considered a privilege, not a right. Reasonable behavior and school attendance are basic criteria for attending dances. The administration and teachers reserve the right to deny admittance to any student.

- Dances are for Pennichuck Middle School students only. Guests are not allowed.

- Students may not leave the dance to go elsewhere. Once at the dance, students must remain for the entire event.

- Students who are picked up by a parent/guardian must be picked up by 8:00 p.m. or may lose their privilege to attend the next dance.

- Appropriate social behavior will be expected of all attendees. All school rules and expectations for appropriate behavior apply. A student who refuses to follow school rules will have the parent/guardian called to come and pick up their child. The student may be restricted from future school dances.

- The school dress code applies at the dances. Students dressed inappropriately will have to call home and leave the dance.

- Students must be in attendance at school on the day of the dance for a minimum of four (4) classes, or half the day in order to attend the dance. Students dismissed for illness may not attend.

- Students who are assigned detentions the day prior to the dance or the day of the dance must serve that detention in order to attend the dance.

- Absolutely no food or beverages will be allowed to be brought into the dance. Refreshments will be sold throughout the evening and must be consumed in a designated area.

- School dances run from 6:00 p.m. until 8:00 p.m. Students will be admitted until 6:30 p.m. Students arriving late will not be admitted without prior written permission of the Principal or Assistant Principal. If a student arrives after 6:30 p.m., the student's parent/guardian will be called to pick up their child.

- Only students who meet all R2 requirements are eligible to attend dances.

- Any student who has served his/her first in school suspension on the day of the dance will be able to attend the dance. However, for any subsequent in-school suspension(s), participation will not be allowed in all school sponsored athletic, extra-curricular and co-curricular activities for that period (Out of school suspended students are not allowed on school grounds during their suspension).

INCLEMENT WEATHER POLICIES

No School Signal- It is the intent of the Board of Education to keep the schools in session under most weather conditions. The signal that closes ALL SCHOOLS ALL DAY will be sounded at 6:00 AM and at 7:00 AM. This includes the fire alarm signal and radio station announcements on WSMN (1590 on your AM dial), WMVU (900 on your AM dial), WHOB (106.3 on your FM dial), WFEA (1370 on your AM dial), WZID (95.7 on your FM dial), WGIR (101.1 on FM and 610 on AM dial), WQLL (96.5 on your AM dial), and on the following television stations: WMUR (Channel 9), WBZ (Channel 4), WCVB (Channel 5), and WHDH (Channel 7).

For information on school closings, parents may also call the school district office at 966-1000 and then dial "1" for the latest updates.

Parents of young children or those in unusual situations are expected to use discretion in sending their children to school on a stormy day. Age of students, location within the city, availability of sidewalks, and

distance from school are all factors, which vary for each family. Each family, therefore, should judge whether to send children to school on days when weather conditions are questionable, though not severe enough to close schools.

Students who are kept at home by their parents on inclement days or who are tardy because of severe weather conditions beyond their control will not be reprimanded or suffer any academic penalty which cannot be made up.

Delayed Opening - Announcement will be made as listed under the **INCLEMENT WEATHER POLICIES**, **No School Signal** section.

A two hour delayed school opening is an option that may be used on days when weather and street conditions are projected to improve during the morning hours. All schools will start two hours later than on a regular school day and buses will also follow a two hour delayed schedule covering their routes. The school day will end at the regular time.

Early Dismissals - Announcements will be made as listed under the **INCLEMENT WEATHER POLICIES**, **No School Signal** section.

It is extremely important that you make arrangements for your child's care in the event school is dismissed early when you are not at home, and it is important that your child knows what those arrangements are.

Severe weather conditions may develop after school is in session and may warrant an early dismissal. Should a decision for early dismissal be made, buses will be ready to begin taking some students home approximately 30-35 minutes after a decision is made, and the general order of dismissal will be consistent with the regular order of dismissals. Conditions could cause the interval between these dismissal times to be lengthened.

GUIDANCE SERVICES

The school counseling program at Pennichuck offers a variety of services. The counselors work with students individually and in small groups supporting social, emotional and academic needs. Our counselors manage classroom educational programs around healthy decision making skills and career exploration. Also, school counselors are always available as a resource for parents. It is the goal of this department to work with the faculty, parents and students to make each child's experience the best it can be during their years at Pennichuck Middle School. If you wish to contact Guidance directly, please call 966-4146.

LIBRARY/MEDIA CENTER

Students who have been assigned specific work to be done in the Library will obtain library permits from their subject teachers (substitutes do not issue permits).

After obtaining a library permit, the student will report directly to the Library/Media Center. The student will remain in the Library for the entire period under the supervision of the Librarian.

CIRCULATION PROCEDURES

Our Library Media Center uses a computerized automated circulation system. Books are scanned out by a computer for three weeks and may be renewed at any time.

OVERDUE BOOK PROCEDURES

Step 1 – Student will receive an overdue notice.

Step 2 – Student will be sent to librarian.

Step 3 – Student name is sent to Assistant Principal.

During the above steps, library privileges will be suspended. A student who has not returned materials will have his/her report card held.

FOOD SERVICE PROGRAM

Nashua Schools participate in the National School Breakfast, Lunch and Special Milk Programs. In order for you and your child(ren) to benefit from programs offered in all elementary schools, please familiarize yourself with the following information. Any questions should be directed to the Director of Food Services at 966-1303.

MEAL PRICES

Breakfast-\$1.50 Lunch-\$2.75

APPLICATION FOR FREE AND REDUCED-PRICE MEALS

Your family may be eligible for free or reduced-price meals for breakfast and lunch. A packet of information will be sent home the first week of school. To apply for financial assistance, please complete the application and return it to the school cafeteria. One application may be used for all children in the household attending Nashua Schools. If your children are eligible to receive food stamps or TANF benefits, you may submit the statement from the Food Stamp Office (ATI statement) in place of the

application for free or reduced-price meals. If they are receiving Food Stamp or TANF benefits but are refused free meals, please call the school. These benefits are available throughout the year. Applications may be obtained from any school cafeteria or the school office.

MEAL PREPAYMENT SYSTEM

All Nashua Schools have a computerized payment system for the management of school meals. This system allows us to provide better service to students and parents, as well as account for all meals served at individual schools. This system is also designed to protect the privacy of those students who may be receiving free or reduced-price meals.

Each student is assigned a personal meal account number with four or five digits. A number is issued to each student when enrolled in the school. As long as the student continues to be enrolled at the same school site, the same code number will be utilized. During mealtime, students key in their code number on a keypad located in the cafeteria line. The meal charges are deducted from their account balance at that time. If there are not sufficient funds in the student's account, the meal is automatically charged at that time. The same procedure is used for breakfast, lunch, and milk sales.

RESPONSIBLE USE GUIDELINES – INTERNET

The Nashua School District's (NSD) computer network and Internet access are available to students to enhance their educational experience and become computer literate in an increasingly technological world.

The purpose of these Responsible Use Guidelines is to foster the appropriate use of that network and the Internet. The following Guidelines apply to all students whenever they access any School District network connection.

EDUCATIONAL PURPOSE

The NSD network has been established for educational purposes limited to classroom activities, career development, and independent scholastic research on appropriate subjects. The NSD network has not been established as a public access service or a public forum. The School District has the right to place reasonable restrictions on the material you access or post through the system. You are also expected to follow the School District's Student Behavior Standards when accessing the NSD network.

You shall not use the NSD network for commercial purposes. This means you shall not offer, provide, download or purchase products or services through this network, unless one has received a teacher's or administrator's approval.

You shall not use the NSD network for political lobbying. But you may use the system to communicate with elected representatives and to express your opinion on political issues.

UNACCEPTABLE USES

Personal Safety

You will not post personal contact information about yourself or other people. Personal contact information includes (but is not limited to) home, school or work addresses and telephone numbers.

You will not agree to meet with someone you have met online without your parent's approval.

A parent or guardian should accompany you to this meeting.
You will promptly disclose to your teacher or another school official any message you receive that is inappropriate or makes you feel uncomfortable.

Illegal Activities

You will not attempt to gain unauthorized access to the NSD network or to any other computer system through the NSD network. This includes attempting to log in through another person's account or access another person's files. These actions are illegal, even if only for the purposes of "browsing."

You will not make deliberate attempts to disrupt the computer system or destroy data by spreading computer viruses.

You will not use the NSD network to engage in any illegal act, including but not limited to arranging for the purchase or sale of drugs or alcohol, engaging in criminal activity, or threatening the safety of another person.

System Security

Restrictions against inappropriate language apply to public messages, private messages, and material posted on Web pages.

You will not use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful forms of communication. This applies to verbal and written language, diagrams, photographs, representations, videos, or any other forms of communication. You will not post information that could cause damage or a danger of disruption. You will not engage in personal attacks, including prejudicial or discriminatory attacks. You will not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If you are told by a person to stop sending him/her messages, you must stop.

You will not knowingly or recklessly post false or defamatory information about a person or organization.

Respect for Privacy

You will not post private information about another person.

Plagiarism and Copyright Infringement

You will not plagiarize works that you find on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were yours.

You will respect the rights of copyright owners. Copyright infringement occurs when you reproduce a work that is protected by a copyright without authorization. If a work contains language that specifies appropriate use of that work, you should follow the expressed requirements. Copyright law can be very confusing. If you have questions, ask a teacher.

Inappropriate Access to Material

You will not use the NSD network to access material that is profane or obscene (pornographic),

that advocates illegal acts, or that advocates violence or discrimination toward other people (hate literature). A special exception may be made for hate literature, if the purpose of your access is to conduct research, and both your teacher and parent or guardian approve. If you mistakenly access inappropriate information, you should immediately tell your teacher or another school official. This will protect you against a claim that you have intentionally violated this policy. Your parent or guardian should instruct you if there is additional material that he or she thinks would be inappropriate for you to access. The School District fully expects you to follow your parent's or guardian's instructions in this matter.

Your Rights

The NSD network is considered a limited forum, similar to the school newspaper, and therefore the School District reserves the right to regulate that forum for valid educational reasons. The District will not restrict your speech on the basis of a disagreement with opinions you are expressing.

You should expect that any use of the Nashua School District Network be subject to review. This includes any use of the Internet searching for inappropriate material, or any files stored on the District Network. In other words, you should expect only limited privacy in the use of any District system. This situation is similar to the rights you have in the privacy of your locker.

An individual search will be conducted, if there is reasonable suspicion that you have violated these Guidelines, the Nashua School District Student Behavior Standards, or the law.

Disciplinary Actions

Students who violate the Responsible Use Guidelines may be denied future Internet and/or network privileges for a defined period of time, or be subject to other disciplinary measures as set forth in the Nashua School District Student Behavior Standards, or other rules of the District which may be applicable.

STUDENT BEHAVIOR STANDARDS

OVERVIEW: STUDENT BEHAVIOR STANDARDS

The primary purpose of the public school is education. In order for students to learn and teachers to teach, an atmosphere conducive to learning must be maintained.

Good behavior and classroom discipline are necessary if learning is to take place. The purpose of the Nashua School District's Student Behavior Standards is to ensure that a safe and orderly environment is maintained for everyone. These rules are in effect for all Nashua School students at any school function, school-sponsored event, school bus stop or bus ride.

As students grow and mature, they are expected to accept greater behavioral responsibilities. These standards are designed to guide students through the process of learning good discipline and to outline the consequences of disruptive behavior. There are situations which will warrant minor disciplinary responses at the elementary level (grades K-5), while the same situation will result in a more severe response at the middle (grades 6-8) and high school (grades 9-12) levels. Although the responses may differ, the Student Behavior Standards remain constant. *Students should be aware that, in addition to the violations listed, other infractions may be included as part of the individual school rules and regulations.*

These rules and regulations will be communicated to parents and students annually, either in writing or through references to their location on the District's website.

In addition, anyone who is a student in the Nashua School District, who commits an act of vandalism involving school property outside of the normal school day, or during non-school days, shall be held accountable under this policy. Any perceived threatening act towards any employee of the Nashua School District after normal school hours and days, will fall under the Student Behavior Standards.

GOALS

Discipline is a process...

- to maintain an orderly, safe and structured environment.
- through which individuals learn and demonstrate expected, appropriate behaviors.
- in which students accept responsibility for their own behaviors and respect the rights of others.

EXPECTATIONS

The entire community has a vested interest in the discipline program within our schools. Successful implementation of a thoughtfully constructed discipline policy is a benefit to the entire community both for the present and for the future. Habits of self-discipline developed in the educational setting... • will have a positive influence on building stronger family bonds;

- will enhance the opportunity for better relationships within the workplace and the community.

All staff and students have an important role to play in supporting the discipline program within our schools. This includes the responsibility for non-teaching staff to appropriately report student offenses to a teacher, supervisor or administrator. This also includes an expectation that each student will take responsibility to:

- be in charge of his/her own behavior
- comply with school rules at all times
- arrive at school and to class on time
- be prepared to learn
- honor the teacher's duty to teach and other students' right to learn
- attend school daily
- tell school staff about any discipline concerns he/she may have

CLASSES OF STUDENT VIOLATIONS

Student violations are divided into three classes—Minor, Moderate, and Severe. They are described below.

Class III Offenses (Minor)

Class III Offenses will generally be addressed through in-class and/or in-school disciplinary actions, such as detentions and other strategies initiated by the teacher or administrator.

Teachers or principals may issue after school detentions. When an after-school detention is assigned to an elementary school student, the principal or designee will contact the parent/guardian to mutually agree upon the day and time of the detention, as well as the plan and method of returning the child home.

When an after-school detention is assigned to a middle or high school student, a 24-hour notice is required.

Class II Offenses (Moderate)

Class II Offenses will generally require more severe disciplinary actions consisting primarily of Extended Day Detentions (EDD), which are generally assigned by administrators and run for 90 minutes after school. For more serious Class II Offenses In-School Suspensions (ISS) or Out-of-School Suspensions (OSS) may be assigned. A student assigned an in-school suspension reports to an in-school suspension center at his or her school during normal school hours. A student assigned an out-of-school suspension remains under the supervision of a parent or guardian away from the school during the day(s) he or she is suspended.

Class I Offenses (Severe)

Class I Offenses are of an extremely serious nature and generally will warrant out-of-school suspensions by principals and/or expulsion by the Board of Education.

All suspensions and expulsions will be handled as outlined on Pages 24-29 of this document.

RESPONSE ACTIONS BY CLASS OF OFFENSE

By implementing uniform student behavior standards, the Nashua School District can provide a safe, educational environment that is consistently maintained throughout all schools and enforced by all teachers and administrators.

Listed below are the general responses to offenses by class. In individual instances, a principal may change the school's response to an offense to either a more serious class or a less serious class depending upon specific circumstances justifying a response which does not follow the normal prescriptive process.

CLASS III OFFENSES (Minor)

Class III Offenses usually occur in the classroom or other less structured settings under the teacher's supervision. Occasionally, the teacher will have to call on other people for assistance, but the responses at this level usually do not require the intervention of a building administrator. A response to a Class III offense will generally proceed as follows:

- A. The teacher shall discuss the matter with the student, and warn the student that the continued misbehavior will result in the loss of certain privileges.
- B. The teacher may then proceed, as appropriate, with any of the following corrective actions:
 - Separate the student within the classroom.
 - Contact parent/guardian by telephone, note or email.
 - Have the student present when calling a parent/guardian at home or work to explain misbehavior.
 - Have the student write a letter to a parent/guardian explaining his/her misbehavior; require the parent/guardian to sign the letter.
 - Develop a student behavioral contract.
 - Assign an after-school detention (when transportation is available).

- Ask the school administration to assign a one-day in-school suspension.
- Withhold privileges (no student may be denied the right to have lunch or snack).
- Initiate a pre-arranged alternative classroom setting for up to a class period.
- Consult with the principal, guidance counselor, case managers, or other appropriate staff concerning future strategies.
- Any other acceptable action as adopted by the school staff.
- In situations where academic dishonesty is the issue, students may not be given credit for the work presented.

C. If the student does not respond to the above attempts, the student shall be removed from the classroom for at least the remainder of the class period and/or up to the remainder of the school day, and the parent/guardian will be contacted in a timely manner.

D. When a student is sent to the principal's office a discipline referral will be submitted to the principal by the teacher as soon as is practical, and incorporated into the student's disciplinary record. When necessary, teachers will be responsible for providing summary information of corrective actions attempted prior to referring the student to the office.

E. At the elementary level, after any three violations there will be a teacher-initiated parent/guardian communication. At the secondary level, after a student is referred to a school administrator three times during a quarter, the school administrator will communicate with the parent/guardian. This communication may be initiated by the administrator or by the teacher/team.

F. Student demerits may be used where applicable.

G. Repeated Class III Offenses as reviewed by appropriate staff may be treated as Class II Offenses.

CLASS II OFFENSES (Moderate)

By their nature, these acts are considered as significant violations of the student behavior standards. Class II Offenses require that a building administrator be involved in the disciplinary action. A response to a Class II offense will generally proceed as follows:

A. The student shall be immediately removed for the rest of the class period or for the school day if the student's presence is detrimental to the classroom or poses any danger to others.

B. The school administrator shall make every reasonable effort to contact the parent as soon as possible after the disciplinary action. A conference will be scheduled as needed.

C. According to the severity of the offense(s) there will be an in-school suspension of up to three (3) days, an out-of-school suspension of up to three (3) days, or an extended day detention of up to three (3) days.

D. Depending on the severity and the nature of the offense, law enforcement authorities may be contacted and the student may be subject to prosecution.

E. Restitution for damages to school or personal property may be required.

F. Singularly severe incidents and/or repeated Class II Offenses may be treated as Class I Offenses.

CLASS I OFFENSES (Severe)

Violence, weapons, and crime will not be tolerated on Nashua School District property or at any Nashua School District sponsored event. These acts are the most severe violations of the behavior code. Offenses at this level usually go beyond the school discipline system and almost always draw upon law enforcement authorities. All students involved in Class I Offenses will be removed from school immediately.

Discipline Responses for any Class I Offense in any Nashua School District building, "School Safety Zone,"* or at any school function shall be as follows:

- A. The parent/guardian shall be contacted by the principal or assistant principal.
- B. The student shall receive up to a ten-day (10) out-of-school suspension from the principal.
- C. The principal may request an additional ten-day (10) out-of-school suspension from the superintendent or designee or request an expulsion by the Superintendent to the Board of Education.
- D. Law enforcement authorities may be contacted depending upon the nature and the severity of infraction.
- E. The student may be subject to prosecution and restitution.
- F. The parents/guardians shall be informed throughout the process. Additionally, other forms of long term and permanent reassignment shall be explored as required by the situation.

LISTING OF OFFENSES AND RESPONSES

The chart below outlines student offenses and the general disciplinary responses to those offenses.

STUDENT OFFENSES	ELEMENTAR Y RESPONSE	MIDDLE SCHOOL RESPONSE	HIGH SCHOOL RESPONSE
Academic dishonesty, cheating	Class III	Class III	Class III
An inappropriate behavior or improper act	Class III	Class III	Class III
Truant from class	Class III	Class III	Class III
Deliberately disrupting or distracting others	Class III	Class III	Class III
Continuous refusal to bring required materials to class	Class III	Class III	Class III
Inappropriate use of any electronic device, including a cell phone. The item may be confiscated and will require a parent/guardian to pick it up.	Class III	Class III	Class III
Deceiving or lying to a staff member	Class III	Class III	Class III

Leaving class without the teacher's permission	Class III	Class III	Class III
Failure to follow any staff member's reasonable request to carry out school rules	Class III	Class III	Class III

Any inappropriate display of affection	Class III	Class III	Class III
Pushing/shoving or running in hallways	Class III	Class III	Class III
Littering	Class III	Class III	Class III
Possession of tobacco products (including e cigarettes) either in school or on school grounds or other campus areas which are under the jurisdiction of the Nashua School District. Tobacco products will be confiscated.	Class III	Class III	Class III

Any other violations which the Principal considers reasonable to fall within a class III category	Class III	Class III	Class III
Stealing	Class III	Class II	Class II
Destroying, pirating (copyright infringement), altering or any other misuse of computer software and/or hardware belonging to students, the school department, or any school employee/volunteer	Class III	Class II	Class I
Repeatedly tardy to school or class	Class III	Class II	Class II
Truancy/skipping school	Class III	Class II	Class II
Use of profanity and/or obscene language or gestures	Class III	Class II	Class II
Disrespectful behavior towards others	Class III	Class II	Class II
Possession of any demeaning publication or material including, but not limited to, the following areas: race, color, ethnic origin, religion, sex, sexual orientation and disability status	Class III	Class II	Class II
Forgery	Class III	Class II	Class II

Conduct which is emotionally injurious to others; see also response to bullying	Class II	Class II	Class II
Reckless behavior/endangering others	Class II	Class II	Class II
Harassment of an ethnic, racial, sexual or religious nature, including but not limited to: conduct or comments that threaten physical violence; offensive, unsolicited remarks; unwelcome gestures or physical contact, including unsolicited propositions to engage in sexual acts; and verbal abuse or insults about, or directed at, any faculty, staff, and/or student	Class II	Class II	Class II
Defacing or vandalizing school property or the personal property of others	Class II	Class II	Class II

Leaving school grounds without permission; being in an "off limits area"; or being on school grounds at a time when it is clearly prohibited	Class II	Class II	Class II
Persistent disruptive behavior which repeatedly interrupts the educational environment	Class II	Class II	Class II
Bullying	See Policy JICK	See Policy JICK	See Policy JICK
Gambling	Class II	Class II	Class II
The threat or perceived threat by word or act to do violence to another where it is reasonably certain that the person has the intention and means to carry out the threat	Class II	Class II	Class II
Instigating, engaging in or attempting to fight another student. The investigating professional may take into consideration the actions of the student who was attacked if he/she had no reasonable alternative but to physically defend him/herself.	Class II	Class II	Class II

Sharing, distributing or having for sale any demeaning publication including, but not limited to, the following areas: race, color, ethnic origin, religion, sex, sexual orientation and disability status	Class II	Class II	Class II
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Repeated Class III Offenses	Class II	Class II	Class II
Any other violation which the school Principal considers reasonable to fall within a class II category due to its severity	Class II	Class II	Class II
Extorting or maliciously threatening another student in order to gain money or objects belonging to that student	Class II	Class II	Class I
Possession of a toy gun	Class II	Class I	Class I
Bringing or possessing a firearm, as defined in Section 921 of Title XVIII of the U.S. Code, on school grounds or within the "Safe School Zone" (as defined in RSA 193-D:1) without written authorization from the Superintendent	Class I As required by law	Class I As required by law	Class I As required by law
Possession of a pellet gun, BB gun, BB rifle, or paint gun on school grounds or within the "Safe School Zone" (as defined in RSA 193-D:1)	Class I	Class I	Class I
Distribution, exchange, or selling of drugs or possession of drugs with the intent to distribute, exchange or sell	Class I	Class I	Class I

Starting or attempting to start a fire on school property	Class I	Class I	Class I
Using or threatening to use any dangerous object, weapon, destructive devices, or any instrument which might be capable of inflicting bodily injury; and/or assaulting, attacking or threatening to cause physical injury with or without any dangerous object to any adult or student	Class I	Class I	Class I
Possession of alcohol, illegal drugs or drug paraphernalia or being under the influence of alcohol, illegal drugs or any substance purported to be an illegal drug	Class I	Class I	Class I
Causing a false fire alarm or a bomb scare	Class I	Class I	Class I
Any act of sexual violence	Class I	Class I	Class I

Possession of any dangerous object, weapon, fireworks, destructive devices or any other instrument which may be capable of inflicting bodily injury	Class I	Class I	Class I
Unlawful entry	Class I	Class I	Class I
Inciting others to violence and/or encouraging other students to join in a disturbance	Class I	Class I	Class I
Repeated Class III or II Offenses	Class I	Class I	Class I
Any other violations which the school principal considers reasonable to fall within this category due to its severity.	Class I	Class I	Class I

CONDITIONS FOR ACADEMIC MAKE-UP FOLLOWING A SUSPENSION

Linking academic grades to behavioral discipline is not an effective method of modifying the behaviors of suspended students. For this reason, students receiving in-school or out-of-school suspensions will be able to complete schoolwork while serving their suspensions.

For work not completed during an out-of-school suspension, it is the student's responsibility to meet with his/her teacher during the subject teacher's after school make-up time. Failure to make and to keep this appointment with the teacher may jeopardize the make-up option. The purpose of this meeting will be to determine the extent of the schoolwork and to establish a timeline for its completion. Students will be granted a minimum of one day's time per each day of suspension to make up their schoolwork, not to exceed a maximum of ten school days from the date the assignment was provided by the teacher.

SCHOOL ACTIVITIES

During the time that a high school student is suspended he/she loses the privilege of participating in all school sponsored athletic, extra-curricular and co-curricular activities for that period. Students may also lose privileges during days in which the student is serving an extended day detention.

During the time that a middle school student is suspended he/she loses the privilege of participating in all school sponsored athletic, extra-curricular and co-curricular activities for that period. Students may also lose the privilege of participating in school sponsored athletic, extra-curricular and co-curricular activities, as well as field trips if they are placed on academic probation through school accountability programs.

PROCEDURES FOR STUDENT DISCIPLINARY ACTION

The purpose of this policy is to ensure that all students subject to disciplinary procedures have been afforded due process, and that all disciplinary actions conform to RSA 193:13, the IDEA, Section 504 of the Rehabilitation Act, New Hampshire Rules for the Education of Children with Disabilities, policies of the Nashua Board of Education, and the Safe School Zone Act. Whenever a student is suspended or expelled, he

or she may receive a copy of his/her rights.

A school administrator may suspend a student for up to ten (10) days for disciplinary reasons. The Principal may request the Superintendent or designee to suspend the student up to an additional ten (10) days. The Superintendent may request the expulsion of a student for disciplinary reasons.

SHORT-TERM SUSPENSION (a suspension of up to ten (10) days)

A school administrator shall meet with the student to discuss the student's conduct and shall:

- a. At the outset of the meeting, inform the student of the nature of the violation;
- b. inform the student of the nature of the evidence and facts upon which the administrator is making his/her decision;
- c. receive information and evidence from the student on his/her behalf; including presentation of any mitigating factors; and,

The school administrator shall make every reasonable effort to contact the parent as soon as possible after the disciplinary action. The Principal or designee shall immediately provide the student and parent/guardian a letter explaining the disciplinary action. The letter shall set forth:

- a. an explanation of the charge(s) against the student, and a brief summary of the evidence;
- b. the disciplinary action taken by the school administrator;
- c. the period of time covered by the disciplinary action;
- d. notice of the school administrator's intention to request further disciplinary action either by the Superintendent of Schools or designee, or the Nashua Board of Education; and,
- e. notice that the parent/guardian may request to meet with the school administrator to review the discipline.

The Principal or designee shall hand deliver this letter in a meeting with the parent/guardian and/or student, email the letter to the parent/guardian and student, or send it to the parent/guardian and student by U.S. mail to the last known address.

Special education students may be subject to short-term suspensions consistent with the procedures afforded nondisabled students under this section. When any suspension of a special education student results in an accumulative suspension during a school year in excess of ten (10) days, then the procedures for long-term suspension of a special education student are applicable.

LONG-TERM SUSPENSION (a suspension of eleven (11) to twenty (20) days)

The Superintendent or designee, upon receiving a request from a Principal for a long-term suspension shall schedule a hearing. If practical, this hearing shall be scheduled prior to the end of the initial ten-day suspension imposed by the Principal. If the hearing is not held prior to the expiration of the initial ten-day suspension, the student shall be allowed to return to school until the hearing is held.

Prior notice of a hearing before the Superintendent or designee shall be provided to the student and the student's parent/guardian. The written notice shall include:

- a. an explanation of the charge(s) against the student and a brief summary of the evidence;

- b. the date, time, and location of the hearing;
- c. notice of the right to be represented by a parent or guardian or by legal counsel (at their expense) and to present evidence and call and examine witnesses;
- d. notice that should the student/parent/guardian fail to appear at the hearing, that the finder of fact will rely on the information/evidence presented by the school's witnesses;
- e. notice of the right of the parent or eligible student (18 years of age) to waive the right to a hearing and admit to the charge(s).

Prior written notice of the hearing before the Superintendent or designee shall be delivered in person or sent by the Superintendent or designee to the student and the student's parent/guardian by regular U.S. mail to the student's last known address.

A hearing on the request for a long-term suspension shall be conducted in accordance with the hearing procedures afforded a student during an expulsion hearing (see *Expulsion* section).

Following the hearing, the finder of fact shall promptly provide a written decision to the student and the student's parent/guardian. The notice of the decision shall include:

- a. a summary of the evidence presented;
- b. the facts and evidence relied upon in making the decision and the legal basis for the decision;
- c. if the request for the long-term suspension is granted, the period of time covered by the disciplinary action;
- d. notice of the right to appeal, in writing, this decision to the Nashua Board of Education within ten (10) days of the issuance of the written decision; and,
- e. notice that the long-term suspension will begin even if appealed unless the parent requests that the Nashua Board of Education stays the suspension and the request is granted.

The Superintendent's or designee's written notice of decision to the student and the student's parent/guardian shall be delivered in person or by U.S. mail (certified with return receipt) to the student's last known address.

If the parent/guardian appeals the decision of the Superintendent or designee, a formal hearing before the Board of Education will be scheduled as soon as practical.

The appeal hearing may be postponed at the request of the parent/guardian for good cause or if the parent/guardian needs additional time to prepare for the formal hearing.

The Superintendent or designee shall provide the student's parent/guardian prior written notice of the appeal hearing. This notice shall include:

- a. date, time, and location of the hearing; and
- b. the right to be represented by legal counsel (at their expense) and to present evidence and to call and examine witnesses

The Superintendent or designee shall send written notice of the appeal hearing to the student and the student's parent/guardian by U.S. mail (certified with return receipt) to the last known address.

The appeal hearing shall be conducted in accordance with the same hearing procedures afforded a student during an expulsion hearing.

If a regular education student receives a long-term suspension or a pattern of short-term suspensions for more than ten (10) days, the principal may convene a child assistance team from the student's school to review the student's cumulative file and the disciplinary action before the beginning of the tenth day of suspension in order to consider additional education services in accordance with applicable state and federal law. The team will notify the Principal of its findings.

If a special education student receives a long-term suspension or a pattern of short-term suspensions for substantially the same behaviors that exceeds ten (10) days in a school year, the administrator shall contact the special education case manager to convene an I.E.P. (Individual Education Plan) team meeting prior to the commencement of the eleventh day of suspension. A functional behavioral assessment and behavior intervention plan will be completed or updated. The team will determine if the behavior is or is not a manifestation of the student's educational disability. Disciplinary action will occur in accordance with all federal and state laws, regulations, and rules for the education of children with disabilities.

If a special education student is recommended for a long-term suspension, the student and the student's parent(s)/guardian(s) shall receive the same written notice as non-disabled students. This written notice shall also advise the student and the student's parent(s)/guardian(s) of their rights under the Individuals with Disabilities Education Act (IDEA), including notice that a long-term suspension is a change of placement which they may disagree with and, if applicable, invoke the "stay-put" provisions of the IDEA. The student's I.E.P. Team and other qualified personnel shall meet prior to the imposition of a long-term suspension to determine whether the conduct causing the disciplinary action was a manifestation of the student's educational disability. If the I.E.P. Team determines that the student's conduct was not a manifestation of the student's educational disability, the disciplinary action shall proceed. The student's I.E.P. services shall be delivered during the period of suspension. If the I.E.P. Team determines that the student's conduct was a manifestation of the student's educational disability, the long-term suspension shall not be imposed.

The student's I.E.P. Team shall also conduct a functional behavioral assessment and develop and implement a behavioral intervention plan within ten (10) business days of the eleventh (11th) day of suspension or after causing a removal constituting a change of placement. If a behavioral intervention plan already exists, the I.E.P. Team must review and, if appropriate, modify that existing plan."

EXPULSION

If the Principal or the Superintendent or designee requests that a student be expelled from school, the Superintendent shall determine prior to the end of the student's initial ten-day suspension whether to submit the request to the Nashua Board of Education. A formal hearing shall be held prior to any expulsion. Except in situations involving a student bringing or possessing a firearm in a safe school zone, an expulsion hearing may be held either before or after the expiration of the initial ten-day suspension. If the hearing is scheduled to be held after the expiration of the initial ten-day suspension, the student shall be allowed to return to school until the hearing is held. In situations involving a student bringing or possessing a firearm in a safe school zone, the Nashua Board of Education shall hold the expulsion hearing within ten days of the commencement of the student's ten-day suspension.

Upon receipt of a request for expulsion, the Nashua Board of Education or designee shall provide prior written notice to the student and the student's parent/guardian, which shall include:

- a. the date, time and location of the hearing;
- b. a statement of the charges against the student and a summary of the evidence supporting the charges;
- c. the Superintendent's written recommendation for Board of Education action and a description of the process used by the Superintendent to reach his/her decision;
- d. notice that the student together with a parent may waive the right to a hearing and admit to the charges; parental consent is not necessary if the student is 18 years or older unless the student is subject to a guardianship;
- e. notice that the student has a right to be represented by counsel at his/her expense; f. notice that the student, parent/guardian or counsel has the right to present any defense or reply to, call and/or examine

- any and all witnesses; and,
- g. notice that the hearing may be either public or private and the choice shall be that of the student or the student's parent/guardian.

The written notice shall be delivered to the student and the student's parent/guardian, in person or by mail to the student's last known address, at least five days prior to the hearing.

The decision of the Nashua Board of Education to expel a student shall be based on substantial evidence that the student committed the act(s) charged and that the act(s) is, in fact, a proper ground(s) for expulsion.

The decision, which shall be reduced to writing, shall state whether the student is expelled; the legal and factual basis for the decision if the student is expelled; the length of the expulsion; any action the student may take to be restored by the Nashua Board of Education; and, notice that the student has the right to appeal the decision to the State Board of Education within twenty (20) days of receipt of the written decision.

The Superintendent of Schools may request the Board of Education to modify the mandatory 12-month expulsion from school for bringing to or possessing a firearm in a safe school zone on a case-by-case basis.

The requirement of an expulsion hearing for other Class I offenses may be modified on a case-by-case basis by the Superintendent for circumstances including, but not limited to, the student's age. If the Superintendent in his/her discretion determines that the circumstances are such that the sanctions are inappropriately severe, he/she may impose or request the Board of Education to impose such lesser sanction(s) as he/she determines is appropriate. In all such cases, the Superintendent shall make a written report to the Board of Education detailing his/her reasons for taking or requesting such action.

Prior to the start of each semester, an expelled student may petition the Nashua Board of Education to review its decision to expel, so long as the expulsion occurred at least sixty (60) days prior to that request.

The petition shall:

- a. be submitted in writing to the Nashua Board of Education no later than three (3) weeks prior to the start of the semester;
- b. set forth the reasons for the request for readmission and any information and facts which the student believes supports the petition; and,
- c. indicate whether the student requests a hearing on the matter.

The Nashua Board of Education shall consider the petition within two (2) weeks of its receipt and provide the student written notice of its decision immediately thereafter. If a hearing is requested, the Nashua Board of Education shall schedule a hearing within three (3) weeks of receipt of the petition for review. The student may be present at said hearing along with his/her parent/guardian or other adult advocate. The student may present facts and evidence in support of his/her petition for readmission. The Nashua Board of Education shall render a decision within one (1) week of the hearing and provide the student with written notice of its decision.

EXPULSION OF SPECIAL EDUCATION STUDENTS

If a special education student is recommended for expulsion, the student and the student's parent(s)/guardian(s) shall be provided with the same written notice as non-disabled students. This written notice shall also advise the student and the student's parent(s)/guardian(s) of their rights under the Individuals with Disabilities Education Act (IDEA), including the right to disagree with any change of placement and to appeal decisions of the student's I.E.P. Team and the Nashua Board of Education.

In cases involving possession of or sale of drugs or the possession of a weapon, the student's I.E.P. Team shall be convened no later than ten (10) business days after the event giving rise to the request for expulsion for the purpose of conducting a manifestation determination review, a functional behavioral assessment and to make a determination of an appropriate forty-five (45) day interim alternative educational placement. If the I.E.P. Team determines that the student's conduct was not a manifestation of the student's educational disability, the Team's report shall be forwarded to the Superintendent for further disciplinary action. Should the special education student be expelled following a hearing before the Board of Education or its subcommittee, the I.E.P. Team must then propose and offer an alternative long-term placement where the student will receive a free, appropriate, public education and the student's I.E.P. services can be delivered. The recommendation for the long-term placement must be made prior to the expiration of the forty-five (45) interim alternative educational placement. If the I.E.P. Team determines that the conduct giving rise to the request for expulsion was a manifestation of the student's educational disability, then no discipline in excess of the initial ten-day suspension shall be imposed.

When a student's conduct does not involve a drug or weapon violation, but the school determines that the student presents a potential danger to himself/herself or to others in his/her current placement, the school may request a forty-five (45) day interim alternative educational placement. No change of placement shall occur without the consent of the parent/guardian after the convening of the I.E.P. Team or, until the school obtains an order from a Hearings Officer granting permission for such a placement.

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R/Bd Approved: 08/16/99 R/Bd Approved: 06/28/04
R/Bd Approved: 08/19/02 R/Bd Approved: 08/31/06
R/Bd Approved: 10/15/02 R/Bd Approved: 03/09/15

NASHUA BOARD OF EDUCATION POLICIES

The Nashua Board of Education has policies in place to protect the rights of parents and students. Included below are several of these policies that could be of interest. For a complete copy of Board policies, contact the school office or you may find them on-line at www.nashua.edu.

PUPIL SAFETY AND VIOLENCE PREVENTION

Prevention of Bullying

The Nashua School District is committed to providing all pupils with a safe, secure and peaceful school environment. Conduct constituting bullying or cyberbullying will not be tolerated and is expressly prohibited.

Furthermore, the District reserves the right to address bullying and, if necessary, impose discipline for bullying that:

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

This policy shall apply to all pupils and school-aged persons on school district grounds and participating in school district functions, regardless of whether or not an individual is a pupil within the District.

The superintendent is responsible for the implementation of this policy.

I. Definitions (RSA 193-F:3)

- **Bullying:** Bullying is hereby defined as a single significant incident or a pattern of incidents involving a written, verbal, or electronic communication, or a physical act or gesture, or any combination thereof, directed at another student which:
 - o Physically harms a student or damages the student's property;
 - o Causes emotional distress to a student;
 - o Interferes with a student's educational opportunities;
 - o Creates a hostile educational environment; or
 - o Substantially disrupts the orderly operation of the school.
- Bullying shall also include actions motivated by an imbalance of power based on a student's actual or perceived personal characteristics, behaviors, or beliefs, or motivated by the student's association with another person and based on the other person's characteristics, behaviors, or beliefs.
- **Cyberbullying:** Cyberbullying is defined as any conduct defined as "bullying" in this policy that is undertaken through the use of electronic devices. For purposes of this policy, any references to the term bullying shall include cyberbullying.
- **Electronic devices:** Electronic devices include, but are not limited to, telephones, cellular phones, computers, pagers, electronic mail, instant messaging, text messaging, and websites.
- **Perpetrator:** Perpetrator means a student who engages in bullying or cyberbullying.
- **School property:** School property means all real property and all physical plant and equipment used for school purposes, including public or private school buses or vans.
- **Victim:** Victim means a student against whom bullying or cyberbullying has been perpetrated.
- Any reference in this policy to "parent" shall include parents or legal guardians.

II. Statement Prohibiting Bullying or Cyberbullying of a Student (RSA 193-F:4, II(a)) The Board is committed to providing all students a safe and secure school environment. This policy is intended to comply with RSA 193-F. Conduct constituting bullying and/or cyberbullying will not be tolerated and is hereby prohibited.

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

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

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

III. Statement Prohibiting Retaliation or False Accusations False Reporting

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

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

Reprisal or Retaliation

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

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

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

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

IV. Protection of all Students (RSA 193-F:4, II(c))

This policy shall apply to all students and school-aged persons on school district grounds and participating in school district functions, regardless of whether or not such student or school-aged person is a student within the District.

V. Disciplinary Consequences for Violations of This Policy (RSA 193-F:4, II(d)) The District reserves the right to impose disciplinary measures against any student who commits an act of bullying, falsely accuses another student of bullying, or who retaliates against any student or witness who provides information about an act of bullying.

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

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

Staff and Volunteers

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

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

Students

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

Students will participate in an annual education program which sets out expectations for student behavior and emphasizes an understanding of harassment, intimidation, and bullying of students, the District's prohibition of such conduct and the reasons why the conduct is destructive, unacceptable, and will lead to discipline. Students shall also be informed of the consequences of bullying conduct toward their peers. The Superintendent, in consultation with staff, may incorporate student anti-bullying training and education into the District's curriculum, but shall not be required to do so.

Parents

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

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

Additional Notice and School District Programs

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

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

At each school the Principal and/or designee of the Principal shall be responsible for receiving and responding to complaints of alleged violations of this policy.

Student Reporting

1. Any student who believes he or she has been the victim of bullying should report the alleged acts immediately to the Principal. If the student is more comfortable reporting the alleged act to a person other than the Principal, the student may tell any school district employee or volunteer about the alleged bullying.
2. Any school employee or volunteer who witnesses, receives a report of, or has knowledge or belief that bullying may have occurred must inform the Principal as soon as possible, but no later than the end of that school day.
3. The Principal may develop a system or method for receiving anonymous reports of bullying. Although students, parents, volunteers and visitors may report anonymously, formal disciplinary action may not be based solely on an anonymous report. Independent verification of the anonymous report shall be necessary in order for any disciplinary action to be applied.
4. The administration may develop student reporting forms to assist students and staff in filing such reports. An investigation shall still proceed even if a student is reluctant to fill out the designated form and chooses not to do so.
5. Upon receipt of a report of bullying, the Principal shall commence an investigation consistent with the provisions of Section XI of this policy.

Staff Reporting

1. An important duty of the staff is to report acts or behavior that they witness that appears to constitute bullying.
2. All District employees and volunteers shall encourage students to tell them about acts that may constitute bullying. For young students, staff members may provide direct assistance to the student.
3. Any school employee or volunteers who witnesses, receives a report of, or has knowledge or belief that bullying may have occurred shall inform the Principal as soon as possible, but no later than the end of the that school day.
4. Upon receipt of a report of bullying, the Principal shall commence an investigation consistent with the provisions of Section XI of this policy.

VIII. Procedure for Internal Reporting Requirements (RSA 193-F:4, II(g)) In order to satisfy the reporting requirements of RSA 193-F:6, the Principal or designee shall be responsible for completing all New Hampshire Department of Education forms and reporting documents of substantiated incidents of bullying. Said forms shall be completed within 10 school days of any substantiated incident. Upon

completion of such forms, the Principal or designee shall retain a copy for himself and shall forward one copy to the Superintendent. The Superintendent shall maintain said forms in a safe and secure location.

IX. Notifying Parents of Alleged Bullying

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

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

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

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

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

2. The investigation may include documented interviews with the alleged victim, alleged perpetrator and any witnesses. All interviews shall be conducted privately, separately and shall be confidential

Each individual will be interviewed separately and at no time will the alleged victim and perpetrator be interviewed together during the investigation.

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

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

5. Factors the Principal or other investigator may consider during the course of the investigation, including but not limited to:

- Description of incident, including the nature of the behavior;
- How often the conduct occurred;
- Whether there were past incidents or past continuing patterns of behavior;
- The characteristics of parties involved, (name, grade, age, etc.);
- The identity and number of individuals who participated in bullying behavior; • Where the alleged incident(s) occurred;
- Whether the conduct adversely affected the student's education or educational environment;
- Whether the alleged victim felt or perceived an imbalance or power as a result of the reported incident; and
- The date, time and method in which parents or legal guardians of all parties involved were contacted.

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

7. Whether a particular action or incident constitutes a violation of this policy shall require a

determination based on all facts and surrounding circumstances and shall include recommended remedial steps necessary to stop the bullying and a written final report to the Principal. 8. Students who are found to have violated this policy may face discipline in accordance with other applicable board policies, up to and including suspension. Students facing discipline will be afforded all due process required by law.

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

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

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of bullying or retaliation may range from positive behavioral interventions up to and including suspension or expulsion of students and dismissal from employment for staff members. Consequences for a student who commits an act of bullying or retaliation shall be varied and graded according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. Remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim, and take corrective action for documented systematic problems related to bullying.

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

XIII. Reporting of Substantiated Incidents to the Superintendent (RSA 193-F:4, II(l)) The Principal shall forward all substantiated reports of bullying to the Superintendent upon completion of the Principal's investigation.

XIV. Communication with Parents Upon Completion of Investigation (RSA 193-F:4, II(m)) 1.

Within two (2) school days of the completion of the investigation the Principal will notify the students involved in person of his/her finding and the result of the investigation. 2. The Principal will notify via telephone the parents of the alleged victim and alleged perpetrator of the results of the investigation. The Principal shall provide further written notice to the parents within 24 hours again notifying them of the results of the investigation.

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

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

XV. Appeals

A parent or guardian who is aggrieved by the investigative determination letter of the principal or his/her designee may appeal the determination to the Superintendent for review. The appeal shall be in writing addressed to the Superintendent, shall state the reason(s) why the appealing party is aggrieved, and the nature of the relief they seek. The Superintendent shall not be required to re-investigate the matter and shall conduct such review as he/she deems appropriate under the circumstances. It is in the best interests of students, families and the District that these matters be promptly resolved. Therefore, any such appeal to the Superintendent shall be made within ten (10) calendar days of the parent/guardian's receipt of the investigative determination letter of the principal or his/her designee. The Superintendent shall issue his/her decision in writing.

If the parent or guardian is aggrieved by the decision of the Superintendent, they may appeal the decision to the school board within ten (10) calendar days of the date of the parent/guardian's receipt of

the Superintendent's decision. An appeal to the Superintendent shall be a prerequisite to any appeal to the School Board. The appeal to the School Board shall be in writing, addressed to School Board Chair in care of the Superintendent, shall state the reason(s) why the appealing party is aggrieved, and the nature of the relief they seek.

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

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

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

XVII. Capture of Audio Recordings on School Buses

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

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

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

In the event an audio or video recording is used as part of a student discipline proceeding, such video may become part of a student's education record. If an audio or video recording does become part of a student's education record, the provisions of Policy JRA shall apply. The Superintendent is authorized to contact the District's attorney for a full legal opinion relative in the event of such an occurrence.

Legal References:

RSA 189:70, Educational Institution Policies on Social Media
RSA 193-F:3, Pupil Safety and Violence Prevention Act
RSA 570-A:2, Capture of Audio Recordings on School Buses Allowed
NH Code of Administrative Rules, Section Ed 306.04(a)(8), Student Harassment Board Approved: May 2001
March 2003
September 2004
12/13/2010 [Replaces POPPS 3244.1]
12/20/2021

HAZING: REPORTING, INVESTIGATION AND RESPONSE PROCEDURES

Reporting Procedures

It is a crime to

1. participate in any student hazing,
2. knowingly submit to hazing and fail to report it to the school authorities or law enforcement, or
3. be present at or have direct knowledge of hazing and fail to report such hazing to school authorities or law enforcement.

Every member of the school community must report hazing to the school principal or an assistant principal. In addition, the school is required by law to report to the local police any reports of hazing or any awareness of hazing incidents.

Any student who believes (s)he or another student(s) has been a victim of hazing shall report the incident(s) to the school principal, assistant principal, a teacher or guidance counselor.

School Board members, administrators, faculty members, other employees, and volunteers of the Nashua School District will be particularly alert to possible situations, circumstances, and events which may include hazing. If hazing or planned hazing is discovered, involved students will immediately be informed of the prohibition contained in this policy by the person discovering the prohibited activity and will be required to end all hazing activities immediately. All hazing incidents shall be reported immediately to the principal or the principal's designee who shall provide written reports of all incidents to the Superintendent of Schools.

Investigation and Response

1. The principal or designee shall act on all complaints of hazing. All reports of hazing incidents shall be promptly investigated.
2. The District/School Administration shall take such action, including training/education, and/or disciplinary action, as deemed appropriate in each case.
3. If an investigation concludes that a student has engaged in conduct prohibited by this policy, that student shall be subject to appropriate disciplinary action in accordance with the Nashua School District's Student Behavior Standards, which may include, but not be limited to, suspension and expulsion.
4. If an investigation concludes that a School Board member, school employee, or volunteer has engaged in conduct prohibited by this policy or has failed to report an incident of hazing as required by this policy, that person shall be subject to disciplinary action and may be liable for civil and criminal penalties as allowed by law.

Board Approved: 08/13/2012

NON-DISCRIMINATION

The following brief statement shall be used on permanent flyers and posters, District and school websites, small pamphlets and employment applications:

The Nashua Board of Education reaffirms its position of compliance with applicable State and Federal laws of nondiscrimination on the basis of race, color, national origin, religion, sex, sexual orientation, physical or mental disability, marital status, familial status, genetic information and age in admission to, access to, treatment in, or employment in the services, programs, and activities of the Nashua School District.

The Director of Human Resources shall review this statement annually to ensure that it reflects current

Federal and State statutes on non-discrimination and that it is acceptable to the New Hampshire Department of Education.

SEXUAL DISCRIMINATION, SEXUAL HARASSMENT, AND SEXUAL VIOLENCE **= STUDENTS**

I. Policy Statement

The Nashua Board of Education is committed to providing an educational environment for students that is free from sexual discrimination, sexual harassment and sexual violence. Sexual harassment is a form of sexual discrimination which violates Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, and N.H. State Statute 354-A:7, Unlawful Discriminatory Practices. Sexual violence is a physical act of aggression, attempted or completed, that includes a sexual act or sexual purpose. Sexual violence includes non-physical contact of a sexual nature such as threats of sexual violence or intentional or unwanted exposure of an individual to exhibitionism, pornography and acts of voyeurism.

The Nashua School District does not discriminate on the basis of sex in our educational programs and activities as required by Title IX to not discriminate.

It is a violation of this policy for any student or employee to harass another student, employee or guest of the District through conduct or communication of a sexual nature as defined by this policy. Refer to Policy GBAA for any sexual discrimination, sexual harassment, or sexual violence complaints involving staff and student(s). Students are encouraged to be supportive of one another and sensitive to remarks and actions that can be personally harmful to others or undermine an atmosphere of respect essential to a healthy, safe educational environment. Employees and students are responsible for taking appropriate measures to ensure that such conduct does not occur.

The District will investigate all complaints, formal or informal, verbal or written, of sexual discrimination, sexual harassment, and sexual violence and will discipline any student who sexually discriminates, sexually harasses, or is sexually violent to another student, a district employee or guest of the District.

The Nashua Board of Education assures that the District will take steps to prevent recurrence of any sexual violence and remedy discriminatory effects on the complainant and others, if appropriate. Questions regarding Title IX may be referred to the school's Title IX Coordinator or the Human Rights Officer designated in Policy GBAA.

II. Sexual Harassment/Sexual Violence Defined

Sexual harassment of students shall include, but is not limited to, unwelcomed sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature when:

1. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits or academic standing;
2. Submission to or rejection of the conduct or communication is used as the basis for educational decisions affecting a student;
3. The conduct or communication is so severe, persistent or pervasive that it has the purpose or

effect of unreasonably interfering with a student's educational performance or opportunities; or creates an intimidating, offensive or hostile educational environment.

Relevant factors to be considered will include, but not be limited to: did the student view the environment as hostile; was it reasonable to view the environment as hostile; the nature of the conduct; how often the conduct occurred and how long it continued; age and sex of the complainant; whether the alleged harasser was in a position of power over the student subjected to the harassment; number of individuals involved; age of the alleged harasser; where the harassment occurred; and other incidents of sexual harassment at the school involving the same or other students.

Examples of sexual discrimination, sexual harassment, and sexual violence may include, but not be limited to:

Verbal harassment or abuse; sexual innuendos, humor or jokes about sex, targeted at any gender, gender identity discrimination, or about sexual orientation, even if the content of the abuse is not sexual; talking about one's sexuality in front of others; or spreading rumors about or rating other students or others as to appearance, sexual activity or performance.

Physical Assault; unwelcomed sexual contact, intentional exposure of an individual to exhibitionism, or taking nude photographs of a sexual nature of another person without his or her consent or knowledge or of a person who is unable to consent or refuse.

A completed or attempted sex act, abusive sexual contact intentional touching directly or through clothing of any person, without his or her consent or of a person who is unable to consent.

Pressure for sexual activity; demanding/requesting sexual favors accompanied by implied or overt threats or preferential treatment concerning a student's educational standing or an individual's employment.

Unnecessary/unwelcomed physical touching, inappropriate patting or pinching, touching oneself sexually. Intentionally brushing up against an individual's body.

Graffiti of a sexual nature, displaying or distributing of sexually explicit drawings; pictures and written materials; sexual gestures or obscene jokes;

Sexual harassment may include "mooning", "pantsing", "skirting", "streaking", "sharking", "snapping", leaving or sending obscene messages on school computers or other electronic devices.

III. Reporting Procedures

The Superintendent designates the Principal in each school building as the Title IX Coordinator (reference JBAA – R) who is the responsible person to receive and investigate oral and written complaints of sexual discrimination, sexual harassment, or sexual violence for student to student harassment or violence. The Principal is responsible for implementing all procedures of this policy. Additionally, the Superintendent may develop and implement additional administrative regulations in furtherance of this policy.

Any student who believes he or she has been the victim of sexual discrimination, sexual harassment, or sexual violence by a student or employee of the District, or any third party with knowledge of conduct which may constitute sexual discrimination, sexual harassment or sexual violence should report the alleged act(s) immediately to any District employee or the building Principal. All employees are

responsible to report if they knew or in the exercise of reasonable care should have known about any incident of sexual violence. The District will always view as unwelcome and nonconsensual, sexual activity between an adult school employee and a student. If a student initially reports the alleged act to a District employee, that employee shall immediately notify the building Principal, who shall then immediately notify the Superintendent.

The Board encourages all students and staff members to use the Report Form available from the Principal or Superintendent, however, all incidents of sexual discrimination, sexual harassment, or sexual violence regardless of how reported, will be investigated. Staff members have a duty to report, even if a witness, as the District has to take immediate and appropriate steps.

Upon receipt of a report, the Principal will notify the Superintendent immediately without screening or investigating the report. If the report was given verbally, the Principal shall reduce it to written form within 24 hours and then forward it to the Superintendent. Failure to forward any sexual discrimination, sexual harassment, or sexual violence report, complaint, or knowledge of said acts as described herein will result in disciplinary action. If the complaint involves the building Principal, the complaint shall be filed directly with the Superintendent and follow the process under Policy GBAA.

If the complaint is about the Superintendent, the Board of Education will designate a third party investigator to conduct the investigation and make resulting recommendations to the Board of Education. The Superintendent may appeal the decision of the Board to the State Board of Education.

Submission of a complaint or report of sexual discrimination, sexual harassment, or sexual violence will not affect the student's standing in school, grades, work assignments, eligibility for extra-curricular activities or any other aspect of the student's educational program. Employees of the District making such reports shall not suffer any adverse work actions.

The use of formal Reporting Forms provided by the District is voluntary. The District will respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed as much as possible, consistent with the District's legal obligations and the necessity to investigate allegations of sexual discrimination, sexual harassment, and sexual violence and take disciplinary action when the conduct has occurred.

IV. Investigation and Recommendation

The Title IX Coordinator will conduct the investigation. The investigation should consider the surrounding circumstances, the nature of the sexual advances, the relationship between the parties and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes sexual discrimination, sexual harassment, or sexual violence requires a determination based on all the facts and surrounding circumstances.

The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator. Students who are interviewed may have a parent or other representative present. The school must give the complainant any rights that it gives the alleged perpetrator, for example the parties must have an equal opportunity to present relevant witnesses and other evidence and use a preponderance –of- the evidence standard to provide a balanced and fair process.

In addition, the District must take immediate steps, at its discretion, to protect the complainant, students and employees pending completion of an investigation of alleged sexual discrimination, sexual harassment or sexual violence.

Upon completion of an investigation conducted by the Title IX Coordinator, the Superintendent will be provided with a written factual report and recommended action. The investigation should not take longer than 60 days to meet the Office of Civil Rights standard.

Individuals may appeal the decision of the Principal/Title IX Coordinator to the Superintendent, or in the case of discipline originating from the Superintendent, to the Board of Education within 10 days of the decision.

V. Nashua School District Action

Upon completion of the investigation, the Principal or Superintendent shall provide the complainant and the accused of the outcome of the investigation and any appeal in writing. If the investigating party determines that the alleged conduct constituted sexual discrimination, sexual harassment or sexual violence, the Superintendent or Principal may discipline the offending student. Such discipline may include, but is not limited to, detention, in-school suspension, out-of-school suspension, or expulsion. Discipline will be issued in accord with other applicable Board policies. Due to FERPA and other privacy-related laws, the complainant will not be informed of what discipline was imposed.

The District reserves the right to take any additional actions it deems necessary to prevent or deter future incidents of sexual discrimination, sexual harassment or sexual violence by the offender, including, but not limited to, requiring the offender to attend appropriate educational programs or counseling sessions or changing the offender's classes or school assignment.

Conduct which does not rise to the level of sexual discrimination, sexual harassment or sexual violence as defined by the policy, but is nonetheless inappropriate or is in violation of other Board policies, will be addressed on a case-by-case basis by the Superintendent or Principal, who may impose discipline or order the offending student to engage in some remedial action.

VI. Reprisal

The District will discipline any student who retaliates against any person who reports alleged sexual discrimination, sexual harassment or sexual violence or who retaliates against any person who testifies, assists or participates in an investigation, proceeding or hearing relating to a sexual discrimination, sexual harassment or sexual violence complaint. Retaliation includes, but is not limited to, any form of intimidation, threats, reprisal or harassment.

VII. Right to Alternative Complaint Procedures

These procedures do not deny the right of any student to pursue other avenues of recourse, which may include filing charges with the Commissioner of Education, initiating civil action or seeking redress under State criminal statutes and/or federal law.

VIII. Sexual Harassment or Sexual Violence as Sexual Abuse

Under certain circumstances, sexual harassment or sexual violence may constitute sexual assault or abuse under New Hampshire law. In such situations, the District shall comply with all pertinent laws.

Nothing in this policy will prohibit the District from taking immediate action to protect victims of alleged sexual abuse.

IX. Age-Appropriate Sexual Harassment Policy

Per the requirements of Ed. 303.01(j), the Board of Education is required to establish a policy on sexual harassment, written in age appropriate language and published and available in written form to all students. This policy is intended to apply to middle-school and high-school aged students.

The Superintendent and building Principal(s) are charged with establishing policies, rules, protocols and other necessary age-appropriate information or materials for the District's elementary schools.

X. By-Pass of Policy

Any individual with a sexual discrimination, sexual harassment, or sexual violence complaint may choose to bypass this Policy and accompanying regulation and proceed directly to:

N.H. Commission on Human Rights or U.S. Department of Health and Human Services 2
Chenelle Drive Office for Civil Rights, Region 1 Concord, NH 03301 JFK Building, Room 1875
(603) 271-2767 Boston, MA 02203

(617) 565-1340

Legal References:

Section 703 of Title VII of the Civil Rights Act of 1964, as amended

Title IX of the Education Amendments of 1972

NH Code of Administrative Rules, Section Ed. 303.01(j), Substantive Duties of School Boards; Sexual Harassment Policy

NH Code of Administrative Rules, Section 306.04(a) (8), Student Harassment

NH Code of Administrative Rules, Section 306.04(a) (9), Sexual Harassment

RSA 354-A:7, Unlawful Discriminatory Practices

"Sexual Violence: Definitions" by the Centers for Disease Control and Prevention

(http://www.cdc.gov/violenceprevention/sexual_violence/definitions.html)

NOTIFICATION OF PARENTAL AND STUDENT RIGHTS

The following statement shall be included in all parent and student handbooks which shall be distributed annually: The federal Family Educational Rights and Privacy Act of 1974 and regulations adopted by the U. S. Department of Education grant parents of students, along with "eligible students" (students who have attained eighteen years of age or who are attending institutions of post-secondary education), certain rights relative to education records maintained by the Nashua School District. The District shall provide for the need to notify parents of their rights in a language other than English.

These rights include the following:

First, parents may inspect and review the education records of their children, and eligible students may inspect and review their own education records. Upon request, parents or eligible students will receive reasonable explanations and interpretations of records.

Second, a parent of a student, or an eligible student, may request that the student's education records be amended and may request a hearing if the records are inaccurate misleading, or invade the privacy or other rights of the, student.

Third, the statute and regulations forbid the disclosure of personally identifiable education records without prior written parental consent, or prior written consent by the eligible student, except in certain specified situations as stated in this policy.

In order to implement the statute and regulations, the Nashua School Board has adopted a written policy which is available to parents and eligible students in the Nashua School District's Planning, Organization, Policies, Procedures and Staff Manual (POPPS). Copies of POPPS are available in the office and library of each school, at the Administrative Office located at 141 Ledge Street and at the Nashua Public Library. The federal statute and regulations are enforced by the Family Educational Rights and Privacy Act Office, U. S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C., 20202, which is empowered to investigate timely written complaints.

HEARINGS

1. Persons desiring a hearing before the School Board must apply in writing to the Board for a hearing at least five (5) days prior to the scheduled meeting, stating definitely and clearly the reason for the request and the action desired on it. No hearing shall be granted without a vote of the Board. Persons at hearings shall not comment on any matters before the Board nor address the Board unless they are invited to do so.

COMPLAINTS

1. Any complaints shall be presented or referred in writing to the Superintendent of Schools, who may at his/her discretion refer the complaints to the Board of Education.

2. In cases of discipline or other school matters relating to their children, parents or guardians shall first discuss the matter with the teacher concerned. If the matter is not resolved, parents or guardians may further discuss the matter with the following persons in the following order as necessary: (1) the Principal of the building (2) the Superintendent of Schools or his designee. If the matter is not resolved at the Superintendent level, the Superintendent shall report the matter to the Board for consideration and action.

3. Complaints to the Board, or appeals on the rulings of the Superintendent, shall be presented to or referred to the Superintendent in writing for presentation to the Board.

TRANSPORTATION

Parents are responsible for the safety of their children from the time they leave home in the morning, until the time they board the school bus; and at the end of the school day, from the time the school bus departs the bus stop and the children reach home. Once the child enters the school bus, the responsibility generally lies with the bus driver and the bus contractor.

Parents should be aware that the right to ride a school bus may be temporarily or permanently revoked if

the "Transportation Rules for Pupils" are violated.

Buses are allowed to leave the bus stop if they arrive five minutes prior to the scheduled pick-up time. If buses arrive later than five minutes from the scheduled time, or if you have other transportation concerns, you are welcome to call the Transportation Department at 594-4300 X1122 or X1146. When the Transportation Department is notified that a bus is running more than 15 minutes late, they will notify the appropriate school principal.

Middle School and senior high school students must have their bus permits with them when boarding the school bus. Students not having a bus permit will not be allowed to board the bus. Bus permit replacement costs are \$.25 per permit.

I. Student Eligibility

A. Transportation shall be furnished by the Nashua School District to:

1. Middle School and senior high school students living more than two miles from their assigned schools.
2. Elementary school students, grades five through six, living more than 1 1/4 miles from their assigned schools.
3. Elementary school students, grades one through four, living more than 1 mile from their assigned schools.

B. Senior High students eligible for bus transportation shall be charged a fee established by the Board of Education. Fees shall be non-refundable, unless the student has officially withdrawn from school. Transportation shall be furnished free of charge to all other students.

C. Space available transportation requests shall be considered using the criteria of grade and distance. The privilege of Space Available transportation shall not be approved before October 1 of the school year and will terminate at the close of that school year.

D. Distance, in all disputed cases, shall be measured from the end of the pupil's lane to the nearest driveway or walkway of the school by the most direct, traveled route. This traveled route may be roads or walkways.

E. Parents or other adults who are designated as chaperones may ride the bus during the school day for an educational field trip. Parents may not ride school buses when they are being used to transport children to and from school on their normal runs.

II. Bus Routes and Stops

A. Routes will be planned so that a maximum number of children are picked up and discharged at the nearest spot to their home. Whenever possible, school buses are routed into developed areas so that large numbers of children will not be exposed to traffic flow along the main highway, provided that the bus can enter and leave the developed area without backing up at any time. Buses have very limited vision to the rear, and should therefore never back up in a heavily populated area.

B. Request for extension of existing routes should be submitted to the Director of Transportation. Criteria for granting such requests are as follows:

1. The distance between the home and the closest designated bus stop must exceed one mile. This traveled route may be roads or walkways.
2. If the bus must turn around, a safe and adequate turning place must be available.
3. The road must be a paved public road and must be satisfactory to carry the weight of the bus involved.
4. The turn

from the existing route and entrance back onto the existing route must be safe. 5. Dangerous embankments must be protected with adequate guardrails.

- C. Exceptions to the distance a pupil must live from the school or an established route may be made for disabled and special education pupils, or where the safety of the pupil is jeopardized by an exceptional hazard. Exceptional hazards include vertical banks on both sides of a road which limit children to walking upon the traveled portion of the road, and temporary extensive road construction.
- D. Bus stops shall be located, whenever possible, at points where vision is unobstructed in both directions and room is available for children to stand off the traveled portion of the road while waiting for the bus. To provide minimum obstruction to traffic flow and minimum time to complete the run, the bus stops for all children shall be designated at least a quarter of a mile apart. Exceptions may be made, at the discretion of the Director of Transportation, where unusual conditions exist.

III. Transportation Rules for Students

The following transportation rules apply to all students riding school buses to and from the Nashua District Schools. In addition, the policies adopted by the Board of Education regarding student smoking; student possession, use, or distribution of controlled dangerous substances and alcohol; assault and/or battery; malicious burning of property; and possession of dangerous weapons on school property will also be strictly enforced on Nashua School District buses.

- A. The driver shall be in full charge of the school bus and students.
- B. Students violating the transportation rules will be reported to the Director of Transportation and transportation services may be restricted or withdrawn.
- C. If requested pupils must sit in the seats that have been assigned to them by the driver, the Director of Transportation or the Principal. Students must remain in their seats at all times when the bus is in motion. Changing seats any time during the run is prohibited.
- D. Pupils may converse in a normal manner, but loud, profane, or obscene language will not be permitted.
- E. With the exception of their books or other school equipment, pupils may not transport other items on the bus without the permission of the driver. Sports equipment and musical instruments may not be placed on the floor in the front of the bus nor in the bus aisle, and must fit easily on the seat.
- F. Pupils must not extend any part of their bodies through bus windows.
- G. Pupils must not attempt to board or to get off the bus while it is in motion.
- H. Pupils should cooperate in keeping the bus clean and must not damage it. Any malicious or willful damage to a school bus may result in the immediate withdrawal of transportation services, with the student or parents asked to reimburse the School District for the cost of repairing the bus.
- I. Pupils may not eat, drink or chew gum on the bus.
- J. Pupils may not play radios, tape players, or other such devices on the bus.
- K. Pupils may not bring animals, caged or otherwise, on the bus.
- L. Pupils suspended from school may not ride on any bus while they are on suspension.
- M. It is the responsibility of the pupil to board the proper bus. Pupils are permitted to ride only the bus to which they are assigned.
- N. Pupils should be at the bus stop at least eight to ten minutes before the scheduled arrival of the bus. The school bus will not wait for tardy pupils.
- O. Pupils may not leave the bus at any stop other than the one to which they have been assigned unless the

Director of Transportation has granted proper authorization.

- P. Pupils must wait quietly in an orderly fashion at the bus stop. Running into the roadway, horseplay and throwing objects at the bus stop compromises student safety and can be disturbing to residents living in the area.

IV. Responsibilities of Bus Drivers

All school bus drivers must meet qualifications prescribed by state laws and regulations. The Director of Transportation must approve all regular drivers and substitute drivers for the Nashua School District, provided through Ryder Transportation Services.

The driver's influence extends beyond the routine driving function. Students may learn many of the qualities of good citizenship, including courtesy and respect for law and authority, from the example of their school bus driver. The school bus driver shall:

- A. Be in full charge of the school bus and the pupils.
- B. Establish an atmosphere that is conducive to good discipline during the first days of the school year. Making sure all pupils who ride the bus are aware of all "Transportation Rules for Pupils" will accomplish this.
- C. Be alert to pupil conduct on the bus and correct minor infractions of the rules immediately. This action shall include the reporting of potential problems or disturbances to the Director of Transportation.
- D. Report misconduct or violation of the "Transportation Rules for Pupils" to the Director of Transportation.
- E. Assign pupils to seats in cooperation with the Director of Transportation.

V. Procedures for Address Changes and New Pick up/Drop-Off Location

- A. Whenever a student lives within his/her official school district, regular transportation provisions will apply.
- B. All transportation for newly registered students will go into effect five school days after the Transportation Department receives written notification from the student's school office.
- C. Any address change requiring a new pick-up/drop-off point will require five school days after written notification is received from the student's school office.
- D. All address changes shall be arranged through the student's school office.
 - E. Only the area of the legal address shall be used as a pick-up/drop-off point. That address will be used for any correspondence to parents from the Transportation Department. In cases of extreme need, a written request may be submitted to the Director of Transportation requesting different A.M. and P.M. addresses. Although individual needs will be taken into consideration, it is imperative that all routes be kept as short in duration as possible for the safety and well-being of each child. Therefore, it must not be assumed that such a request will be approved. Only the Director of Transportation has the authority to make a decision on such a request.

VI. Discipline Procedures

- A. Pupils who are assigned to ride the Nashua public and parochial school buses must assume certain responsibilities. Misconduct, carelessness and thoughtlessness are hazards to the safe operation of the school bus. The bus is an integral part of the total school program; and the driver, who is an adult in a position of authority, must insist on appropriate behavior. When the Director is advised of a violation of the "Transportation Rules for Pupils", and determines as a result of his investigation that a violation of the "Transportation Rules for Pupils" has occurred, he may suspend transportation services for a

time. In the event of a suspension, the Director of Transportation will notify the parent or guardian of the student, stating the reason for and the duration of the suspension in accordance with the state statute (N.H.R.S.A.-189:9a).

B. RSA 189:9a - Pupils Prohibited for Disciplinary Reasons

Notwithstanding the provisions of RSA 189:6-8, the Superintendent, or his representative as designated in writing, is authorized to suspend the right of pupils from riding in a school bus when said pupils fail to conform to the reasonable rules and regulations as may be promulgated by the school board. Any suspension to continue beyond twenty school days must be approved by the Board of Education. Said suspension shall not begin until the next school day following notification of the suspension sent to the pupil's parent or legal guardian.

C. If a pupil has been denied the right to ride a school bus for disciplinary reasons, the parent or guardian of that pupil has a right to appeal within ten days of suspension to the authority that suspended the pupil's rights. Until the appeal is heard, or the suspension of the right to ride the school bus is upheld, it shall be the parent or guardian's responsibility to provide transportation to and from school for that pupil for the period of the suspension.

D. The following steps may be taken in the event of any violation of the "Transportation Rules for Pupils":

1. The Director of Transportation may assign seats if acceptable behavior cannot be maintained. Students can regain the privilege of seat selection when they have demonstrated improvement. The punishment for each offense will be decided upon individually, depending upon its seriousness, by the Director of Transportation.
2. In the event the Director of Transportation finds a serious violation of the "Transportation Rules for Pupils," which is detrimental to the safety of persons and/or property on the bus, he will make an effort to determine those responsible.

This effort may include interviewing the bus driver, requesting the principal to interview all students who ride that bus, and requesting parental information.

In rare instances, if responsibility for the violation cannot be determined, the Director of Transportation shall request approval from the Board of Education to pursue any or all of the following steps:

- a. Engage special police personnel to ride the route from time to time.
- b. Issue a bill to the parents of each rider for the pro-rata cost of repairing any damage caused by the students, or furnishing police personnel.
- c. Issue identification cards to each rider on the bus.
4. If the Board of Education finds that violation of the Transportation Rules for Pupils" continue to be detrimental to the safety of persons and property on the bus route, it may, after giving written notice to the parents of the bus route, suspend the bus route for a period of time. The suspension shall commence no earlier than five calendar days from the date of notice to the parents.
5. Smoking is not permitted on school grounds, including school buses. If infractions occur, appropriate disciplinary action must follow, in accordance to Board-approved Smoking Policy and **New Hampshire RSA 155:64 and RSA 78.**

VII. Transportation Disciplinary Guidelines

In order to insure a uniform disciplinary policy, these guidelines have been broken down into three levels: minor, serious, and major offenses. These guidelines will be applied in conjunction with the Nashua School District's Student Behavior Policies.

BUS BEHAVIOR INFRACTIONS

	Consequences			
	1 ST REPORT	2 ND REPORT	3 RD REPORT	4 TH OR MORE REPORTS
LEVEL II INFRACTIONS <ul style="list-style-type: none"> • Improper boarding/departing procedures • Unnecessary noise • Refusing to obey the driver • Improper bus line behavior • Failure to remain seated • Riding another bus route without authorization from the building Principal and/or Director of Transportation 	Warning	Warning or 1-3 day bus suspension	Warning or 1-5 day bus suspension	Warning or up to a 20 day bus suspension

<ul style="list-style-type: none"> • Other Level II infractions as reported by the bus officials. 				
LEVEL I INFRACTIONS <ul style="list-style-type: none"> • Smoking • Lighting matches or playing with hazardous items on the bus • Fighting, pushing, tripping • Vandalism • Other behavior relating to safety • Bullying/harassment behaviors • Tampering with bus equipment • Throwing object in or out of the bus • Spitting • Use of obscenities or abusive language toward bus occupants • Misuse of the bus permit/ticket • Other Level I Infractions as reported by the bus officials 	Warning or up to a 20 day bus suspension	Up to a 20 day bus suspension	Up to a 20 day bus suspension Possible loss of bus service for the remainder of the year	20 day minimum bus suspension Possible loss of bus service for the remainder of the school year