



DOVER SCHOOL BOARD – AGENDA

Meeting Type: **Regular Session #9**
Meeting Location: **McConnell Center, Room 305**
Meeting Date: **Monday, September 14, 2020**
Meeting Time: **7:00 pm**

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. PLEDGE OF ALLEGIANCE**
- D. AGENDA APPROVAL**
- E. CITIZENS' FORUM**
- F. APPROVAL OF MINUTES**
 - 1. Special Session, August 3, 2020
 - 2. Regular Meeting #8, August 10, 2020
 - 3. Non-Public Meeting # 4, August 17, 2020
 - 4. Special Session, August 17, 2020
 - 5. Special Session, August 24, 2020
 - 6. Non-Public Meeting # 5, August 31, 2020
 - 7. Special Meeting, August 31, 2020
- G. CONSENT AGENDA**
 - 1. **Correspondence:** None
 - 2. **Resignations/Retirements:** None
 - a. Taylor Lipinski – Physical Education Teacher – Dover Middle School
 - 3. **Leaves of Absence:** None
 - 4. **Job Shares:** None
 - 5. **Nominations:**
 - a. DTU Nomination
 - b. Paraeducator Nomination
 - c. Non-Union Nomination
 - d. Coaching Nominations
 - 6. **Extended Travel (Student Trips):** None
 - 7. **Donations:** September Donations
- H. STUDENT REPORT:**
- I. POLICY – CHANGES – PROPOSALS:**
 - 1. **First Reading**
 - a. AEB – Recognition by Dover School Board
 - b. AEB-A – Recognition by School Building Renaming (NEW)
 - c. IKFG – Career Readiness Pathways & Credentials (NEW)
 - 2. **First and Second Reading**
 - a. ACAA – Harassment and Sexual Harassment of Students
 - b. ACAA-R – Student Discrimination and Harassment Complain Procedure
 - c. AC – Nondiscrimination Equal Opportunity
 - d. ACAB – Harassment and Sexual Harassment of School Employees
 - e. ACAB-R – Employee & Third-Party Discrimination and Harassment Complaint Procedure
 - f. GBA – Equal Opportunity Employment (WITHDRAW)



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g. GDB – Employment of Non-Certified Personnel (NEW)

J. POLICY ADOPTION: None

K. RESOLUTIONS:

L. OLD BUSINESS: None

M. NEW BUSINESS:

1. Research Request – Orly Buchbinder, UNH: Investigation of Beginning Teachers' Expertise to Teach Mathematics via Reasoning and Proof - Action Item
2. Facilities Usage
3. Spectators at Fall Athletic Events
4. COVID-19 Pandemic Three-Week Assessment Window
5. Condition of Accounts

N. SUBMISSION AND PAYMENT OF BILLS

O. SUPERINTENDENT'S REPORT

P. COMMITTEE REPORTS

Q. SCHOOL BOARD MATTERS OF INTEREST

R. ADJOURNMENT

Citizens, residents of the City of Dover, property owners in the City of Dover, and/or designated representatives of recognized civic organizations or businesses located in the City of Dover and/or residents of sending school districts, are invited to all public meetings and shall be given an opportunity to speak. Time shall be set aside for citizen statements, Citizen's Forum, at all public meetings, unless a vote to the contrary is taken by the School Board.

Citizens shall identify themselves by name and address for the record; address comments to the presiding officer and the Board as a body and not individual members. Citizen's Forum will ensure citizens have the opportunity to speak to all other items on a meeting agenda and/or matters pertaining to the business of the School Board. At workshop meetings and special sessions, Citizens' Forum will be restricted to items on the meeting agenda. Statements shall be limited to five (5) minutes unless otherwise extended by the chairperson, with the approval of the School Board.

All citizens are permitted to place items on the agenda through written application to the Superintendent at least one week prior to the meeting date. Citizen items will require a formal motion and a second by seated members to bring the item to the floor for debate.

From: Taylor Lipinski <T.Lipinski@dover.k12.nh.us>

Sent: Wednesday, August 12, 2020 5:19 PM

To: Kimberly Lyndes <k.lyndes@dover.k12.nh.us>

Subject: Status For Next Year

Hello Kim,

Hope you have been able to stay safe and well during this strange summer. I'm sure you have been extremely busy planning for the upcoming year. I'm extremely sorry for the late notice but I was waiting until I officially had an offer but I will not be returning to Dover this upcoming year. I have an offer from my hometown and next year plan on starting my master at the University of Connecticut. With everything going on and with my plan professionally in the future, a return to Connecticut is what makes the most sense for me. I truly hope you understand but just want to say thank you again for an amazing year in Dover. I hope to potentially look to you as a reference in the future if possible despite the late notice and wish you the best of luck. The community and family in the area are things I will never forget and I hope things work out in the future.

Best of Wishes,

Taylor Lipinski

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**OFFICE OF THE SUPERINTENDENT
DOVER PUBLIC SCHOOLS
DOVER, NEW HAMPSHIRE**

TO: **DOVER SCHOOL BOARD**

DATE: September 14, 2020

MEMORANDUM: Nomination and Election of Teachers

In accordance with Chapter 189, Section 39 of the New Hampshire School laws of 1963, I hereby nominate the following persons for the designated positions for the 2020-2021 school year.

NAME	POSITION	SCHOOL	REPLACING	SALARY	TRACK
Temple, James	Computer Prog. Teacher	CTE		\$47,091.00	BA, Step 7

**OFFICE OF THE SUPERINTENDENT
DOVER PUBLIC SCHOOLS
DOVER, NEW HAMPSHIRE**

TO: **DOVER SCHOOL BOARD**

DATE: September 14, 2020

MEMORANDUM: Nomination and Election of Paraprofessionals

In accordance with Chapter 189, Section 39 of the New Hampshire School laws of 1963, I hereby nominate the following persons for the designated positions for the 2020-2021 school year.

NAME	POSITION	SCHOOL	REPLACING	SALARY	TRACK
Noble, Becky	Paraprofessional	Title I Tutor	Diane Day	\$25.46	C4, Step 7

**OFFICE OF THE SUPERINTENDENT
DOVER PUBLIC SCHOOLS
DOVER, NEW HAMPSHIRE**

TO: **DOVER SCHOOL BOARD**

DATE: September 14, 2020

MEMORANDUM: Nomination and Election of Non-Union Employees

In accordance with Chapter 189, Section 39 of the New Hampshire School laws of 1963, I hereby nominate the following persons for the designated positions for the 2020-2021 school year.

NAME	POSITION	SCHOOL	REPLACING	SALARY	TRACK
Severson, Jeremy	Tech Specialist	Elementary Schools		\$48,000.00	

Thanks-Recommendations

To: Dr. William Harbron
 From: Peter Wotton
 Re: Fall Coaching Recommendations - 2020
 Date: September 8, 2020
 Cc: Kim Lyndes, Peter Driscoll, Tammy Badger

I am would like to recommend the following individuals for FALL 2020 coaching positions.

<u>Position</u>	<u>Name</u>	<u>Replaces</u>	<u>Stipend Amount</u>
Varsity Cheering	Kelsey Leighton		\$4,313.00
JV Cheering	Mikaela Leighton	Caitlin Cardoso	\$2,550.00
Boys Var. Soccer	Ronan O'Doherty		\$3,675.00
Boys JV Soccer	Don Wason		\$2,550.00
Boys Reserve Soccer	Corey Hambrook		\$2,025.00
MS B. Soccer	Jason Subirana		\$2,025.00
Girls Var. Soccer	Jason Wisniewski		\$3,675.00
Girls JV Soccer	Chris Clinch		\$2,550.00
MS G. Soccer	Christen Wilhelm		\$2,025.00
Head Football	Eric Cumba		\$5,588.00
Asst Football	Richard Clough	Don Innis	\$3,713.00
JV Football	Joshua Droesch		\$3,713.00
JV Football	David Lopez	Scott Sicko	\$3,713.00
*Frosh Football	Justin Crowley	Richard Clough	\$2,125.00
*Frosh Football	Chris Stamoulis	David Lopez	\$2,125.00
*Frosh Football	Matt Kimball		\$2,125.00
*split 2 stipends between three coaches			
Head Field Hockey	Sarah Richards		\$3,675.00
JV Field Hockey	Jessica Paul		\$2,550.00
MS Varsity Field Hockey	Jillian Brickley		\$1,613.00
MS JV Field Hockey	OPEN????		
Girls Varsity Volleyball	Whitney Carrier		\$3,675.00
Girls JV Volleyball	Katie Rebrovich		\$2,550.00
MS Varsity Volleyball	Emily Boles		\$2,025.00
MS JV Volleyball	Molly Wotton		\$1,613.00
B/G Cross County	Nick Piatti		\$3,338.00

B/G Asst. Cross Country	Alyson Mathieu	\$2,025.00
MS Cross Country	Laura Towle	\$1,613.00
MS Asst. Cross Country	Kaylee Towle	\$1,613.00
B/G Golf	Matt Fennessy	\$1,988.00
B/G JV Golf	Joe Tenuta	\$300 (coach contingency)

Donation Request List for Approval
September 14, 2020 School Board Meeting

School	Group Donating	Value	Items/Service	Purpose
DHS	Roger Williams University	\$1,300.00	Monetary	Project D.R.E.A.M.

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DATE OF ADOPTION: OCTOBER 10, 2005	PAGE 1 OF 1

First Reading

RECOGNITION BY DOVER SCHOOL BOARD

It shall be the policy of the School Board to recognize those who have made a significant and lasting contribution to the Dover school system which is worthy of special recognition.

Names of persons to be nominated must be presented by a School Board member. The presentation will include a brief resume of the justification for recognition.

The name of each nominee will be presented by the chairperson in executive session at the next School Board meeting.

After discussion of the justification for recognition, a consensus will be reached as to whether to proceed. If the Board agrees to recognize the person nominated, the chairperson will refer the name to the School Board Recognition Committee.

The Recognition Committee will decide an appropriate form of recognition for the person nominated (e.g., school, field, room, plaque, etc.). **If the Recognition Committee feels that a school renaming is the most appropriate, please follow policy [INSERT NEW POLICY NUMBER].** At that time, a formal proposal will be made to the full School Board at its next regular executive session. This proposal should include the particulars of the type of recognition and the ceremony planned.

If the Board agrees with the Recognition Committee proposal, the School Board chairperson will contact the person prior to the next regularly scheduled School Board meeting in order to assure his/her willingness to accept the honor. **If the proposed honoree is deceased, the chair will contact next of kin. In the absence of next of kin, the Board will make a decision solely on the merits of the case.**

The final vote to recognize a person of distinction by the Dover School Board shall be by a two-thirds vote of all members of the committee at that time.

The formal vote will be taken as prescribed about at the next regular School Board meeting.

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First Reading - NEW

RECOGNITION BY SCHOOL BUILDING RENAMING

It has been the tradition in Dover to name schools for the areas they serve; elementary schools for the neighborhoods and the middle school and high school for the entire community.

In 2020, events have called this tradition into question and pressed for the need to establish a policy that would investigate, study, and recommend to the School Board the naming/renaming of a building or part of a building for an individual or individuals who have made substantial contributions to the district.

Therefore, it shall be the policy of the Dover School Board to maintain the tradition of naming, but to consider requests from members of the community to rename a school, name a new school, or name a portion of a school to honor an individual who has made a substantial contribution to the Dover School District.

The criteria to be used in determining the appropriateness of naming/renaming under this policy shall be:

- Any name change initiates from the community.
- The community name aspect of the school remains as a part of the official school name. (e.g., The Hilton Brothers Elementary School at Garrison, The Hilton Brothers Elementary School at Woodman Park, The Hilton Brothers Elementary School at Horne Street, The Hilton Brothers Dover Middle School, etc.)
- The person shall have made a major contribution to the district through financial support, and/or enhancement of student learning, and/or enhancement of instruction and/or support (financial, social, emotional) of children and families over and above what was required by a job within the district.
- The person for whom the recognition is intended has been deceased for at least 2 years.
- The costs associated with renaming shall not fall onto the general budget of the Dover School District.
- The renaming ceremony shall occur at the start of the school year after the proper paperwork has been filed with state and federal departments.

Consideration of naming/renaming shall be initiated by a community or school board member. Following receipt of such request, a Naming/Renaming Committee will be formed to gather input from within the district and the city

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regarding the appropriateness of the request and a recommendation will be formulated.

The recommendation from the Renaming Committee shall be presented to the Dover School Board and include plans for fund raising, official name change, and any subcommittee that should be formed to ensure the process towards renaming is continually worked on to completion.

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FIRST READING - NEW

CAREER READINESS PATHWAYS & CREDENTIALS

Beginning in September 2020, the District shall assess career interests in grade eight to advise how to achieve a career readiness credential upon graduation for each incoming freshman. The District shall document school pathways to career readiness credentials, and also record on a student's transcript progress towards these credentials. Successful completion of career readiness pathways culminates in postsecondary or industry credentials, licensure, and career-related technical skills.

The District shall report the following annually to the Department of Education in the manner required by the Department: the number of students who complete CTE; the number of dual enrollments, concurrent enrollments, extended learning opportunities, and work-based learning enrollments; and the number of career ready credentials awarded.

As used in this policy, the terms “career readiness credential”, “career readiness pathways”, “CTE” and “work-based learning” shall have the same meanings as ascribed to them under RSA 188-E:2. “Dual enrollment” and “concurrent enrollment” shall have the meanings ascribed in RSA 188-E:25.

The Superintendent, in coordination with Dover High School Principal and CTC Director shall develop procedures and guidelines for establishing the criteria necessary for career pathways and work-based learning opportunities, and for obtaining a career readiness credential. Each/the career readiness credential should be based upon statewide, CTE or nationally normed metrics related to career readiness for a specific field. Additionally, the Superintendent shall designate the personnel responsible for carrying out the provisions of this policy.

Legal References:

RSA 188-E:2 Career and Technical Education, Definitions

RSA 188-E:5, XI, Career and Technical Education, Program.

RSA 188-E:25, Career and Technical Education, Dual and Concurrent Enrollment Program, Definitions

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

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First & Second Reading

HARASSMENT AND SEXUAL HARASSMENT OF STUDENTS

~~Harassment of students because of sex, gender identity, sexual orientation, gender identity, religion, race, color, creed, ancestry, national origin, age, marital status, familial status, economic status, physical or mental disability is prohibited. Such conduct is a violation of Board policy and may constitute illegal discrimination under state and federal laws.~~

~~Harassment includes but is not limited to verbal abuse based on sex, sexual orientation, gender identity, religion, race, color, creed, ancestry, national origin, age, marital status, familial status, economic status, physical or mental disability. Complaints of bullying and cyberbullying not based on the characteristics described above may also be pursued under Board Policy JICK—Pupil Safety and Violence Prevention: Bullying and Cyberbullying.~~

Sexual Harassment

~~Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors or pressure to engage in sexual activity, physical contact of a sexual nature, gestures, comments, or other physical, written, graphic, electronic, or verbal conduct that is gender based and that interferes with a student's education. School employees, fellow students, volunteers and visitors to the school, and other persons with whom students may interact in order to pursue school activities are required to refrain from such conduct.~~

~~Harassment/sexual harassment of students by school employees is considered grounds for disciplinary action, up to and including discharge. Harassment/sexual harassment of students by other students is considered grounds for disciplinary action, up to and including expulsion. The Superintendent will determine appropriate sanctions for harassment of students by persons other than school employees and students.~~

~~The Building Administrator, the Superintendent, or the Superintendent's designee acting on behalf of the Superintendent will investigate complaints of harassment in accordance with the Student Discrimination, Harassment, and Bullying Complaint Procedure. School employees, students, and parents shall be informed of this policy/procedure through handbooks and/or other means selected by the school administration.~~

Legal Reference: _____ Americans with Disabilities Act (42 U.S.C. § 12101 *et seq.*)
 _____ Section 504 of the Vocational Rehabilitation Act of 1973 (29 USC § 794 *et seq.*)
 _____ Title IX of the Education Amendments of 1972 (20 USC § 1681 *et seq.*)
 _____ Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d)
 _____ RSA 186:11
 _____ RSA 193:13
 _____ NH Code Admin. R. Ed. 303.01(i) and (j)
 _____ NH Code Admin. R. ed. 317

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Cross Reference: ~~ACAA-R Student Discrimination, Harassment, and Bullying Complaint Procedure~~
~~AC Nondiscrimination/Equal Opportunity~~
~~JICFA Hazing~~
~~JICK Pupil Safety and Violence Prevention: Bullying and Cyberbullying~~

Harassment of students because of age, sex, gender identity, sexual orientation, race, creed, color, ancestry or national origin, marital status, familial status, physical or mental disability, religion or economic status is prohibited. Such conduct is a violation of Board policy and may constitute illegal discrimination under state and federal laws.

School employees, fellow students, volunteers, visitors to the schools, and other persons with whom students may interact in order to pursue or engage in education programs and activities, are required to refrain from such conduct.

Harassment and sexual harassment of students by school employees is considered grounds for disciplinary action, up to and including discharge. Harassment and sexual harassment of students by other students is considered grounds for disciplinary action, up to and including expulsion. The Superintendent will determine appropriate sanctions for harassment of students by persons other than school employees and students.

A. Harassment

Harassment includes, but is not limited to, verbal abuse and other offensive conduct based on of age, sex, gender identity, sexual orientation, race, creed, color, ancestry or national origin, marital status, familial status, physical or mental disability, religion or economic status. Harassment that rises to the level of physical assault, battery and/or abuse and bullying behavior are also addressed Board Policies JICI – Weapons, on School Property, JICD – Student Conduct, Discipline and Due Process, and JICK – Bullying.

B. Sexual Harassment

Sexual harassment is addressed under federal and state laws/regulations. The scope and definitions of sexual harassment under these laws differ, as described below.

1. Title IX Sexual Harassment

Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of the school district's education programs and activities:

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- a. “Quid pro quo” sexual harassment by a school employee: Conditioning a school aid, benefit or service (such as a better grade or a college recommendation) on an individual’s participation in unwelcome sexual conduct;
- b. “Hostile environment” sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies an individual’s equal access to the school unit’s education programs and activities; or
- c. Sexual assault, dating violence, domestic violence and stalking as these terms are defined in federal laws.

2. Other Forms of Sexual Harassment

Some forms of sexual harassment may not meet the definition under Title IX (see paragraph 1, above) but is still prohibited under New Hampshire law.

The District defines other forms of “sexual harassment” as unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature in the following situations:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of a student’s educational benefits;
- b. Submission to or rejection of such conduct by a student is used as the basis for decisions on educational benefits; or
- c. Such conduct has the purpose and effect of substantially interfering with a student’s academic performance or creates an intimidating, hostile or offensive environment.

C. Reports and Complaints of Harassment or Sexual Harassment

All school employees are required to report possible incidents of harassment or sexual harassment involving students to the Title IX Coordinator. Failure to report such incidents may result in disciplinary action.

Students, parents/legal guardians and other individuals are strongly encouraged to report possible incidents of harassment or sexual harassment involving students to the Title IX Coordinator. The Title IX Coordinator is also available to answer questions and provide assistance to any individual who is unsure whether harassment or sexual harassment has occurred.

All reports and complaints of harassment or sexual harassment against students shall be addressed through the Student Unlawful Discrimination/Harassment and Title IX Sexual Harassment Procedures (ACAA-R).

Legal Reference: Americans with Disabilities Act (42 U.S.C. §12101 et seq., as amended; 28 C.F.R. § 35.107)

Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq., as amended; 34 C.F.R. § 104.7)

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Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.); 34 C.F.R. Part 106
Clery Act (20 U.S.C. §1092(f)(6)(A)(v) - definition of sexual assault)
Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v) – definition of sexual assault; 34 U.S.C. § 12291(a)(10) – dating violence; 34 U.S.C. §12291(a)(3) – definition of stalking; 34 U.S.C. §12291(a)(8) – definition of domestic violence)
Title VI of the Civil Rights Act of 1964 (42 USC § 2000d)
NH RSA 186:11; 193:38; 193:39; 354-A
NH Code Admin. R. Ed. 303.01(i) and (j)

Cross Reference: ACAA-R – Student Unlawful Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures

AC – Nondiscrimination/Equal Opportunity and Affirmative Action

ACAD – Hazing

GBEB – Staff Conduct with Students

JFCK – Student Use of Cellular Telephones and Other Electronic Devices

JICD – Student Conduct, Discipline and Due Process

JICI – Weapons on School Property

JICK - Bullying

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First & Second Reading

STUDENT DISCRIMINATION/HARASSMENT AND TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES

STUDENT DISCRIMINATION, HARASSMENT, AND BULLYING COMPLAINT PROCEDURE

This procedure has been adopted by the Board in order to provide a method of prompt and equitable resolution of student complaints of discrimination or discriminatory harassment as described in policies AC—Nondiscrimination/Equal Opportunity and ACAA—Harassment and Sexual Harassment of Students, and/or complaints of bullying as described in policy JICK—Pupil Safety and Violence Prevention: Bullying and Cyberbullying. Complaints alleging discrimination or harassment of employees or other third parties (such as parents, volunteers, vendors, etc.) should be addressed through the Board’s Employee and Third Party Discrimination and Harassment Complaint Procedure (ACAB-R).

Definitions

For purposes of this procedure:

- A. — A “Complaint” is defined as an allegation that a student has been discriminated against or harassed on the basis of sex, sexual orientation, gender identity, religion, race, color, creed, ancestry, national origin, age, marital status, familial status, economic status, physical or mental disability, and/or an allegation that a student has been subjected to bullying/cyberbullying by other students.

- B. — “Discrimination or harassment” means discrimination or harassment on the basis of sex, sexual orientation, gender identity, religion, race, color, creed, ancestry, national origin, age, marital status, familial status, economic status, or physical or mental disability. “Discrimination” may include treating individuals differently, or interfering with or preventing them from enjoying the advantages or privileges afforded to others because of their membership in a protected class. Discrimination on the basis of sex shall include acts of “sexual violence,” which refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent. “Harassment” may include oral, written, graphic, electronic or physical conduct relating to an individual’s actual or perceived membership in a protected class that is sufficiently severe, pervasive or persistent so as to interfere with or limit that individual’s ability to participate in the District’s programs or activities by creating a hostile, intimidating or offensive educational environment.

- C. — “Bullying” means a single 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 pupil which:
 - a) — physically harms a pupil or damages the pupil’s property;
 - b) — causes emotional distress to a pupil;
 - — For the purposes of this policy, the term “emotional distress” means distress that

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materially impairs the student's participation in academic or other school-sponsored activities. The term "emotional distress" does not include the unpleasantness or discomfort that accompanies an unpopular viewpoint.

- e) ~~interferes with a pupil's educational opportunities;~~
- d) ~~creates a hostile educational environment; or~~
- e) ~~substantially disrupts the orderly operation of the school.~~

~~"Bullying" shall include actions motivated by an imbalance of power based on a pupil's actual or perceived personal characteristics, behaviors, or beliefs, or motivated by the pupil's association with another person and based on the other person's characteristics, behaviors, or beliefs if those actions cause one or more of the results in paragraphs (a) through (e) above.~~

The above referenced conduct is only considered "bullying" if it:

- (a) ~~Occurs on, or is delivered to, school property or a school-sponsored activity or event, on or off school property; or~~
 - ~~For the purposes of this policy, the term "school property" means all real property and all physical plant and equipment used for school purposes, including public or private school buses or vans.~~
- (b) ~~Occurs off school property or outside of a school-sponsored activity or event, and 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.~~

- D. ~~"Cyberbullying" means bullying conduct, as described in paragraph C of this section, that takes place through the use of electronic devices.~~
 - ~~For the purposes of this policy, the term "electronic devices" includes, but is not limited to, telephones, cellular phones, computers, pagers, electronic mail, instant messaging, text messaging, and websites.~~

How to Make a Complaint

- A. ~~Any individual who believes a student has been discriminated against, harassed, or bullied should report his/her concern promptly to the Building Administrator or the Superintendent's designee and utilize this complaint procedure. Written reports are preferred, but not required. The Board has provided a model Complaint form, which is available on the school district website in the Policies section. (See form ACAA-E). Individuals who are unsure whether unlawful discrimination, harassment, or bullying has occurred or who need assistance in preparing a written complaint are encouraged to discuss the situation with the Building Administrator or the Superintendent's designee.~~
- B. ~~School employees shall report possible incidents of discrimination, harassment, or bullying of students to the Building Administrator or the Superintendent's designee.~~
- C. ~~Students and others will not be retaliated against for making a Complaint or participating in an investigation. Retaliation is illegal under state and federal nondiscrimination laws and any retaliation by students or school staff will result in disciplinary measures, up to and including expulsion or dismissal.~~

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- ~~D. — Students are encouraged to utilize this Complaint Procedure. Students also have the right to report complaints directly to the the police federal Office for Civil Rights, Regional Director, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02110-1491 (telephone: 617-289-0111).~~

Complaint Handling and Investigation

- ~~A. — Building Administrator or the Superintendent's designee shall respect the confidentiality of the complainant and the individual(s) against whom the Complaint is filed to the extent possible, consistent with the District's legal obligations, the necessity to investigate allegations of discrimination, harassment, and/or bullying/cyberbullying and take disciplinary action.~~
- ~~B. — The Building Administrator or Superintendents designee shall promptly inform the Superintendent and the person(s) who is the subject of the Complaint that a Complaint has been received. The information provided to the individual who is the subject of the Complaint may be limited in order to respect the complainant's request for confidentiality.~~
- ~~C. — The Building Administrator or Superintendent's designee shall notify the parent(s) or guardian(s) of the complainant and subject of the Complaint as soon as practicable, but not later than 48 hours after receipt of the Complaint, unless the Building Administrator or Superintendent's designee has received a written waiver of this obligation from the Superintendent. The Superintendent's decision regarding whether to waive the 48-hour parent/guardian notification obligation shall be made on a case by case basis and shall be based on his or her determination regarding whether the notification is in the best interests of the complainant and/or the subject of the Complaint.~~
- ~~D. — Except where the Complaint alleges sexual violence, the Building Administrator or the Superintendent's designee may pursue a prompt and equitable informal resolution of the Complaint with the agreement of the parties involved. The complainant shall not be required to attend meetings with the subject of the complaint, but may choose to do so as part of the resolution process. Any party to the Complaint may decide to end an informal resolution process and pursue the formal process at any point. The informal resolution process and outcome is subject to the approval of the Superintendent, who shall consider whether the informal resolution is in the best interest of the parties in light of the particular circumstances and applicable policies and laws.~~
- ~~E. — The Complaint will be investigated by the Building Administrator or the Superintendent's designee. Any Complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any Complaint about the Superintendent should be submitted to the Chair of the School Board, who should consult with legal counsel concerning the handling and investigation of the Complaint.~~
- ~~F. — The investigation shall be initiated as soon as practicable, but not later than five (5) school days after receipt of the Complaint, unless the Superintendent determines that the initiation of the investigation should be delayed and provides the Building Administrator or Superintendent's designee with a written extension. If such an extension is granted, the Superintendent or the Superintendent's designee shall notify all involved parties.~~
- ~~1. — The person who is the subject of the Complaint will be provided with an opportunity to be heard as part of the investigation.~~

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- ~~2. The complainant and the subject of the Complaint may suggest witnesses and/or submit materials they believe are relevant to the Complaint.~~
- ~~3. If the subject of the Complaint is an employee of the District, any applicable individual or collective bargaining contract provisions shall be followed.~~
- ~~4. The Building Administrator or the Superintendent's designee shall keep a written record of the investigation process.~~
- ~~5. The Building Administrator or the Superintendent's designee may take interim remedial measures to reduce the risk of further discrimination or harassment while the investigation is pending. Examples of interim measures include, but are not limited to, ordering no contact between individuals, changing schedules or classes, etc.~~
- ~~6. The Building Administrator or Superintendent's designee shall use a preponderance of the evidence standard (i.e., more likely than not) when evaluating the evidence and shall consult with the Superintendent concerning the investigation, conclusions, and any remedial and/or disciplinary actions.~~
- ~~7. The investigation shall be completed within thirty (30) school days of the initiation of the investigation, unless the Superintendent provides a written extension of up to seven (7) additional school days for completion of the investigation. If such an extension is granted, the Superintendent or Superintendent's designee shall notify all involved parties.~~

~~G. If the Building Administrator or Superintendent's designee determines that discrimination, harassment, and/or bullying/cyberbullying occurred, he/she shall, in consultation with the Superintendent:~~

- ~~1. Determine what remedial action, if any is needed to end the discrimination or harassment, remedy its effects, and prevent recurrence.~~
- ~~2. Determine what disciplinary action should be taken against the person(s) who engaged in discrimination or harassment, if any; and~~
- ~~3. Within ten (10) school days of the completion of the investigation, inform the complainant and the person(s) who engaged in the discrimination, harassment, or bullying in writing of the results of the investigation and its resolution (in accordance with applicable state and federal privacy laws).~~

~~H. After the conclusion of the investigation, the complainant or the subject of the Complaint may seek an appeal of the findings solely on the basis of either (a) prejudicial procedural error or (b) the discovery of previously unavailable relevant evidence that could significantly impact the outcome, or the investigator's recommendation. Appeal rights for students disciplined for acts arising under this policy shall be subject to RSA 193:13 and Ed. 317. Appeals must be submitted in writing to the Superintendent within 14 calendar days of receiving notice of the outcome of the investigation. If the Superintendent performed the initial investigation or is the subject of the Complaint, the appeal shall be reviewed by the Chairman of the School Board or a designated subcommittee of the School Board.~~

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~~Upon receipt of a valid appeal, the Superintendent or Chairman/Subcommittee shall review the investigation report and may conduct further investigation if deemed appropriate. The decision on the appeal shall be provided in writing to the complainant within 21 business days, if practicable. The decision on appeal shall be final.~~

~~Legal Reference: Americans with Disabilities Act (42 U.S.C. § 12101 *et seq.*); 28 CFR § 35.107
Section 504 of the Vocational Rehabilitation Act of 1973 (29 U.S.C. § 794 *et seq.*); 34 CFR § 104.7
Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*); 34 CFR § 106.8(b)
Title VI of the Civil Rights Act of 1964 ((42 U.S.C. § 2000d *et seq.*)
Family Educational Rights and Privacy Act (20 U.S.C. § 1232g); 34 CFR Part 99
NH Code Admin R. Ed. 303.01(i) and (j)
NH Code Admin R. Ed. 317
RSA 193:13
RSA 186:11~~

~~Cross Reference: AC – Nondiscrimination/Equal Opportunity
ACAA – Harassment and Sexual Harassment of Students
ACAA E – Report Form
HCFA – Hazing
HCK – Pupil Safety and Violence Prevention: Bullying and Cyberbullying~~

The Board has adopted these student procedures in order to provide prompt and equitable resolution of reports and complaints of unlawful discrimination and harassment of students, including sexual harassment, as described in policies AC – Nondiscrimination/Equal Opportunity and Human Rights and ACAA – Harassment and Sexual Harassment of Students.

Complaints alleging harassment or discrimination against employees or third parties based on a protected status should be addressed through the Board's Employee & Third-Party Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures (ACAB-R).

Any individual who is unsure about whether unlawful discrimination or harassment has occurred and/or or which complaint procedure applies is encouraged to contact the Human Rights Officer (or HRO)/Title IX Coordinator.

**DR. CHRISTINE BOSTON
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Section 1. Definitions

For purposes of these complaint procedures, the following definitions will be used. The Human Rights Officer/Title IX Coordinator shall assess all reports and complaints to ensure that they are addressed under the appropriate policy and complaint procedure.

A. Discrimination/Harassment Complaint Procedure Definitions

1. “Discrimination or harassment”: Discrimination or harassment on the basis of an individual’s membership in a protected category, which, for students, includes age, sex, gender identity, sexual orientation, race, creed, color, ancestry or national origin, marital status, familial status, physical or mental disability, religion or economic status are prohibited.
2. “Discrimination”: Treating individuals differently or interfering with or preventing them from enjoying the advantages or privileges afforded to others because of their membership in a protected category.
3. “Harassment”: Oral, written, graphic, electronic or physical conduct relating to an individual’s actual or perceived membership in a protected category that is sufficiently severe, pervasive or persistent so as to interfere with or limit that individual’s ability to participate in the school district’s programs or activities by creating a hostile, intimidating or offensive environment.
4. Other forms of “sexual harassment”: this means unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature in the following situations:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of a student’s educational benefits;
 - b. Submission to or rejection of such conduct by a student is used as the basis for decisions on educational benefits; or
 - c. Such conduct has the purpose and effect of substantially interfering with a student’s academic performance or creates an intimidating, hostile or offensive environment.
5. “Sexual orientation”: Under New Hampshire law, this means “having or being perceived as having an orientation for heterosexuality, bisexuality, or homosexuality.”
6. “Gender identity”: Under New Hampshire law, this means “a person’s gender-related identity, appearance, or behavior, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth.”
7. “Complaint” is defined as an allegation that a student has been discriminated against or harassed on the basis of race, color, sex, sexual orientation, gender identity, religion, ancestry, national origin or disability (and not otherwise addressed in the Title IX regulations and Section 3 of ACAA-R).

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8. Complaints of bullying not involving the protected categories or definitions described above may be addressed under Board Policy JICK – Bullying and Cyberbullying of Students.

B. Title IX Sexual Harassment Complaint Procedure Definitions

1. “Sexual Harassment”: Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of the school district’s education programs and activities:
 - a. “Quid pro quo” sexual harassment by a school employee: Conditioning a school aid, benefit or service (such as a better grade or a college recommendation) on an individual’s participation in unwelcome sexual conduct;
 - b. “Hostile environment” sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies an individual’s equal access to the school district’s education programs and activities; or
 - c. Sexual assault, dating violence, domestic violence and stalking as these terms are defined in federal laws.
2. “Report”: Under the Title IX regulations, any individual may make a report of sexual harassment involving a student, whether the individual is the alleged victim or not. School employees are required to report possible incidents of sexual harassment involving a student. A report must be made to the Human Rights Officer/Title IX Coordinator. A report triggers certain actions by the HRO/Title IX Coordinator for the alleged victim of sexual harassment, but an investigation is not conducted unless a “Formal Complaint” (as defined below) is filed.
3. “Formal Complaint”: Under the Title IX regulations, the alleged victim of sexual harassment can file a written complaint that triggers the complaint procedure in Section 3 of ACAA-R. Only a student and/or their parent/legal guardian (and in certain circumstances, the HRO/Title IX Coordinator) may file a formal complaint.
4. “Student”: For the purposes of this procedure, a student an individual who is enrolled or participating in the school district’s education programs and activities, or is attempting to enroll or participate.

Section 2. Unlawful Discrimination/Harassment Complaint Procedure

This procedure should be used for any complaint of unlawful harassment or discrimination complaint based on a protected category which does not involve Title IX sexual harassment.

A. How to Make A Complaint

1. School employees are required to promptly make a report to the HRO/Title IX Coordinator if they have reason to believe that a student has been discriminated against or harassed.
2. Students (and others) who believe that they, or another student has been harassed or discriminated against should report their concern promptly to the HRO/Title IX

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Coordinator, or to the building principal (who will report the matter to the HRO/Title IX Coordinator).

3. The individual making the report must provide basic information in writing concerning the allegation of harassment or discrimination (i.e., date, time, location, individual(s) who alleged engaged in harassment or discrimination, description of allegation) to the HRO/Title IX Coordinator.
4. If an individual is unsure as to whether unlawful discrimination or harassment has occurred, or who need assistance in preparing a written complaint, they are encouraged to discuss the matter with the HRO/Title IX Coordinator.
5. Individuals will not be retaliated against for reporting suspected discrimination or harassment, or for participating in an investigation. Retaliation is illegal under federal and state nondiscrimination laws, and any retaliation will result in disciplinary action, up to and including discharge for employees, and expulsion for students.
6. Individuals are encouraged to utilize the school district's complaint procedure. However, individuals are hereby notified that they also have the right to report incidents of discrimination or harassment to the New Hampshire Commission for Human Rights, 2 Industrial Park Drive, Concord, NH 03301, and/or to the federal Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109-3921 (telephone: 617-289-0111).

B. Complaint Handling and Investigation

1. The HRO/Title IX Coordinator will promptly inform the Superintendent and the person who is the subject of the complaint (respondent) that a complaint has been received.
2. The HRO/Title IX Coordinator may pursue an informal resolution of the complaint with the agreement of the parties involved. Any party to the complaint may decide to end the informal resolution process and pursue the formal process at any point. Any informal resolution is subject to the approval of the parties and the Superintendent, who shall consider whether the resolution is in the best interest of the school district and the parties in light of the particular circumstances and applicable policies and laws.
3. The HRO/Title IX Coordinator may implement supportive measures to a student to reduce the risk of further discrimination or harassment to a student while an investigation is pending. Examples of supportive measures include but are not limited to ordering no contact between the individuals involved or changing classes.
4. The complaint will be investigated by a trained internal or external individual designated by the Superintendent and the HRO/Title IX Coordinator. Any complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent should be submitted to the Chair of the Board, who should consult with legal counsel concerning the handling and investigation of the complaint.
5. The investigator shall consult with the HRO/Title IX Coordinator as agreed during the investigation process.

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6. The respondent will be provided with an opportunity to be heard as part of the investigation. The complainant shall not be required to attend meetings with the respondent but may choose to do so as part of an informal resolution process.
7. The complainant and the respondent may suggest witnesses to be interviewed and/or submit materials they believe are relevant to the complaint.
8. If the complaint is against an employee of the school district, any rights conferred under an applicable collective bargaining agreement shall be applied.
9. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.
10. The investigation shall be completed within 10 business days of receiving the complaint, if practicable. Reasonable extensions of time for good reason shall be allowed.
11. The investigator shall provide a written report and findings to the HRO/Title IX Coordinator.

C. Findings and Subsequent Actions

1. The HRO/Title IX Coordinator shall consult with the Superintendent concerning the investigation and findings.
2. If there is a finding that discrimination or harassment occurred, the HRO/Title IX Coordinator, in consultation with the Superintendent shall:
 - a. Determine what remedial action, if any, is required to end the discrimination or harassment, remedy its effect and prevent recurrence; and
 - b. Determine what disciplinary action should be taken against the individual(s) who engaged in discrimination or harassment, if any.
3. Inform the complainant and the respondent in writing of the results of the investigation and its resolution (in accordance with applicable state and federal privacy laws).

D. Appeals

1. After the conclusion of the investigation, the complainant or respondent may seek an appeal of the findings solely on the basis of either: (a) prejudicial procedural error or (b) the discovery of previously unavailable relevant evidence that could significantly impact the outcome.
2. Appeals must be submitted in writing to the Superintendent within five business days after receiving notice of the resolution.
3. Upon receipt of a valid appeal, the Superintendent shall provide notice to the other party, along with an opportunity to provide a written statement within five business days.

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4. The Superintendent shall review the available documentation and may conduct further investigation if deemed appropriate.
5. The Superintendent's decision on the appeal shall be provided to the parties within 10 business days, if practicable. The Superintendent's decision shall be final.

E. Records

The HRO/Title IX Coordinator shall keep a written record of the complaint process.

Section 3. Title IX Sexual Harassment Complaint Procedure

This section should be used for complaints of as defined in Section 1.B.1.

A. How to Make A Report

1. School employees who have reason to believe that a student has been subjected to sexual harassment is required to promptly make a report to the HRO/Title IX Coordinator.
2. Students, parents/legal guardians or other individuals who believe a student has been sexually harassed are encouraged to make a report to the HRO/Title IX Coordinator.
3. If the individual making the report is the alleged victim, or if the alleged victim is identified by the individual making the report, the HRO/Title IX Coordinator will meet with the alleged victim to discuss supportive measures that may be appropriate in the particular circumstances and explain the process for filing a formal complaint.
 - a. Supportive measures are individualized measures designed to ensure the student can continue to access educational programs and activities (such as requiring no contact between individuals or changing classes).
 - b. Supportive measures may be continued even if the alleged victim chooses not to file a formal complaint, if appropriate under the particular circumstances.
4. The school district cannot provide an informal resolution process for resolving a report unless a formal complaint is filed.
5. Individuals will not be retaliated against for reporting sexual harassment, or for participating in an investigation. Retaliation is illegal under federal and state nondiscrimination laws, and any retaliation will result in disciplinary actions, up to and including discharge for employees, or expulsion for students.
6. Any student (or their parent/legal guardian) who believes they have been the victim of sexual harassment is encouraged to utilize the school district's complaint procedure. However, students (and their parents/legal guardians) are hereby notified that they also have the right to report sexual harassment to the New Hampshire Commission for Human Rights, 2 Industrial Park Drive, Concord, NH 03301 and/or to the federal Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109-3921 (telephone: 617-289-0111).

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7. The Superintendent shall be informed of all reports and formal complaints of sexual harassment.

B. How to Make A Formal Complaint

1. An alleged student victim and/or their parent/legal guardian may file a formal written complaint requesting investigation of alleged Title IX sexual harassment. The written complaint must include basic information concerning the allegation of sexual harassment (i.e., date, time, location, individual(s) who allegedly engaged in sexual harassment, description of allegation, etc.).

Students who need assistance in preparing a formal written complaint are encouraged to consult with the HRO/Title IX Coordinator.

2. In certain circumstances, the HRO/Title IX Coordinator may file a formal complaint even when the alleged victim chooses not to. Examples include if the respondent (person alleged to have engaged in sexual harassment) has been found responsible for previous sexual harassment or there is a safety threat within the school district. In such cases, the alleged victim is not a party to the case but will receive notices as required by the Title IX regulations at specific points in the complaint process.
3. In accordance with the Title IX regulations, the HRO/Title IX Coordinator must dismiss a formal complaint if: a) the conduct alleged in the formal complaint does not constitute sexual harassment under the Title IX regulations and this policy; or b) if the conduct alleged did not occur within the scope of the school district's education programs and activities, or c) did not occur in the United States.
4. In accordance with the Title IX regulations, the HRO/Title IX Coordinator may dismiss a formal complaint if: a) a complainant withdraws the formal complaint, or withdraws particular allegations within the complaint; b) the respondent is no longer employed by or enrolled in the school district; or c) there are specific circumstances that prevent the school district from gathering evidence sufficient to reach a determination regarding the formal complaint.
5. If a formal complaint is dismissed under this procedure, the HRO/Title IX Coordinator will promptly and simultaneously send written notices to the parties explaining the reasons. Parties have the opportunity to appeal dismissals in accordance with subsection I below.
6. If the conduct alleged in a formal complaint potentially violates other laws, Board policies and/or professional expectations, the school district may address the conduct under the applicable policy/procedure.

C. Emergency Removal or Administrative Leave

The Superintendent may remove a student from education programs and activities on an emergency basis, or place an employee on administrative leave during the complaint procedure:

1. If there is a determination (following an individualized safety and risk analysis) that there is an immediate threat to the physical health or safety of an individual arising from the

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allegations of sexual harassment. Examples of such circumstances might include, but are not limited to, a continued threat of violence against a complainant by a respondent, or a respondent's threat of self-harm due to the allegations.

2. The respondent (and in the case of a student, their parent/legal guardian) will be provided notice of the emergency removal or administrative leave and will be provided an opportunity to challenge the decision following the removal (this is an opportunity to be heard, not a hearing). The respondent has the burden to demonstrate why the emergency removal or administrative leave was unreasonable.
3. Any such decision shall be made in compliance with any applicable disability laws, including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.

D. Notice to Parties of Formal Complaint

1. The Title IX Coordinator will provide to the parties' written notice of the formal complaint and allegations of sexual harassment potentially constituting prohibited conduct under the Title IX regulations and this procedure. The notice shall include:
 - Notice regarding the complaint procedure and the availability of an informal resolution process;
 - Sufficient details known at the time (including identities of parties, if known; the conduct alleged; and the date and location of the alleged incident, if known), with sufficient time to prepare before any initial interview (not less than five business days).
 - As required by the Title IX regulations, a statement that the respondent is presumed not responsible for the alleged conduct and that a determination of responsibility will be made at the conclusion of the complaint); and that the parties may inspect and review evidence;
 - Notice that the parties may each have an advisor of their choice (who may be an attorney), and that the parties may inspect and review evidence;
 - Notice that knowingly making false statements or submitting false information during the complaint process is prohibited and may result in disciplinary action;
 - Notice of the name of the investigator, with sufficient time (no less than three business days) to raise concerns of conflict of interest or bias.
2. If additional allegations become known at a later time, notice of the additional allegations will be provided to the parties.
3. The HRO/Title IX Coordinator will discuss supportive measures with each party and implement such measures as appropriate.

E. Informal Resolution Process

After a formal complaint has been filed, and if the HRO/Title IX Coordinator believes the circumstances are appropriate, the HRO/Title IX Coordinator may offer the parties the opportunity to participate in an informal resolution process to resolve the complaint without completing the investigation and determination process. Informal resolutions cannot be used to resolve a formal complaint where a student is the complainant and the respondent

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is an employee.

Informal resolutions can take many forms, depending on the particular case. Examples include, but are not limited to, facilitated discussions between the parties; restorative justice; acknowledgment of responsibility by a respondent; apologies; disciplinary actions against a respondent or a requirement to engage in specific services; or supportive measures. Both parties must voluntarily agree in writing to participate in an informal resolution process, and either party can withdraw from the process at any time. The Superintendent must agree to the terms of any informal resolution reached between the parties. If an informal resolution agreement is reached, it must be signed by both parties and the school district. Any such signed agreement is final and binding according to its terms.

If an informal resolution process does not resolve the formal complaint, nothing from the informal resolution process may be considered as evidence in the subsequent investigation or determination.

F. Investigation

1. The complaint will be investigated by a trained internal or external individual designated by the Superintendent and HRO/Title IX Coordinator. Any complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent should be submitted to the Chair of the Board, who should consult with legal counsel concerning the handling and investigation of the complaint.
2. The investigator shall consult with the HRO/Title IX Coordinator as agreed during the investigation process.
3. If the complaint is against an employee of the school district, rights conferred under an applicable collective bargaining agreement shall be applied, to the extent they do not conflict with the Title IX regulatory requirements.
4. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.
5. The investigator will:
 - a. Meet with each party after they have received appropriate notice of any meeting and its purpose, with sufficient time to prepare.
 - b. Allow parties to have their advisor at all meetings related to the complaint, although advisors may not speak on behalf of a party or interfere with the process.
 - c. Allow parties a reasonable opportunity to identify witnesses and submit favorable and unfavorable evidence.
 - d. Interview witnesses and conduct such other activities that will assist in ascertaining facts (site visits, review of documents, etc.).

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- e. Consider evidence that is relevant and directly related to the allegations in the formal complaint.
 - f. During the course of the investigation, provide both parties with an equal opportunity to inspect and review any evidence that is obtained in the investigation that is directly related to the allegations in the formal complaint (including evidence which the school district does not intend to rely upon in reaching a determination of responsibility), and favorable and unfavorable evidence.
 - g. Prior to completion of the investigation report, provide each party and advisor (if any) the evidence subject to inspection and review, and provide the parties with ten business days to submit a written response.
 - h. Consider the parties' written responses to the evidence prior to completing the investigation report.
 - i. Create an investigative report that fairly summarizes relevant evidence and send the report to the parties and advisors (if any), for their review. The Parties may submit written responses to the report within ten business days of receipt.
 - j. After receipt of the parties' written responses (if any), forward the investigation report and party responses to the assigned decision maker.
6. The investigation shall be concluded within 40 business days if practicable. Reasonable extension of time for good reason shall be allowed.

G. Determination of Responsibility

- 1. The decision maker shall provide the parties with the opportunity to submit written, relevant questions that the party wants asked of another party or witness within five business days of when the decision maker received the investigation report and party responses.
 - a. The decision maker shall explain to a party proposing questions if the decision maker excludes a question as not relevant.
- 2. Each party shall be provided the opportunity to review the responses of another party and/or witness, and to ask limited written follow-up questions within five business days of receiving the answers.
- 3. Each party will receive a copy of the responses to any follow-up questions.
- 4. The decision maker shall review the investigation report, the parties' responses and other relevant materials, applying the preponderance of the evidence standard ("more likely than not").
- 5. The decision maker shall issue a written determination, which shall include the following:
 - a. Identification of all the allegations potentially constituting sexual harassment as defined in the Title IX regulations and this policy;

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- b. A description of the procedural steps taken from receipt of the formal complaint through the determination, including notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and meetings held;
 - c. A determination regarding responsibility as to each allegation and findings of fact supporting the determinations;
 - d. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the school district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the school district's programs and activities will be provided to the complainant;
 - e. The school district's appeal procedure and permissible bases for the parties to appeal the determination.
6. The written determination shall be provided to the parties simultaneously. The determination concerning responsibility becomes final either on the date that the school district provides the parties with the written determination of the results of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which the appeal would no longer be considered timely.

H. Remedies, Discipline and Other Actions

1. Remedies

Remedies are measures used to ensure that the complainant has equal access to the school district's education programs and activities following the decision maker's determination. Such remedies may include supportive measures, and may include other appropriate measures, depending upon the determination and the needs of the complainant. The Title IX Coordinator is responsible for implementing remedies and providing any needed assistance to the Complainant.

2. Discipline and Other Actions - Students

The following are of the types of discipline and other actions that may be imposed on a student when there is a determination that they are responsible for one or more violations involving sexual harassment:

- In or out of school suspension.
- Expulsion.
- Restorative justice.
- Requirement to engage in education or counseling program.

3. Discipline and Other Actions – Employees

The following are examples of the types of disciplinary actions that may be imposed on an employee when there is a determination that they are responsible for one or more

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violations involving sexual harassment:

- Written warning.
- Probation.
- Demotion.
- Suspension without pay.
- Discharge.

The following are examples of other types of actions that may be imposed on an employee when there is a determination of responsibility:

- Performance improvement plan.
- Counseling.
- Training.
- Loss of leadership/stipend position.

I. Appeals

The parties have the opportunity to appeal a determination regarding responsibility, and from dismissals of formal complaints. Under the Title IX regulations, appeals are allowed on the following grounds:

1. A procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal of the formal complaint was made, that could affect the outcome of the matter; or
3. The Title IX Coordinator, investigator, or decision maker had a conflict of interest or bias for or against complainants or respondents generally, or the individual complainant or respondent that affected the outcome of the matter.

An appeal must be filed in writing within five business days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

1. Appeals must be filed with the Superintendent, who will consider the appeal.
2. The Superintendent shall notify the other party in writing of the appeal and will allow both parties to submit a written statement in support of, or challenging, the determination of the decision maker.
3. The Superintendent shall conduct an impartial review of the appeal, including consideration of the written record of the matter, and may consult with legal counsel or other school district officials in making their decision.
4. The Superintendent shall issue a written decision describing the result of the appeal and rationale for the result and provide the written decision simultaneously to the parties. The decision will either deny the appeal; grant the appeal and remand to the decision

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maker for further consideration; or grant the appeal by revising the disciplinary or other action(s).

J. Records

Records in connection with sexual harassment reports and the complaint process shall be maintained for a minimum of seven years.

Legal Reference: Americans with Disabilities Act (42 U.S.C. §12101 et seq., as amended; 28 C.F.R. § 35.107)
Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq., as amended; 34 C.F.R. § 104.7)
Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.); 34 C.F.R. Part 106
Clery Act (20 U.S.C. §1092(f)(6)(A)(v) - definition of sexual assault)
Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v) – definition of sexual assault; 34 U.S.C. § 12291(a)(10) – dating violence; 34 U.S.C. §12291(a)(3) – definition of stalking; 34 U.S.C. §12291(a)(8) – definition of domestic violence)
Title VI of the Civil Rights Act of 1964 (42 USC § 2000d)
RSA 186:11; 193:38-39; and 354-A
NH Code Admin. R. Ed. 303.01(i) and (j)

Cross Reference: ACAA-R – Student Unlawful Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures
AC – Nondiscrimination/Equal Opportunity and Human Rights
ACAD – Hazing
GBEB – Staff Conduct with Students
JFCK – Student Use of Cellular Telephones and Other Electronic Devices
JICIA – Weapons, Violence and School Safety
JICK - Bullying

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First & Second Reading

NONDISCRIMINATION/EQUAL OPPORTUNITY

~~Discrimination against and harassment of school employees because of age, sex, race, creed, religion, color, marital status, familial status, physical or mental disability, genetic information, national origin, ancestry, sexual orientation, or gender identity are prohibited. Discrimination against and harassment of students because of sex, race, creed, religion, color, age, marital status, familial status, economic status, physical or mental disability, national origin, ancestry, veteran status, sexual orientation, or gender identity are prohibited.~~

~~The Board directs the school administration to implement a continuing program designed to prevent discrimination against all applicants, employees, students, and other individuals having access rights to school premises and activities. The District will designate a Nondiscrimination Officer who will be responsible for ensuring compliance with all federal and state requirements relating to nondiscrimination. The Nondiscrimination Officer will be a person with direct access to the Superintendent.~~

~~The Board directs the administration to implement internal complaint procedures for resolving complaints of discrimination under this policy and to provide adequate notice of the availability of such complaint procedures.~~

~~The Board directs the administration to provide notice of compliance with federal and state civil rights laws to all applicants for employment, employees, students, parents, and other interested persons, as appropriate.~~

Legal Reference: _____

_____ Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*)
 _____ Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000(e) *et seq.*)
 _____ Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*)
 _____ Age Discrimination in Employment Act of 1967 (29 U.S.C. § 621 *et seq.*)
 _____ Equal Pay Act of 1963 (29 U.S.C. § 206(d))
 _____ Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 *et seq.*)
 _____ Americans with Disabilities Act (42 U.S.C. § 12101 *et seq.*)
 _____ Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. § 2000ff *et seq.*)
 _____ NH RSA 186:11
 _____ NH RSA 354-A:7
 _____ NH Code Admin. R. Ed. 303.01(i) and (j)

Cross Reference: _____ ACAA – Harassment and Sexual Harassment of Students
 _____ ACAA R – Student Discrimination, Harassment, and Bullying Complaint Procedure
 _____ ACAB – Harassment and Sexual Harassment of Employees
 _____ ACAB R – Employee and Third Party Discrimination and Harassment Complaint Procedure

The school district does not discriminate on the basis of sex or other protected categories in its education programs and activities, as required by federal and state laws/regulations.

Discrimination against and harassment of school employees because of age, sex, gender identity, sexual orientation, race, creed, color, ancestry or national origin, marital status, familial status, physical or mental disability, religion, or genetic information are prohibited.

Discrimination against and harassment of students because of age, sex, gender identity, sexual orientation, race, creed, color, ancestry or national origin, marital status, familial status, physical or mental disability, religion or economic status are prohibited.

The Board directs the school administration to create and implement a continuing program designed to prevent, assess the presence of, intervene in, and respond to incidents of discrimination against all applicants, employees, students and other individuals having access rights to school premises and activities.

The school district has designated and authorized a Human Rights Officer/Title IX Coordinator who is responsible for ensuring compliance with all federal and state requirements relating to nondiscrimination, including sexual harassment. The Human Rights Officer/Title IX Coordinator is a person with direct access to the Superintendent.

The school district has implemented complaint procedures for resolving complaints of discrimination/harassment and sexual harassment under this policy. The school district provides required notices of these complaint procedures and how they can be accessed, as well as the school district's compliance with federal and state civil rights laws and regulations to all applicants for employment, employees, students, parents and other interested parties.

Legal Reference: _____

Equal Employment Opportunities Act of 1972 (P.L. 92-261) amending Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000(e) et seq.)

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.)

Title VI of the Civil Rights Act of 1964 (P.L. 88-352)

Age Discrimination in Employment Act of 1967 (29 U.S.C. § 621 et seq.)

Equal Pay Act of 1963 (29 U.S.C. § 206)

Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq.); 34 CFR § 104.7, as amended

Americans with Disabilities Act (42 U.S.C. § 12101 et seq.), as amended

Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. § 2000ff et seq.)

NH RSA 186:11; 193:38; 193:39; 354-A

NH Code Admin. R. Ed. 303.01(i)

Cross Reference: [Name of School District]

ACAA – Unlawful Harassment and Sexual Harassment of Students

ACAA-R – Student Unlawful Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures

ACAB – Unlawful Harassment and Sexual Harassment of School Employees

ACAB-R – Employee & Third-Party Unlawful Discrimination/

Harassment and Title IX Sexual Harassment Complaint Procedures

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First & Second Reading

HARASSMENT AND SEXUAL HARASSMENT OF SCHOOL EMPLOYEES

Harassment of school employees because of age, sex, race, religion, creed, color, marital status, familial status, physical or mental disability, national origin, ancestry, genetic information, veteran status, sexual orientation, or gender identity is prohibited. Such conduct is a violation of Board policy and may constitute illegal discrimination under state and federal laws.

Harassment

Harassment includes but is not limited to verbal abuse, threats, physical assault and/or battery based on age, sex, race, religion, creed, color, marital status, familial status, physical or mental disability, national origin, ancestry, genetic information, veteran status, sexual orientation, or gender identity.

Sexual Harassment

Unwelcome sexual advances, suggestive or lewd remarks, requests for sexual favors, and other verbal and physical conduct of a sexual nature constitute sexual harassment when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of an employee's work environment or employee benefits;
- B. Submission to or rejection of such conduct by an employee is used as the basis for decisions on employment benefits; and/or
- C. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Any employee who engages in harassment or sexual harassment will be subject to disciplinary action, up to and including discharge.

All complaints of harassment will be investigated in accordance with the Employee & Third Party Discrimination and Harassment Complaint Procedure.

Notice and Training

Each employee shall receive a copy of this policy and the School Employee & Third Party Discrimination and Harassment Complaint Procedure. This may be accomplished by including the policy/procedure with employee paychecks or by using other appropriate means to ensure that each employee receives a copy.

Legal References: _____ Title IX of the Education Amendments of 1972 (20 USC § 1681 et seq.)
 _____ Title VI of the Civil Rights Act of 1964 (42 USC § 2000d)
 _____ Title VII of the Civil Rights Act of 1964 (42 USC § 2000e)
 _____ Americans with Disabilities Act (42 USC § 12101 et seq.)
 _____ Section 504 of the Rehabilitation Act of 1973 (29 USC § 794 et seq.)

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	Age Discrimination in Employment Act (29 USC §621 <i>et seq.</i>)
	Equal Pay Act of 1963 (29 U.S.C. § 206(d))
	Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. § 2000ff <i>et seq.</i>)
	NH RSA 354-A:7
	NH Code Admin. R. Ed. 303.01(i) and (j)
Cross-Reference:	ACAB-R Employee & Third Party Discrimination and Harassment Complaint Procedure
	AC Nondiscrimination/Equal Opportunity

Harassment of school employees because of sex, gender identity, sexual orientation, race, creed, color, ancestry or national origin, marital status, familial status, physical or mental disability, religion, or genetic information are prohibited. Such conduct is a violation of Board policy and may constitute illegal discrimination under state and federal laws.

Any employee who engages in harassment or sexual harassment shall be subject to disciplinary action, up to and including discharge.

A. Harassment

Harassment includes, but is not limited to, verbal abuse, threats, physical assault and/or battery based on race, color, sex, sexual orientation, gender identity, religion, ancestry or national origin, age, genetic information or disability.

B. Sexual Harassment

Sexual harassment is addressed under federal and state laws and regulations. The scope and definitions of sexual harassment under these laws differ, as described below.

1. Title IX Sexual Harassment

Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of the school unit's education programs and activities:

- a. "Quid pro quo" sexual harassment by a school employee: Conditioning a school aid, benefit or service (such as a promotion or favorable evaluation) on an individual's participation in unwelcome sexual conduct;
- b. "Hostile environment" sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies an individual's equal access to the school unit's education programs and activities; or

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- c. Sexual assault, dating violence, domestic violence and stalking as these terms are defined in federal laws.

2. Sexual Harassment Under Title VII and New Hampshire Law

Under another federal law, Title VII, and under New Hampshire law/regulations, sexual harassment is defined differently. The New Hampshire Commission for Human Rights law states that “[u]nwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature constitutes sexual harassment when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.”

C. Reports and Complaints of Harassment or Sexual Harassment

Any employee who believes they have been harassed or sexually harassed is encouraged to make a report to the Human Rights Officer/Title IX Coordinator. The Human Rights Officer/Title IX Coordinator is also available to answer questions and provide assistance to any individual who is unsure whether harassment or sexual harassment has occurred.

All reports and complaints regarding harassment or sexual harassment of employees shall be addressed through the Employee & Third-Party Unlawful Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures (ACAB-R).

Legal References: Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.); 34 C.F.R. Part 106
Clery Act (20 U.S.C. §1092(f)(6)(A)(v) - definition of sexual assault)
Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v) – definition of sexual assault; 34 U.S.C. § 12291(a)(10) – dating violence; 34 U.S.C. §12291(a)(3) – definition of stalking; 34 U.S.C. §12291(a)(8) – definition of domestic violence)
Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d)
Americans with Disabilities Act (42 U.S.C § 12101 et seq.), as amended
Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq.), as amended
Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e, et. seq.; 29 C.F.R. § 1604.11)
Age Discrimination in Employment Act (29 U.S.C. § 623 et seq.)

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Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. §

2000ff et seq.)

RSA 354-A:7

NH Code Admin. R. Ed. 303.01(i) and (j)

Cross Reference: ACAB-R- Employee & Third-Party Unlawful Discrimination/
Harassment and Title IX Sexual Harassment Complaint Procedure
AC - Nondiscrimination/Equal Opportunity and Affirmative Action
ACAD - Hazing

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First & Second Reading

~~Employee & Third Party Discrimination and Harassment Complaint Procedure~~

~~This procedure has been adopted by the Board in order to provide a method of prompt and equitable resolution of employee complaints of discrimination and harassment as described in policies AC—Nondiscrimination/Equal Opportunity and ACAB—Harassment and Sexual Harassment of Employees. This procedure may also be used by other individuals (excluding students), such as parents, volunteers and visitors to the schools who wish to make a complaint of discrimination or harassment. Complaints alleging harassment or discrimination of students should be addressed through the Board's Student Discrimination, Harassment, and Bullying Complaint Procedure (ACAA-R).~~

Definitions

For purposes of this procedure:

- ~~A. "Complaint" is defined as an allegation that an employee or other third party has been discriminated against or harassed on the basis of age, sex, race, religion, creed, color, marital status, familial status, physical or mental disability, national origin, ancestry, genetic information, veteran status, sexual orientation, or gender identity.~~
- ~~B. "Discrimination or harassment" means discrimination or harassment on the basis of age, sex, race, religion, creed, color, marital status, familial status, physical or mental disability, national origin, ancestry, genetic information, veteran status, sexual orientation, or gender identity. "Discrimination" may include treating individuals differently, or interfering with or preventing them from enjoying the advantages or privileges afforded to others because of their membership in a protected class. "Harassment" may include oral, written, graphic, electronic or physical conduct relating to an individual's actual or perceived membership in a protected class that is sufficiently severe, pervasive or persistent so as to interfere with or limit that individual's ability to participate in the District's programs or activities by creating a hostile, intimidating or offensive environment.~~
- ~~C. Whenever the term "employee" is used in this procedure it includes other third parties who are making a complaint of discrimination or harassment.~~

How to Make a Complaint

- ~~A. Any employee who believes he/she has been harassed or discriminated against is encouraged to try to resolve the problem by informing the individual(s) that the behavior is unwelcome or offensive and by requesting that the behavior stop. This shall not prevent the employee, however, from making an immediate formal complaint.~~

~~B. Any employee who believes he/she has been harassed or discriminated against should report their concern promptly to the Building Administrator, Superintendent's designee, or the Superintendent. If the employee is uncomfortable reporting concerns to the Building Administrator, Superintendent's designee, or the Superintendent, he/she may report the concern to another school administrator. Any employee who believes he/she has been harassed or discriminated against by the Superintendent should report their concern promptly to Chairman of the Board. Written reports are preferred, but not required.~~

~~Employees who are unsure as to whether unlawful discrimination or harassment has occurred or who need assistance in preparing a written complaint, are encouraged to discuss their concerns with the Building Administrator, the Superintendent's designee, or the Superintendent. If the concern relates to conduct of the Superintendent, employees are encouraged to discuss their concerns with the Chairman of the Board. Employees will not be retaliated against for reporting suspected discrimination or harassment or for participating in an investigation. Retaliation is illegal under federal and state nondiscrimination laws, and any retaliation will result in disciplinary measures, up to and including dismissal.~~

~~C. Any employee who believes he/she has been discriminated against or harassed is encouraged to utilize the District's complaint procedure. Employees also have the right to report incidents of discrimination or harassment directly to the police; the New Hampshire Commission on Human Rights, 2 Chenell Drive, Concord, NH 03301-8501 (telephone: 603-271-2767); the Boston Area Office of the U.S. Equal Employment Opportunity Commission, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (telephone: 1-800-669-4000); and/or, the federal Office for Civil Rights, Regional Director, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02110-1491 (telephone: 617-289-0111).~~

Complaint Handling and Investigation

~~A. Unless the Complaint relates to alleged conduct by the Superintendent, the Building Administrator or Superintendent's designee will promptly inform the Superintendent and the person who is the subject of the Complaint that a Complaint has been received. If the Building Administrator or Superintendent's designee receives a Complaint against the Superintendent, he or she will promptly inform the Chairman of the Board and the Chairman will inform the Superintendent that a Complaint has been received.~~

~~B. The Building Administrator, the Superintendent's designee, Superintendent, or Chairman of the Board, as appropriate in each case, may pursue an informal resolution of the Complaint with the agreement of the parties involved. Any party to the Complaint may decide to end the informal resolution process and pursue the formal process at any point. The complainant shall not be required to attend meetings with the subject of the Complaint, but may choose to do so as part of the resolution process. The informal resolution process and outcome is subject to the approval of the Superintendent who shall consider whether the resolution is in the best interest of the parties in light of the particular circumstances and applicable policies and law. If the Superintendent is the subject of the Complaint, the informal resolution process and outcome, if any, is subject to the approval of the Chairman.~~

~~of the Board or a designated subcommittee of the Board.~~

~~C. The Complaint will be investigated by the Building Administrator, the Superintendent's designee, or, if the Superintendent is the subject of the Complaint, by an individual designated by the Chairman or a designated subcommittee of the Board ("Investigator"). Any Complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority.~~

- ~~1. The person who is the subject of the Complaint will be provided with an opportunity to be heard as part of the investigation.~~
- ~~2. The complainant and the subject of the Complaint may suggest witnesses and/or submit materials they believe are relevant to the Complaint.~~
- ~~3. If the subject of the Complaint is an employee of the District, any rights conferred under an applicable individual contract or collective bargaining agreement(s) shall be applied.~~
- ~~4. Privacy rights of all parties to the Complaint shall be maintained in accordance with applicable state and federal laws.~~
- ~~5. The Investigator shall keep a written record of the investigation process.~~
- ~~6. The Building Administrator, the Superintendent's designee, Superintendent, or, if the Superintendent is the subject of the Complaint, the Chairman or designated subcommittee of the Board may take interim remedial measures (consistent with any applicable collective bargaining agreement provisions) to reduce the risk of further discrimination or harassment while the investigation is pending. An example of an interim remedial measure is ordering no contact between the individuals involved.~~
- ~~7. The Investigator shall use a preponderance of the evidence standard (i.e., more likely than not) when evaluating the evidence and shall consult with the Superintendent (or, if the Superintendent is the subject of the Complaint, the Chairman or designated subcommittee of the Board) concerning the investigation, conclusions, and any remedial and/or disciplinary actions.~~
- ~~8. The investigation shall be completed within 30 calendar days of receiving the Complaint, if practicable.~~

~~D. If the Investigator determines that discrimination or harassment occurred, he/she shall, in consultation with the Superintendent (or, with the Chairman or designated subcommittee of the Board if the Superintendent is the subject of the Complaint):~~

- ~~1. Determine what remedial action, if any, is required to end the discrimination or harassment, remedy its effect and prevent recurrence.~~
- ~~2. Determine what disciplinary action should be taken against the person(s) who engaged in discrimination or harassment, if any; and~~
- ~~3. Inform the employee who made the Complaint and the person(s) who~~

engaged in the discrimination or harassment in writing of the results of the investigation and its resolution (in accordance with applicable state and federal privacy laws).

~~E.—After the conclusion of the investigation, the complainant or the subject of the Complaint may seek an appeal of the findings solely on the basis of either (a) prejudicial procedural error or (b) the discovery of previously unavailable relevant evidence that could significantly impact the outcome, or the Investigator's recommendation. Appeals must be submitted in writing to the Superintendent within 14 business days of receiving notice of the outcome of the investigation. If the Superintendent performed the initial investigation or is the subject of the Complaint, the appeal shall be reviewed by the Chairman of the Board or a designated subcommittee of the Board. Upon receipt of a valid appeal, the Superintendent or Chair/Subcommittee shall review the investigation report and may conduct further investigation if deemed appropriate. The decision on appeal shall be provided in writing to the parties within 21 business days, if practicable. The decision on appeal shall be final.~~

~~Legal Reference: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.)
Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e et seq.); 29 CFR § 1604.11
Americans with Disabilities Act (42 U.S.C. § 12101 et seq.); 28 CFR § 35.107
Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 et seq.); 34 CFR § 104.7
Title IX of the Educational Amendments of 1972 (20 U.S.C. § 1681 et seq.); 34 CFR § 106.8(b)
Age Discrimination in Employment Act of 1967 (29 U.S.C. § 621 et seq.); 34 CFR § 110.25
Equal Pay Act of 1963 (29 U.S.C. § 206(d))
Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. § 2000ff et seq.)
NH Code Admin. R. Ed. 303.01(i) and (j)
NH RSA 354-A:7~~

~~Gross Reference: AC—Nondiscrimination/Equal Opportunity
ACAB—Harassment and Sexual Harassment of Employees~~

EMPLOYEE DISCRIMINATION/HARASSMENT AND TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES

The Board has adopted these employee procedures in order to provide prompt and equitable resolution of employee complaints of discrimination and harassment, including sexual harassment, as described in policies AC – Nondiscrimination/Equal Opportunity and ACAB – Harassment and Sexual Harassment of School Employees.

The complaint procedure in Section 2 may also be used, to the extent applicable, by visitors, including parents, volunteers and others having lawful access to the schools

who wish to make a complaint of discrimination or harassment.

Complaints alleging harassment or discrimination against students based on a protected category should be addressed through the Board's Student Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures (ACAA-R).

Any individual who is unsure about whether discrimination or harassment has occurred and/or or which complaint procedure applies is encouraged to contact the Human Rights Officer (or HRO)/Title IX Coordinator.

DR. CHRISTINE BOSTON
ASSISTANT SUPERINTENDENT OF STUDENT SERVICES/TITLE IX COORDINATOR
MCCONNELL CENTER
DOVER SCHOOL DISTRICT, SAU 11
61 LOCUST STREET, SUITE 409
DOVER, NH 03820
PHONE: (603) 516-6800
EMAIL: C.BOSTON@DOVER.K12.NH.US

Section 1. Definitions

For purposes of these complaint procedures, the following definitions will be used. The Human Rights Officer/Title IX Coordinator shall assess all reports and complaints to ensure that they are addressed under the appropriate policy and complaint procedure.

A. Discrimination/Harassment Complaint Procedure Definitions

1. "Discrimination or harassment": Discrimination or harassment on the basis of an individual's membership in a protected category, which, for employees, includes race, color, sex, sexual orientation, gender identity, age, religion, ancestry, national origin, genetic information or disability.
2. "Discrimination": Treating individuals differently or interfering with or preventing them from enjoying the advantages or privileges afforded to others because of their membership in a protected category.
3. "Harassment": Oral, written, graphic, electronic or physical conduct relating to an individual's actual or perceived membership in a protected category that is sufficiently severe, pervasive or persistent so as to interfere with or limit that individual's ability to participate in the school district's programs or activities by creating a hostile, intimidating or offensive environment.
4. "Sexual harassment": Under New Hampshire law, this means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in the following situations:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of a student's educational benefits;
 - b. Submission to or rejection of such conduct by a student is used as the basis for decisions on educational benefits; or
 - c. Such conduct has the purpose and effect of substantially interfering with a student's academic performance or creates an intimidating, hostile or offensive environment.

5. “Sexual orientation”: Under New Hampshire law, this means “having or being perceived as having an orientation for heterosexuality, bisexuality, or homosexuality.”
6. “Gender identity”: Under New Hampshire law, this means “a person’s gender-related identity, appearance, or behavior, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth.”
7. “Complaint” is defined as an allegation that an employee or other third party has been discriminated against or harassed on the basis of race, color, sex, sexual orientation, gender identity, age, religion, ancestry, national origin, genetic information or disability (and in regard to sex, conduct not otherwise addressed in the Title IX regulations and Section 3 of ACAB-R).
8. “Employee”: Whenever the term “employee” is used in Section 2, it includes visitors or others who have a lawful basis to make a complaint of discrimination or harassment.

B. Title IX Sexual Harassment Complaint Procedure Definitions

1. “Title IX sexual harassment”: Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of the school district’s education programs and activities:
 - a. “Quid pro quo” sexual harassment by a school employee: Conditioning a school aid, benefit or service (such as a promotion or favorable evaluation) on an individual’s participation in unwelcome sexual conduct;
 - b. “Hostile environment” sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies an individual’s equal access to the school district’s education programs and activities; or
 - c. Sexual assault, dating violence, domestic violence and stalking as these terms are defined in federal laws.
2. “Report”: Under the Title IX regulations, any individual may make a report of sexual harassment involving an employee, whether the individual is the alleged victim or not. A report must be made to the Human Rights Officer/Title IX Coordinator. A report triggers certain actions by the HRO/Title IX Coordinator for the alleged victim of sexual harassment, but an investigation is not conducted unless a “Formal Complaint” is filed.
3. “Formal Complaint”: Under Title IX, the alleged victim of sexual harassment can file a written complaint that triggers the complaint procedure in Section 3 of ACAB-R. Only a school employee (and in certain circumstances, the HRO/Title IX Coordinator) may file a formal complaint.
4. “Employee”: For the purpose of this procedure, “employee” means an applicant for employment or a current employee of the school district.

Section 2. Discrimination/Harassment Complaint Procedure

This procedure should be used for any complaint of unlawful harassment or discrimination based on a protected category which does not involve Title IX sexual

harassment.

A. How to Make A Complaint

1. An employee who believes they have been unlawfully harassed or discriminated against (as such terms are defined in Section 1.A.1-3) is encouraged to try to resolve the problem by informing the individual(s) that the behavior is unwelcome or offensive, and requesting that the behavior stop. This shall not prevent the employee from making an immediate complaint to the HRO/Title IX Coordinator.
2. Any employee who believes they have been harassed or discriminated against should report their concern promptly to the HRO/Title IX Coordinator. A written complaint must include basic information concerning the allegation of harassment or discrimination (i.e., date, time, location, individual(s) who alleged engaged in harassment or discrimination, description of allegation).
3. Employees who are unsure as to whether unlawful discrimination or harassment has occurred, or who need assistance in preparing a written complaint, are encouraged to discuss the matter with the HRO/Title IX Coordinator.
4. Employees will not be retaliated against for reporting suspected discrimination or harassment, or for participating in an investigation. Retaliation is illegal under federal and state nondiscrimination laws, and any retaliation will result in disciplinary measures, up to and including discharge.
5. Any employee who believes they have been discriminated against or harassed is encouraged to utilize the school district's complaint procedure. However, employees are hereby notified that they also have the right to report incidents of discrimination or harassment to the New Hampshire Commission for Human Rights, 2 Industrial Park Drive, Building One, Concord, NH 03301 (telephone: 603-271-2767), and/or to the federal Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109-3921 (telephone: 617-289-0111).

B. Complaint Handling and Investigation

1. The HRO/Title IX Coordinator will promptly inform the Superintendent and the person who is the subject of the complaint (respondent) that a complaint has been received.
2. The HRO/Title IX Coordinator may pursue an informal resolution of the complaint with the agreement of the parties involved. Any party to the complaint may decide to end the informal resolution process and pursue the formal process at any point. Any informal resolution is subject to the approval of the parties and the Superintendent, who shall consider whether the resolution is in the best interest of the school district and the parties in light of the particular circumstances and applicable policies and laws.
3. The HRO/Title IX Coordinator may implement supportive measures (consistent with any applicable collective bargaining agreement provisions) to reduce the risk of further discrimination or harassment while an investigation is pending. Examples of supportive measures include, but are not limited to, ordering no contact between the individuals involved; changing a work location or changing a work schedule.

4. The complaint will be investigated by a trained internal or external individual designated by the Superintendent and the HRO/Title IX Coordinator. Any complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent should be submitted to the Chair of the Board, who should consult with legal counsel concerning the handling and investigation of the complaint.
5. The investigator shall consult with the HRO/Title IX Coordinator as agreed during the investigation process.
6. The respondent will be provided with an opportunity to be heard as part of the investigation. The complainant shall not be required to attend meetings with the respondent but may choose to do so as part of an informal resolution process.
7. The complainant and the respondent may suggest witnesses and/or submit materials they believe are relevant to the complaint.
8. If the complaint is against an employee of the school district, any rights conferred under an applicable collective bargaining agreement shall be applied.
9. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.
10. The investigation shall be completed within 40 business days of receiving the complaint, if practicable. Reasonable extensions of time for good reason shall be allowed.
11. The investigator shall provide a written report and findings to the HRO/Title IX Coordinator.

C. Findings and Subsequent Actions

1. The HRO/Title IX Coordinator shall consult with the Superintendent concerning the investigation and findings.
2. If there is a finding that discrimination or harassment occurred, the HRO/Title IX Coordinator, in consultation with the Superintendent:
 - a. Shall determine what remedial action, if any, is required to end the discrimination or harassment, remedy its effect and prevent recurrence; and
 - b. Determine what disciplinary action should be taken against the individual(s) who engaged in discrimination or harassment, if any.
3. Inform the complainant and the respondent in writing of the results of the investigation and its resolution (in accordance with applicable state and federal privacy laws).

D. Appeals

1. After the conclusion of the investigation, the complainant or respondent may seek an appeal of the findings solely on the basis of either: (a) prejudicial procedural

error or (b) the discovery of previously unavailable relevant evidence that could significantly impact the outcome.

2. Appeals must be submitted in writing to the Superintendent within five business days after receiving notice of the resolution.
3. Upon receipt of a valid appeal, the Superintendent shall provide notice to the other party, along with an opportunity to provide a written statement within five business days.
4. The Superintendent shall review the available documentation and may conduct further investigation if deemed appropriate.
5. The Superintendent's decision on the appeal shall be provided to the parties within 10 business days, if practicable. The Superintendent's decision shall be final.

E. Records

The HRO/Title IX Coordinator shall keep a written record of the complaint process.

Section 3. Title IX Sexual Harassment Complaint Procedure

This section should be used only for complaints of Title IX sexual harassment as defined in Section 1.B.1.

A. How to Make A Report

1. Any individual who believes an employee has been sexually harassed (as this term is defined in Section 1.B.1) may make a report to the HRO/Title IX Coordinator.
2. If the individual making the report is the alleged victim, or if the alleged victim is identified by the individual making the report, the HRO/Title IX Coordinator will meet with the alleged victim to discuss supportive measures that may be appropriate in the particular circumstances and explain the process for filing a formal complaint.
 - a. Supportive measures are individualized measures designed to ensure the employee can continue to access and perform their work (such as requiring no contact between individuals, temporarily moving work locations or changing schedules, etc.).
 - b. Supportive measures may be continued even if the alleged victim chooses not to file a formal complaint, if appropriate under the particular circumstances.
3. The school district cannot provide an informal resolution process for resolving a report until a formal complaint is filed.
4. Employees will not be retaliated against for reporting sexual harassment, or for participating in an investigation. Retaliation is illegal under federal and state nondiscrimination laws, and any retaliation will result in disciplinary actions, up to and including discharge.

5. Any employee who believes they have been the victim of sexual harassment is encouraged to utilize the school district's complaint procedures. However, employees are hereby notified that they also have the right to report sexual harassment to the New Hampshire Commission for Human Rights, 2 Industrial Park Drive, Building One, Concord, NH 03301 (telephone: 603-271-2767), and/or to the federal Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109-3921 (telephone: 617-289-0111).
6. The Superintendent shall be informed of all reports and formal complaints of sexual harassment.

B. How to Make A Formal Complaint

1. An alleged victim may file a formal written complaint requesting investigation of alleged Title IX sexual harassment. The written complaint must include basic information concerning the allegation of sexual harassment (i.e., date, time, location, individual(s) who alleged engaged in sexual harassment, description of allegation).

Employees who need assistance in preparing a formal written complaint, are encouraged to consult with the HRO/Title IX Coordinator.

2. In certain circumstances, the HRO/Title IX Coordinator may file a formal complaint even when the alleged victim chooses not to. Examples include if the respondent (person alleged to have engaged in sexual harassment) has been found responsible for previous sexual harassment or there is a safety threat within the school district). In such cases, the alleged victim is not a party to the case but will receive notices as required by the Title IX regulations at specific points in the complaint process.
3. In accordance with the Title IX regulations, the HRO/Title IX Coordinator must dismiss a formal complaint under this Title IX procedure if: a) the conduct alleged in the formal complaint does not constitute sexual harassment under the Title IX regulations and this policy; b) if the conduct alleged did not occur within the scope of the school district's education programs and activities, or c) did not occur in the United States.
4. In accordance with the Title IX regulations, the HRO/Title IX Coordinator may dismiss a formal complaint under this Title IX procedure if: a) a complainant withdraws the formal complaint, or withdraws particular allegations within the complaint; b) the respondent is no longer employed by the school district; or c) there are specific circumstances that prevent the school district from gathering evidence sufficient to reach a determination regarding the formal complaint.
5. If a formal complaint is dismissed under this Title IX procedure, the HRO/Title IX Coordinator will promptly and simultaneously send written notices to the parties explaining the reasons. Parties have the opportunity to appeal dismissals in accordance with subsection I below.
6. If the conduct alleged potentially violates other laws, Board policies and/or professional expectations, the school district may address the conduct under Section 2 or another applicable policy/procedure.

C. Administrative Leave

The Superintendent may place a respondent on administrative leave during the complaint procedure:

1. If there is a determination (following an individualized safety and risk analysis) that there is an immediate threat to the physical health or safety of an individual arising from the allegations of sexual harassment. Examples of such circumstances might include, but are not limited to, a continued threat of violence against a complainant by a respondent, or a respondent's threat of self-harm due to the allegations.
2. The respondent will be provided notice of the administrative leave, and will be provided an opportunity to challenge the decision following the removal (this is an opportunity to be heard, not a hearing). The respondent has the burden to demonstrate why the emergency leave was unreasonable.
3. Any such decision to place an employee on administrative leave shall be made in compliance with any applicable disability laws, including Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.

D. Notice to Parties of Formal Complaint

1. The Title IX Coordinator will provide to the parties' written notice of the formal complaint and allegations of sexual harassment potentially constituting prohibited conduct under the Title IX regulations and this procedure. The notice will include:
 - Notice regarding the complaint procedure and the availability of an informal resolution process;
 - Sufficient details known at the time (including identities of parties, if known; the conduct alleged; and the date and location of the alleged incident, if known), with sufficient time to prepare before any initial interview (not less than five business days);
 - As required by the Title IX regulations, a statement that the respondent is presumed not responsible for the alleged conduct and that a determination of responsibility will be made at the conclusion of the complaint); and that the parties may inspect and review evidence;
 - Notice that the parties may each have an advisor of their choice (who may be an attorney), and that the parties may inspect and review evidence;
 - Notice that knowingly making false statements or submitting false information during the complaint procedure is prohibited and may result in disciplinary action; and
 - Notice of the name of the investigator, with sufficient time (no less than three business days) to raise concerns of conflict of interest or bias.
2. If additional allegations become known at a later time, notice of the additional allegations will be provided to the parties.
3. The HRO/Title IX Coordinator will discuss supportive measures with each party and implement such measures as appropriate.

E. Informal Resolution Process

After a formal complaint has been filed, and if the HRO/Title IX Coordinator believes

the circumstances are appropriate, the HRO/Title IX Coordinator may offer the parties the opportunity to participate in an informal resolution process to resolve the complaint without completing the investigation and determination process. Informal resolutions cannot be used to resolve a formal complaint where a student is the complainant and the respondent is an employee.

Informal resolutions can take many forms, depending on the particular case. Examples include, but are not limited to, facilitated discussions between the parties; restorative justice; acknowledgment of responsibility by a respondent; apologies; disciplinary actions against a respondent or a requirement to engage in specific services; or supportive measures. Both parties must voluntarily agree in writing to participate in an informal resolution process, and either party can withdraw from the process at any time. The Superintendent must agree to the terms of any informal resolution reached between the parties. If an informal resolution agreement is reached, it must be signed by both parties and the school district. Any such signed agreement is final and binding according to its terms.

If an informal resolution process does not resolve the formal complaint, nothing from the informal resolution process may be considered as evidence in the subsequent investigation or determination.

F. Investigation

1. The complaint will be investigated by a trained internal or external individual designated by the Superintendent and HRO/Title IX Coordinator. Any complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent should be submitted to the Chair of the Board, who should consult with legal counsel concerning the handling and investigation of the complaint.
2. The investigator shall consult with the HRO/Title IX Coordinator as agreed during the investigation process.
3. If the complaint is against an employee of the school district, rights conferred under an applicable collective bargaining agreement shall be applied, to the extent they do not conflict with the Title IX regulatory requirements.
4. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.
5. The investigator will:
 - a. Meet with each party after they have received appropriate notice of any meeting and its purpose, with sufficient time to prepare.
 - b. Allow parties to have their advisor at all meetings related to the complaint, although advisors may not speak on behalf of a party or interfere with the process.
 - c. Allow parties a reasonable opportunity to identify witnesses and submit favorable and unfavorable evidence.

- d. Interview witnesses and conduct such other activities that will assist in ascertaining facts (site visits, review of documents, etc.).
 - e. Consider evidence that is relevant and directly related to the allegations in the formal complaint.
 - f. During the course of the investigation, provide both parties with an equal opportunity to inspect and review any evidence that is obtained in the investigation that is directly related to the allegations in the formal complaint (including evidence which the school district does not intend to rely upon in reaching a determination of responsibility), and favorable and unfavorable evidence.
 - g. Prior to completion of the investigation report, provide each party and advisor (if any) the evidence subject to inspection and review, and provide the parties with ten business days to submit a written response.
 - h. Consider the parties' written responses to the evidence prior to completing the investigation report.
 - i. Create an investigative report that fairly summarizes relevant evidence and send the report to the parties and advisors (if any), for their review and written responses within ten business days of receipt.
 - j. After receipt of the parties' written responses (if any), forward the investigation report and party responses to the assigned decision maker.
6. The investigation shall be concluded within 40 business days if practicable. Reasonable extension of time for good reason shall be allowed.

G. Determination of Responsibility

- 1. The decision maker shall provide the parties with the opportunity to submit written, relevant questions that the party wants asked of another party or witness within five calendar [or business] days of when the decision maker received the investigation report and party responses.
 - a. The decision maker shall explain to a party proposing questions if the decision maker excludes a question as not relevant.
- 2. Each party shall be provided the opportunity to review the responses of another party and/or witness, and to ask limited written follow-up questions within five business days of receiving the answers.
- 3. Each party will receive a copy of the responses to any follow-up questions.
- 4. The decision maker shall review the investigation report, the parties' responses and other relevant materials, applying the preponderance of the evidence standard ("more likely than not").
- 5. The decision maker shall issue a written determination, which shall include the following:

- a. Identification of all the allegations potentially constituting sexual harassment as defined in the Title IX regulations and this policy;
- b. A description of the procedural steps taken from receipt of the formal complaint through the determination, including notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and meetings held;
- c. A determination regarding responsibility as to each allegation and findings of fact supporting the determinations;
- d. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the school district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the school district's programs and activities will be provided to the complainant;
- e. The school district's appeal procedure and permissible bases for the parties to appeal the determination.
6. The written determination shall be provided to the parties simultaneously. The determination concerning responsibility becomes final either on the date that the school district provides the parties with the written determination of the results of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which the appeal would no longer be considered timely.

H. Remedies, Discipline and Other Actions

1. Remedies

Remedies are measures used to ensure that the complainant has equal access to the school district's education programs and activities following the decision maker's determination. Such remedies may include supportive measures, and may include other appropriate measures, depending upon the determination and the needs of the complainant. The Title IX Coordinator is responsible for implementing remedies and providing any needed assistance to the Complainant.

2. Discipline and Other Actions

The following are examples of the types of disciplinary actions that may be imposed on an employee when there is a determination that they are responsible for one or more violations involving sexual harassment:

- Written warning.
- Probation.
- Demotion.
- Suspension without pay.
- Discharge.

The following are examples of other types of actions that may be imposed on an employee when there is a determination of responsibility:

- Performance improvement plan.
- Counseling.

- Training.
- Loss of leadership/stipend position.

I. Appeals

The parties have the opportunity to appeal a determination regarding responsibility, and from dismissals of formal complaints. Under the Title IX regulations, appeals are allowed on the following grounds:

1. A procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal of the formal complaint was made, that could affect the outcome of the matter; or
3. The Title IX Coordinator, investigator, or decision maker had a conflict of interest or bias for or against complainants or respondents generally, or the individual complainant or respondent that affected the outcome of the matter.

An appeal must be filed in writing within five calendar [or business] days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

1. Appeals must be filed with the Superintendent, who will consider the appeal.
2. The Superintendent shall conduct an impartial review of the appeal, including consideration of the written record of the matter, and may consult with legal counsel or other school district officials in making their decision.
3. The Superintendent shall issue a written decision describing the result of the appeal and rationale for the result and provide the written decision simultaneously to the parties. The decision will either deny the appeal; grant the appeal and remand to the decision maker for further consideration; or grant the appeal by revising the disciplinary action(s).

J. Records

Records in connection with sexual harassment reports and the complaint process shall be maintained for a minimum of seven years.

Legal References: Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.); 34 C.F.R. Part 106
Clery Act (20 U.S.C. §1092(f)(6)(A)(v) - definition of sexual assault)
Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v) – definition of sexual assault; 34 U.S.C. § 12291(a)(10) – dating violence; 34 U.S.C. §12291(a)(3) – definition of stalking; 34 U.S.C. §12291(a)(8) – definition of domestic violence)
Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d)
Americans with Disabilities Act (42 U.S.C § 12101 et seq.), as amended
Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq.), as amended
Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e, et. seq.; 29

C.F.R. § 1604.11)

Age Discrimination in Employment Act (29 U.S.C. § 623 et seq.)

Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. §
2000ff et seq.)

RSA 186:11; and 354-A

NH Code Admin. R. Ed. 303.01(i) and (j)

Cross Reference: AC – Nondiscrimination/Equal Opportunity

ACAB – Harassment and Sexual Harassment of School Employees

DOVER SCHOOL DISTRICT	POLICY CODE: GBA
DATE OF ADOPTION: FEBRUARY 14, 2006	PAGE 1 OF 1

First & Second Reading - WITHDRAW

EQUAL OPPORTUNITY EMPLOYMENT

The school district will recruit and consider candidates without regard to gender, sexual orientation, race, color, religion, nationality, ethnic origin, age, or disability. When there are opportunities for promotion and qualifications are equal, consideration will be given first to employees.

The school district will employ individuals who meet the physical and mental requirements and who have the education, training, and experience established and necessary for the performance of the job without regard to gender, sexual orientation, race, color, religion, nationality, ethnic origin, age, or disability, except for reasons related to ability to perform the requirements of the job.

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

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

Statutory/Regulatory/Policy Cross References

RSA 354-A:7, Unlawful Discrimination Practices
Policy AC-R

DOVER SCHOOL DISTRICT	POLICY CODE: GDB
DATE OF ADOPTION:	PAGE 1 OF 2

First Reading & Second Reading - NEW

EMPLOYMENT OF NON-CERTIFIED PERSONNEL

It is the policy of the School Board to recruit and select for employment the best qualified applicant for each position within the school district. *Hiring and other employment decisions shall be made in accordance with applicable law and Board policy AC Non-Discrimination, Equal Opportunity Employment and District Anti-Discrimination Plan.*

The District will employ, as necessary, non-certified personnel to work in non-instructional capacities. Non-Certified personnel are those people whose employment status does not require certification in accordance with rules and regulations of the State Board of Education. Non-certified staff includes, but is not limited to, the following types of positions: secretaries, technology coordinators, driver education instructors, speech therapists, maintenance staff, cafeteria workers, instructional assistance, transportation employees, etc.

Applications

Written application will be made at the SAU office for those persons seeking employment with the school district. The application will contain information concerning job experience, personal references, and other details as may be required. The superintendent will coordinate the hiring procedures for all job applicants.

Definitions

Salaried Employee: personnel under written contract for a specified period of time, whose compensation is set and determined on a per-pay-period basis, and whose normal workday coincides with that of the regular school day.

Hourly Wage Employee: personnel not under written contract for any specified period, whose compensation is calculated according to time spent on the job, and whose workday may vary according to specific assignment.

Wages

Compensation for salaried non-certified, *non-collective bargaining employees* will be determined on an individual basis and will be recommended by the Superintendent to the Board each year.

Compensation for hourly employees will be according to a salary schedule approved annually by the Board.

Workday

Each non-certified employee's supervisor will establish the employee's work schedule, including starting time, break time, lunchtime and ending time. Non-certified employees working more than 20 hours per week will be provided no less than 2 paid fifteen minute breaks during each regular workday.

DOVER SCHOOL DISTRICT	POLICY CODE: GDB
DATE OF ADOPTION:	PAGE 2 OF 2

Payroll Deductions

Appropriate payroll deductions will be made from the compensation of all personnel. These will include federal income tax and social security. Other deductions may be made on a voluntary basis if permitted under rules of the Department of Labor.

Leave

Requests for leave by non-certified personnel will be handled individually by the superintendent or superintendent's designee and may be allowed for reasons such as illness, death of a close relative, maternity, personal time and vacation.

Grievances

All grievances should be settled with the employee's immediate superior. Appeal may be made to the Superintendent.

Annual Notice

The Superintendent will notify all educational support staff and non-certified employees by the last day of each school year of the District's intent to continue or not continue their respective employment for the following school year. The notification will be in writing.

The notification may state that the intent to continue or not continue the employee's employment is contingent on special circumstances, including but not limited to fiscal considerations, staffing needs, staff re-organization, student enrollment, and others.

Legal References:

RSA 189:14-h, Notice to Education Support Personnel and Non-Certified School District Employees Required

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Business Administrator
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JEFFREY MYERS
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THE DOVER SCHOOL DISTRICT
SCHOOL ADMINISTRATIVE UNIT #11
McCONNELL CENTER
61 LOCUST STREET SUITE 409
DOVER, NEW HAMPSHIRE 03820-4132
TEL (603) 516-6800
FAX (603) 516-6809

March 14, 2017

Orly Buchbinder, Pd.D.
Assistant Professor of Mathematics Education
Department of Mathematics and Statistics
University of New Hampshire
Durham, NH 03824

Orly.Buchbinder@unh.edu

Dear Dr. Buchbinder,

I am writing to confirm that at its meeting on Monday, March 13, 2017, the Dover School Board voted to approve your request to conduct research on Enhancing Preparation of Secondary Preservice Mathematics. Please let me know if you have any questions.

I wish you the best of luck with your research.

Sincerely,

A handwritten signature in blue ink that reads "Elaine M. Arbour". The signature is written in a cursive style.

Elaine M. Arbour, Ed.D.
Superintendent

EMA:ral

cc: Peter Driscoll, DHS Principal

Dover School District Mission Statement

Strengthening our community by educating every child, every day!

Checklist for Education Survey/Research Approval (Per Policy LAA)

Organization Requesting Permission: University of New Hampshire (UNH), Department of Mathematics and Statistics

Name of Research: *CAREER: Investigation of Beginning Teachers' Expertise to Teach Mathematics via Reasoning and Proof*. (NSF # [1941720](#))

A continuation of the project:

Enhancing Preparation of Secondary Preservice Mathematics Teachers: Mathematical Reasoning and Proving as a Lens for Teaching (Fall 2017 -2019)

Time Frame of Research: Fall 2020 – Fall 2025, The research will take place during Fall semester only, once per each year.

Introduction: The current project is a continuation of the previous one, titled *Enhancing Preparation of Secondary Preservice Mathematics Teachers: Mathematical Reasoning and Proving as a Lens for Teaching*, which ran from Fall 2017-Fall 2019. The new project builds on the previous one directly, by continuing the engagement between UNH and Dover schools in the same way established so far, but also allowing the researcher to follow the UNH prospective mathematics teachers after their graduation, into their schools of internship and first job.

Hence, the new project follows three phases.

Phase 1, is identical to the previous project *Enhancing Preparation of Secondary Preservice Mathematics Teachers: Mathematical Reasoning and Proving as a Lens for Teaching* (Fall 2017 -2019), which was approved by Dover School Board on March 13, 2017 (see attached documentation). The description of this part of the study is reproduced below, **with the contingency for COVID-19**.

Phase 2 focuses on UNH interns, graduates of UNH mathematics education program, who have participated in phase 1 of the study.

Phase 3 follows those UNH graduates who will be hired by Dover School district in the first two years of their teaching career.

Objectives of the Research: The goals of our study are to explore how mathematics teachers' knowledge, dispositions and practices specific to integration of reasoning and proof develop over time. For this purpose, the project will follow the UNH mathematics education majors for 3.5 years, from the moment they take a capstone course on reasoning and proof, through their internship and through the first two years of their autonomous practice as mathematics teachers.

The ultimate goal of the development of highly competent mathematics teachers is to advance the learning experiences of school students, by promoting deep understanding of mathematics, and developing students' reasoning skills. This study will contribute to both UNH undergraduate Mathematics Education majors and to Dover HS/MS students and teachers.

Brief Description of the Research:

Phase 1: UNH mathematics education majors participate in a capstone course *Mathematical Reasoning and Proving for Secondary Teachers*, which was developed as a part of the original, NSF-funded project *Enhancing Preparation of Secondary Preservice Mathematics Teachers: Mathematical Reasoning and Proving as a Lens for Teaching*. As a part of this course, UNH Mathematics Education majors develop engaging mathematical lessons focused on reasoning, justification and proving, and teach these lessons to small groups of Dover HS/MS students. Administration of these lessons follow these protocols:

During 2017-2019 model and/or “Back to normal” teaching at Dover schools	COVID-19 contingency, No-visitors / remote teaching at Dover schools
The PSTs come to Dover schools 4 times per semester, once every 4 weeks, to teach the reasoning-and-proof lessons during regular class time.	The PSTs teach remotely, via UNH Zoom. Four times per semester. The lessons are two 30 min lessons scheduled during Flex period, or one 50 min lesson, scheduled after school ours.
These lessons are planned around the mathematical topics requested by Dover HS/MS teachers, and carefully reviewed by UNH instructors <u>prior</u> to their implementation.	
Each UNH PST teachers a small group of 6-12 school students.	
Dr. Buchbinder and/or a UNH graduate student were present at the lessons taught at Dover HS/MS.	The lessons will be virtually attended by an adult person from the school personnel, or by Dr. Buchbinder (when possible), to ensure supervision.
To facilitate the research aspect of the project, all these lessons are video recorded using 360°-table top video cameras, which capture both the teacher and the students. While the students are not considered as subjects of the study, they are captured on video. Most importantly, their participation in the enrichment lessons is used as an indicator of the quality and improvement of the teaching.	To facilitate the research aspect of the project the Zoom meetings will be recorded and stored to UNH cloud (Not! to student computers). Dr. Buchbinder will download the video from the cloud, and archive it securely, according to UNH IRB standards. After that, the recordings of the zoom lessons will be deleted from the cloud.
The data collection, handling and secure archiving are conducted in complete compliance with UNH internal review board (IRB) guidelines. This process ensures anonymity and	

confidentiality of student data. Only students who give written assent in conjunction with parental consent take part in this research. Note: The existing UNH IRB approval (#6658), has been approved to reflect the changes, and will continue to apply to the new project period: 2020-2025.	
Consent forms to parents and assent forms to students are distributed by the classroom teacher. Then, the cooperating teacher identifies the group of students whose parents and they themselves provided informed consent to participate in the research.	The forms to parents and assent forms to student will be distributed electronically via UNH Qualtrics. Then, the cooperating teacher identifies the group of students whose parents and they themselves provided informed consent to participate in the research.

Phase 2: Internship.

A selected group of UNH graduates, who will do their internship in Dover School district, will participate in phase 2 of the study. The goals of phase 2 are similar to study the advancement of the beginning teacher's knowledge, dispositions and practices. As a required part of the UNH internship process, each intern develops a colloquium project. The interns, who will be participating in the currents study, will devote their colloquium project to enhancing students' engagement with mathematical reasoning and proof. My study will make the use of the data from the interns' project, such as lesson plans and video recordings of the intern's project lessons. I will follow the same procedures for data collection, and request permissions from parents and students.

Note on COVID-19 contingency: The mode of data collection, in person or remote does not affect the study. Thus, if the teaching at Dover schools is conducted remotely, then the data collection will be conducted remotely via Zoom recording of the Colloquium. If Dover schools return to face-to-face mode, the internship will follow as well.

Phase 3: First two years of autonomous practice.

The participants of this part of the study, will be UNH mathematics education program graduates who have participated in stages 1 & 2 of the study, and who have found employment in Dover School District schools. With these individual teachers, I plan to conduct interviews, observations and video recording of selected lessons, which will be specifically focused on reasoning and proof oriented activities. An estimate of 10 hours of video data per year will be collected in the classrooms. In a similar fashion, only students who will have written parental & student consent will be included in the data collection.

Professional development.

The project will support the professional development of the UNH interns/new teachers participating in phases 2 and 3 of the study described above. Specifically, the project will design and provide free professional development to the interns as well as their cooperating teachers, to the new teachers (phase 3) as well as other Dover school teachers, who would be interested in infusing more reasoning and proof activities into their classroom practices.

The professional development will be in the form of online Professional Learning Community (PLC), which will meet twice per semester. The participation in the PLC is voluntary for cooperating teachers.

The project has secured NSF funds to support the attendance of the PLC participants to one regional professional conference per year. This support will be offered to the UNH interns, their cooperating teachers, and additional mathematics teacher colleagues – PLC members. As such, the project will broaden its positive impact on improving secondary mathematics teaching in Dover school district.

Collaborating personnel at Dover schools:

Dover High-School: Mrs. Sherman - Dean of Instruction; Mrs. Maurais – Academic Coordinator of the math department.

Dover Middle School: Kim Lyndes – Dover MS Principal, Mrs. Mulqueen – mathematics teacher.

Who will be involved in the study: For each year of the project, we hope to work with about 60 - 90 students from Dover HS/MS. The average number of UNH mathematics education majors is about 15 per year (participants of phase 1). For phase 2 of the study, I expect to recruit 8 interns, who may or may not find their internship sites in Dover district schools. Hence, the number of interns participating in phase 2 of the study in Dover schools will be 0-8. For phase 3 of the study, I expect to recruit 6 novice teachers, who may or may not find jobs in Dover School district. Hence, the number of teachers in phase 3 of the study will be 0-6.

How will Research contribute to the improvement of education or general welfare of children:

Research shows that the nature and quality of students' pre-college mathematical experiences greatly affect their decision to choose STEM-oriented majors in college.

Researchers and policy makers agree that the best way to improve student learning is by improving the quality of teaching. This project seeks to achieve this aim – to support future mathematics teachers and to study their improvement. Moreover, the project will increase its positive impact by involving additional Dover School District teachers in professional development around integration of reasoning and proof in mathematical practices. By extension, the expected quality of teaching mathematics and students' learning experience will improve.

Through participation in this project, Dover HS/MS students will be exposed to exciting and engaging mathematical activities which would provide enrichment and support students' mathematical learning of the current school topics. The mathematical activities that emphasize reasoning and justification have a potential to improve students' attitudes towards mathematics, the feeling of self-efficacy as mathematics learner; and ultimately contribute positively to students' decision to pursue STEM-oriented majors in the future.

This closely aligns with the STEAM pilot program in the middle school and the growth-mindset work that math teachers throughout the district have been implementing after participating the Jo Boaler workshop sponsored by SEED.

Advanced Authorization form attached? N/A

Written approval by a faculty member of the institution in which student researcher is enrolled attached? N/A.

DOVER SCHOOL DISTRICT
Condition of Accounts - September 14, 2020

DISTRICT-WIDE Expenditures						
Account	Description	GL Budget	YTD	Balance	Encumbrance	Budget Balance
1100	REGULAR EDUCATION PROGRAMS	\$ 24,004,775	\$ 261	\$ 24,004,514	\$ 22,170,512	\$ 1,834,002
1200	SPECIAL EDUCATION PROGRAMS	\$ 13,543,094	\$ 275,057	\$ 13,268,037	\$ 11,959,175	\$ 1,308,862
1300	VOCATIONAL EDUCATION PROGRAMS	\$ 2,119,039	\$ 24,542	\$ 2,094,497	\$ 1,767,465	\$ 327,032
1400	OTHER EDUCATIONAL PROGRAMS	\$ 696,019	\$ 22,181	\$ 673,838	\$ 618,091	\$ 55,747
1600	ADULT/CONTINUING EDUCATION PROGRAMS	\$ 210,803	\$ 21,632	\$ 189,171	\$ 190,861	\$ (1,691)
2100	SUPPORT SERVICES - Students	\$ 4,489,409	\$ 30,328	\$ 4,459,081	\$ 4,146,295	\$ 312,786
2200	SUPPORT SERVICES - Instructional Staff	\$ 1,425,490	\$ 42,214	\$ 1,383,276	\$ 1,097,508	\$ 285,768
2300	SUPPORT SERVICES - General Admin.	\$ 1,486,608	\$ 287,996	\$ 1,198,612	\$ 1,075,420	\$ 123,192
2400	SUPPORT SERVICES - School Admin.	\$ 2,858,831	\$ 271,598	\$ 2,587,233	\$ 2,559,527	\$ 27,706
2600	SUPPORT SERVICES - Operation Maint/Plant	\$ 4,942,984	\$ 856,045	\$ 4,086,939	\$ 3,686,322	\$ 400,617
2700	SUPPORT SERVICES - Student Transportation	\$ 3,218,898	\$ 37	\$ 3,218,861	\$ 38,332	\$ 3,180,529
2800	SUPPORT SERVICES - Centralized Services	\$ 1,371,977	\$ 299,028	\$ 1,072,949	\$ 661,282	\$ 411,667
2900	SUPPORT SERVICES - Other	\$ 9,900	\$ 9,774	\$ 126	\$ 66	\$ 60
46900	SCHOOL DEBT - Principal & Interest	\$ 6,393,656	\$ -	\$ 6,393,656	\$ -	\$ 6,393,656
5200	FUND TRANSFERS	\$ 39,573	\$ -	\$ 39,573	\$ -	\$ 39,573
TOTAL GENERAL FUND EXPENDITURES:		\$ 66,811,056	\$ 2,140,695	\$ 64,670,361	\$ 49,970,856	\$ 14,699,505
TOTAL FOOD SERVICES EXPENDITURES:		\$ 1,650,000	\$ 4,775	\$ 1,645,225	\$ 40,557	\$ 1,604,668
TOTAL FEDERAL, STATE, AND LOCAL FUND EXPENDITURES:		\$ 5,073,669	\$ 532,913	\$ 4,540,756	\$ 2,728,841	\$ 1,811,915
Summarized Condition of District Expenditures:		\$ 73,534,725	\$ 2,678,383	\$ 70,856,342	\$ 52,740,253	\$ 18,116,089

DISTRICT-WIDE Revenue						
Account	Description	Budget	YTD Transactions	Balance	Encumbrance	Balance
1314.3390	TUITION - SUMMER SCHOOL, ELEMENTARY	\$ 5,000	\$ -	\$ 5,000	\$ -	\$ 5,000
1314.3390	TUITION - SUMMER SCHOOL, DHS	\$ 1,500	\$ -	\$ 1,500	\$ -	\$ 1,500
1321.3390	TUITION - NOTTINGHAM	\$ 1,713,865	\$ 50,000	\$ 1,663,865	\$ -	\$ 1,663,865
1321.3390	TUITION - OTHER NH DISTRICTS	\$ 42,417	\$ -	\$ 42,417	\$ -	\$ 42,417
1321.3390	TUITION - BARRINGTON	\$ 2,661,498	\$ -	\$ 2,661,498	\$ -	\$ 2,661,498
1321.3390	TUITION - PRESCHOOL PROGRAM	\$ 10,000	\$ -	\$ 10,000	\$ -	\$ 10,000
1321.3390	TUITION - BELLAMY ACADEMY	\$ 81,690	\$ -	\$ 81,690	\$ -	\$ 81,690
1322.3390	TUITION - SPED AIDES	\$ 275,000	\$ -	\$ 275,000	\$ -	\$ 275,000
1323.3390	TUITION - CTE-NH DISTRICTS	\$ 115,000	\$ -	\$ 115,000	\$ -	\$ 115,000
1333.3390	TUITION - CTE-OUT OF STATE DIST	\$ 35,000	\$ -	\$ 35,000	\$ -	\$ 35,000
4310.3311	IMPACT AID	\$ 6,000	\$ -	\$ 6,000	\$ -	\$ 6,000
4580.3311	MEDICAID DISTRIBUTION	\$ 250,000	\$ 5,296	\$ 244,704	\$ -	\$ 244,704
1420.3410	ATHLETIC TRANSPORTATION DMS	\$ 15,000	\$ -	\$ 15,000	\$ -	\$ 15,000
1420.3410	ATHLETIC TRANSPORTATION DHS	\$ 52,000	\$ -	\$ 52,000	\$ -	\$ 52,000
1990.3599	OTHER LOCAL REVENUE DW	\$ 38,000	\$ -	\$ 38,000	\$ -	\$ 38,000
4210.3599	INDIRECT COST ALLOCATION	\$ 85,000	\$ 3,880	\$ 81,120	\$ -	\$ 81,120
4220.3599	ABE ALLOCATION	\$ 45,918	\$ -	\$ 45,918	\$ -	\$ 45,918
3190.3700	STATE ADEQUATE EDUCATION GRANT	\$ 9,978,350	\$ -	\$ 9,978,350	\$ -	\$ 9,978,350
3210.3700	SCHOOL BUILDING AID	\$ 390,062	\$ -	\$ 390,062	\$ -	\$ 390,062
3230.3700	SPECIAL EDUCATION AID (CATASTROPHIC AID)	\$ 475,000	\$ -	\$ 475,000	\$ -	\$ 475,000
3241.3700	CTE TUITION AID	\$ 325,000	\$ -	\$ 325,000	\$ -	\$ 325,000
3242.3700	CTE TRANSPORTATION AID	\$ 2,500	\$ -	\$ 2,500	\$ -	\$ 2,500
05251.3918	SCHOOL - TRANSFER FROM CAPITAL RESERVES	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL GENERAL FUND REVENUE:		\$ 16,603,800	\$ 59,177	\$ 16,544,623	\$ -	\$ 16,544,623
TOTAL FOOD SERVICES FUND REVENUE:		\$ 1,650,000	\$ -	\$ 1,650,000	\$ -	\$ 1,650,000
TOTAL FEDERAL, STATE, AND LOCAL FUND REVENUE:		\$ 5,073,669	\$ 156,357	\$ 4,917,312	\$ -	\$ 4,917,312
Summarized Condition of District Revenue:		\$ 23,327,469	\$ 215,534	\$ 23,111,935	\$ -	\$ 23,111,935

	Budget	Actual + Enc
General Fund Supporting Revenue Total:	\$ 16,603,800	\$ 59,177
State Wide Property Tax:	\$ 7,195,076	\$ 7,036,198
Local Property Tax (adjusted 11/2019):	\$ 43,012,634	\$ 41,159,771
TOTAL GF Revenue:	\$ 66,811,510	\$ 48,255,146
TOTAL GF Expenditure:	\$ (66,811,056)	\$ (52,111,551)
Ending GF Fund Balance:	\$ 454	\$ (3,856,405)
TOTAL FS Revenue:	\$ 1,650,000	\$ -
TOTAL FS Expenditures:	\$ (1,650,000)	\$ (45,332)
Ending FS Fund Balance:	\$ -	\$ (45,332)
TOTAL Grant Revenue:	\$ 5,073,669	\$ 156,357
TOTAL Grant Expenditures:	\$ (5,073,669)	\$ (3,261,754)
Ending Grant Fund Balance:	\$ -	\$ (3,105,397)

DOVER SCHOOL DISTRICT
Condition of Accounts - September 14, 2020

Account	Description	Budget	YTD Transactions	Function	Object
1000.2.614.01314.3390.00000.00.000.000.R70	TUITION - SUMMER SCHOOL, ELEMENTARY	\$5,000.00	\$0.00	1314 .	3390
1000.2.630.01314.3390.00000.00.000.000.R70	TUITION - SUMMER SCHOOL, DHS	\$1,500.00	\$0.00	1314 .	3390
1000.2.600.01321.3390.00002.00.000.000.R70	TUITION - NOTTINGHAM	\$1,713,865.00	\$50,000.00	1321 .	3390
1000.2.600.01321.3390.00000.00.000.000.R70	TUITION - OTHER NH DISTRICTS	\$42,417.00	\$0.00	1321 .	3390
1000.2.600.01321.3390.00001.00.000.000.R70	TUITION - BARRINGTON	\$2,661,498.00	\$0.00	1321 .	3390
1000.2.605.01321.3390.00000.00.000.000.R70	TUITION - PRESCHOOL PROGRAM	\$10,000.00	\$0.00	1321 .	3390
1000.2.635.01321.3390.00000.00.000.000.R70	TUITION - BELLAMY ACADEMY	\$81,690.00	\$0.00	1321 .	3390
1000.2.600.01322.3390.00000.00.000.000.R70	TUITION SPED AIDES	\$275,000.00	\$0.00	1322 .	3390
1000.2.600.01323.3390.00000.00.000.000.R70	TUITION-CTE-NH DISTRICTS	\$115,000.00	\$0.00	1323 .	3390
1000.2.600.01333.3390.00000.00.000.000.R70	TUITION-CTE-OUT OF STATE DIST	\$35,000.00	\$0.00	1333 .	3390
1000.2.600.04310.3311.00000.00.000.000.R70	IMPACT AID	\$6,000.00	\$0.00	4310 .	3311
1000.2.600.04580.3311.00000.00.000.000.R70	MEDICAID DISTRIBUTION	\$250,000.00	\$5,296.43	4580 .	3311
1000.2.620.01420.3410.00000.00.000.000.R40	ATHLETIC TRANSPORTATION DMS	\$15,000.00	\$0.00	1420 .	3410
1000.2.630.01420.3410.00000.00.000.000.R40	ATHLETIC TRANSPORTATION DHS	\$52,000.00	\$0.00	1420 .	3410
1000.2.600.01990.3599.00000.00.000.000.R70	OTHER LOCAL REVENUE DW	\$38,000.00	\$0.00	1990 .	3599
1000.2.600.04210.3599.00000.00.000.000.R70	INDIRECT COST ALLOCATION	\$85,000.00	\$3,880.34	4210 .	3599
1000.2.600.04220.3599.00000.00.000.000.R70	ABE ALLOCATION	\$45,918.00	\$0.00	4220 .	3599
1000.2.600.03190.3700.00000.00.000.000.R70	STATE ADEQUATE EDUCATION GRANT	\$9,978,350.00	\$0.00	3190 .	3700
1000.2.600.03210.3700.00000.00.000.000.R70	SCHOOL BUILDING AID	\$390,062.00	\$0.00	3210 .	3700
1000.2.600.03230.3700.00000.00.000.000.R70	SPECIAL EDUCATION AID (CATASTROPHIC AID)	\$475,000.00	\$0.00	3230 .	3700
1000.2.600.03241.3700.00000.00.000.000.R70	CTE TUITION AID	\$325,000.00	\$0.00	3241 .	3700
1000.2.600.03242.3700.00000.00.000.000.R70	CTE TRANSPORTATION AID	\$2,500.00	\$0.00	3242 .	3700
1000.2.600.05251.3918.00000.00.000.000.R80					

DOVER SCHOOL DISTRICT
Condition of Accounts - September 14, 2020

1314.3390	-\$5,000.00	\$0.00
1314.3390	-\$1,500.00	\$0.00
1321.3390	-\$1,713,865.00	-\$50,000.00
1321.3390	-\$42,417.00	\$0.00
1321.3390	-\$2,661,498.00	\$0.00
1321.3390	-\$10,000.00	\$0.00
1321.3390	-\$81,690.00	\$0.00
1322.3390	-\$275,000.00	\$0.00
1323.3390	-\$115,000.00	\$0.00
1333.3390	-\$35,000.00	\$0.00
4310.3311	-\$6,000.00	\$0.00
4580.3311	-\$250,000.00	-\$5,296.43
1420.3410	-\$15,000.00	\$0.00
1420.3410	-\$52,000.00	\$0.00
1990.3599	-\$38,000.00	\$0.00
4210.3599	-\$85,000.00	-\$3,880.34
4220.3599	-\$45,918.00	\$0.00
3190.3700	-\$9,978,350.00	\$0.00
3210.3700	-\$390,062.00	\$0.00
3230.3700	-\$475,000.00	\$0.00
3241.3700	-\$325,000.00	\$0.00
3242.3700	-\$2,500.00	\$0.00



DOVER SCHOOL DISTRICT

EMPOWERING ALL LEARNERS!

Superintendent's Board Report Monday, September 14, 2020

SUPERINTENDENT REPORT

The Superintendent's Board Report purpose is to: (1) inform the Board on my position and recommendations pertaining to Board meeting agenda items; (2) inform the Board of significant issues as they relate to the Board; and (3) inform the Board of informational items pertaining to the Dover School District.

BOARD AGENDA ITEMS

G. CONSENT AGENDA

Resignations/Retirements – I recommend the Board approve the resignations as listed.

Leaves of Absence – None

Job Shares – None

Nominations – I recommend the Board approve the following nominations:

- New DTU Nomination
- Paraeducator Nomination
- Non-Union Nomination
- Coaching Nominations

Extended Trips - None

Donations – I recommend the Board approve the September Nominations

I. POLICY – CHANGES – PROPOSALS – ADOPTIONS

1. First Reading

- a. **AEB – Recognition by Dover School Board** – The Policy has recommended revisions as noted in the document by the Board's Ad Hoc Committee for the review of Policy AEB. This is the first reading and feedback is requested.
- b. **AEB-A – Recognition by School Building Renaming** – The Board Ad Hoc Committee of Renaming of School Buildings has developed a new policy to address the renaming of a school. This is the first reading and feedback is requested.



DOVER SCHOOL DISTRICT

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- c. **IKFG – Career Readiness Pathways and Credentialing** – The first reading of a new policy. Policy IKFG is a new policy. It creates awareness of short-term requirements of SB 276, 29019 N.H. Laws Ch. 322 “The Career Readiness Drive to 65 Act”. The act requires that beginning in the Fall of 2020, all high schools must assess career interest for incoming freshmen, advise entering students how to achieve career readiness credential (“CRC”) upon graduation, and imposes various record keeping measures relative to career readiness pathways (“CRP”) and CRCs. While the act includes definitions for both CRC and CRP, those definitions do not include specific substantive criteria, leaving it, at least for now, to local districts to manage. DOW is working on establishing criteria for career readiness certificate, and a transcript structure for work-based learning.

2. First and Second Reading – The following are revised policies due to the changes in the law and Title IX requirements. The policies have been reviewed by the District’s attorney.

- a. **ACAA – Harassment and Sexual Harassment of Students** – Harassment of students because of age, sex, gender identity, sexual orientation, race, creed, color, ancestry or national origin, marital status, familial status, physical or mental disability, religion or economic status is prohibited. Such conduct is a violation of Board policy and may constitute illegal discrimination under state and federal laws.

School employees, fellow students, volunteers, visitors to the schools, and other persons with whom students may interact in order to pursue or engage in education programs and activities, are required to refrain from such conduct.

Harassment and sexual harassment of students by school employees is considered grounds for disciplinary action, up to and including discharge. Harassment and sexual harassment of students by other students is considered grounds for disciplinary action, up to and including expulsion. The Superintendent will determine appropriate sanctions for harassment of students by persons other than school employees and students.

- b. **ACAA-R – Student Discrimination and Harassment Complaint Procedure** – The Board has adopted these student procedures in order to provide prompt and equitable resolution of reports and complaints of unlawful discrimination and harassment of students, including sexual harassment, as described in policies AC – Nondiscrimination/Equal Opportunity and Human Rights and ACAA – Harassment and Sexual Harassment of Students.

Complaints alleging harassment or discrimination against employees or third parties based on a protected status should be addressed through the Board’s Employee & Third-Party Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures (ACAB-R).



DOVER SCHOOL DISTRICT

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Superintendent's Board Report Monday, September 14, 2020

Any individual who is unsure about whether unlawful discrimination or harassment has occurred and/or or which complaint procedure applies is encouraged to contact the Human Rights Officer (or HRO)/Title IX Coordinator.

- c. **AC – Nondiscrimination Equal Opportunity** - AC was retitled and revised to reflect the 2019 passage of SB263, 2019 N.H. Laws Ch. 282, which among other things: (1) identifies education as a civil right protected under RSA 354-A; (2) expanded (or clarified) the list of classes protected against discrimination under the law; (3) created specific right of claimants or the state attorney General's office to bring discrimination complaints to the NH Human Rights Commission and Superior Court, and (4) requires each district to adopt a policy that sets the framework for developing a coordinated plan to prevent and address incidents of discrimination.
- d. **ACAB – Harassment and Sexual Harassment of School Employees** – Harassment of school employees because of sex, gender identity, sexual orientation, race, creed, color, ancestry or national origin, marital status, familial status, physical or mental disability, religion, or genetic information are prohibited. Such conduct is a violation of Board policy and may constitute illegal discrimination under state and federal laws.

Any employee who engages in harassment or sexual harassment shall be subject to disciplinary action, up to and including discharge.

- e. **ACAB-R – Employee and Third-Party Discrimination and Harassment Complaint Procedures** – The Board has adopted these employee procedures in order to provide prompt and equitable resolution of employee complaints of discrimination and harassment, including sexual harassment, as described in policies AC – Nondiscrimination/Equal Opportunity and ACAB – Harassment and Sexual Harassment of School Employees.

The complaint procedure in Section 2 may also be used, to the extent applicable, by visitors, including parents, volunteers and others having lawful access to the schools who wish to make a complaint of discrimination or harassment.

Complaints alleging harassment or discrimination against students based on a protected category should be addressed through the Board's Student Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures (ACAA-R).

Any individual who is unsure about whether discrimination or harassment has occurred and/or or which complaint procedure applies is encouraged to contact the Human Rights Officer (or HRO)/Title IX Coordinator.



DOVER SCHOOL DISTRICT

EMPOWERING ALL LEARNERS!

Superintendent's Board Report Monday, September 14, 2020

- f. **GBA – Equal Opportunity Employment – (Withdrawal)** - Former Policy GBA needs to be withdrawn – replaced and recoded by Policy AC – Non-Discrimination, Equal Opportunity Employment and District Anti-Discrimination Plan.
- g. **GDB – Employment of Non Certified Personnel - (New)** – The intent is to decrease the possibility of outdated policies in the wake of several legislative changes to protected classes in the past few years.

J. **POLICY ADOPTION:** None

K. **RESOLUTIONS:** None

L. **OLD BUSINESS:** None

M. **NEW BUSINESS**

- 1. **Research Request – Only Buchbinder, University of New Hampshire: Investigation of Beginning, Teachers' Expertise to Teach Mathematics via Reasoning and Proof** – The appropriate protocols are in place. This is an extension of a study that was approved on March 13, 2017. I recommend the Board approve the extension.
- 2. **Facilities Usage** – The Administration seeks direction from the Board on the use of school facilities while the District status is virtual learning. The COVID-19 Protocols Section C – Limits to Building Access and Facilities Use states the following:

Restrictions on building use and access are recommended to minimize exposure for students and staff. Schools will only be utilized by students and staff to the extent practical.

- 1. The most recent restrictions on entry, access, and use of any room or school facility needs to be followed. Please refer to the City of Dover's Director of Emergency Management for the most recent information.
- 2. Non-essential visitors will not be permitted in our schools, essential visitors will be required to wear masks while following entrance procedures.
- 3. Vendors and service contractors will be allowed entry by appointment only. All individuals will be required to wear a mask and sign in at the appropriate entrance. Proper entrance procedures will need to be followed.
- 4. Signs will be posted at the entrance of each of the schools identifying the COVID-19 symptoms as well as the restrictions for access to the building.
- 5. Family communication should be done through email, telephone, video conferencing, or other electronic means as a primary way of communicating. Parents/Guardians must schedule



DOVER SCHOOL DISTRICT

EMPOWERING ALL LEARNERS!

Superintendent's Board Report Monday, September 14, 2020

appointments to enter a school facility for essential reasons only. Upon entering the school, the parents/guardians will be required to wear a mask and follow entrance procedures.

6. Large rooms like gymnasiums, auditoriums, and locker rooms may have limited occupancy per current guidelines.
7. Dover's Director of Emergency Management can determine the use of a school and their common areas during and after school based on needs and guidelines. Some examples include but are not limited to, a school can be used as a poll station, an emergency shelter, or as a location to promote public health.

Several organizations have requested the use of the Dover High School Parking Lot and restrooms for community events. To date, the administration has denied the requests. It is our belief the large venues on school property will send a mixed message when use of the school facilities are being restricted while on virtual learning. It is our hope not to send mixed messages to the community.

3. **Spectators at Fall Athletic Events** – Peter Wotton, Athletic Director, will share his recommendations to the Board. On September 10, Mr. Wotton reviewed his recommendation with the Dover Schools Medical Advisory Council. The following was noted by the Medical Advisory Council:

- ✓ Start slow and gradually add spectators
- ✓ Limit size
- ✓ Require masks and distancing

The Medical Council felt it was not a medical issue, but enforcement issue. It is important if spectators are allowed that protocols and procedures are followed. If the spectators are noncompliant, play should be stopped. The larger group of spectators, the more difficult it will become to manage and maintain the proper protocols.

4. **COVID-19 Pandemic Three-Week Assessment Window** – The start of the Phase 1 of Priority Students was delayed one week due to arrival of PPE and the fitting for the N95 Masks. The start of Phase 1 of Priority Students will be on Monday, September 21. The current COVID-19 Metric Chart will be shared with the Board.

SUPERINTENDENT'S SUMMARY REPORT – AUGUST 2020

COVID-19 – As reported in previous months, August was dominated in continuing the planning and preparation for the start of the 2020-2021 academic year. The major decisions and planning completed in August was inclusive of the following.

1. Decision by the Board to start the school year virtually with the phasing in of priority groups.
2. Establishment of a three-week assessment window.
3. Establishing the expectations that faculty and staff would work in the schools with exceptions made for qualifying ADA and FMLA and childcare.



DOVER SCHOOL DISTRICT

EMPOWERING ALL LEARNERS!

Superintendent's Board Report Monday, September 14, 2020

4. Metric was developed to provide guidance for the phase-in process and moving towards face-to-face instruction. Dr. Harvey has provided guidance for the Board.
5. Board adopted COVID-19 Protocols, Maintenance and Cleaning Protocols, and Fall Sports Protocols.
6. Board approved moving forward with the Fall Athletic Program.
7. Adjustment in substitute pay for nurses was made by the Board to provide the possibility of recruiting and retaining substitute nurses for the District. During the COVID-19 pandemic, having nurses in the schools is essential to the safe operation of the school.
8. Professional development program was developed for the six teacher work days prior to the start of the students' school year on September 10.
9. Planning for the first phase-in of priority students was initiated.
10. Weekly updates to Families and Community Members and Staff were published each Friday and will continue.
11. Series of video messages were prepared for Channel 22 pertaining to the opening of school.

The Leadership Team, teachers, and support staff are to be commended on their efforts to plan for the 2020-2021 school year. Throughout the summer, it has been noted, that the COVID-19 pandemic presents a variety of complexities for planning and preparing. It is an ongoing process as the District continues to move forward.

The Administration may have additional updates to provide at the September 14th Board Meeting.