

## SCHOOL ADMINISTRATIVE UNIT 79

JI

### STUDENT RIGHTS AND RESPONSIBILITIES

Student rights and responsibilities shall be published in the Parent-Student Handbook, and will be made available in another language or presented orally upon request. Student disciplinary procedures will be implemented pursuant to the provisions of Board Policies JIA and JICD.

**Legal References:**

*RSA 198:15, Regulations*

*NH Code of Administrative Rules, Section Ed 306.04 (a) (3), Student Discipline*

*NH Code of Administrative Rules, Section Ed 306.04 (f), Student Discipline*

*NH Code of Administrative Rules, Section Ed 317.04 (b), Disciplinary Procedures*

1<sup>st</sup> Reading: January 26, 2009

2<sup>nd</sup> Reading: February 9, 2009

Adopted: February 9, 2009

*Category R**See also JICD*

## STUDENT CONDUCT

All student behavior must be based on respect and consideration for diversity and the rights of others.

Students have the further responsibility to behave in a manner appropriate to good citizenship everywhere. This includes respectful use of language and behavior that avoids ethnic, racial, and sexual stereotypes and biases. Insults, force or sarcasm shall not be used.

Students have a responsibility to know and respect the rules and regulations of the school.

Students shall receive annually at the opening of school a publication listing the rules and regulations to which they are subject. Such publication will be made available in another language or presented orally upon request.

***Legal References:***

*RSA 189:15, Regulations*

*NH Code of Administrative Rules, Section Ed. 306.04 (f) (4), Student Discipline*

*NH Code of Administrative Rules, Section Ed. 306.04, Culture and Climate*

*NH Code of Administrative Rules, Section Ed. 306.04 (b), Disciplinary Procedures*

Revised: October 2005

## SCHOOL ADMINISTRATIVE UNIT 79

JICD

### **STUDENT CONDUCT, DISCIPLINE AND DUE PROCESS – Safe School Zone**

Inappropriate student conduct that causes material and substantial disruption to the school environment, interferes with the rights of others, or presents a threat to the health and safety of others will not be tolerated. Students are expected to exhibit appropriate classroom behavior that allows teachers to communicate and educate effectively.

Students will conduct themselves in a manner fitting to their age level and maturity and with respect and consideration for the rights of others while on school district property or property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district. Consequences for the misconduct will be fair and developmentally appropriate in light of the circumstances.

Students who fail to abide by this policy and the administrative regulations supporting it may be disciplined for conduct which disrupts or interferes with the education program; conduct which disrupts the orderly and efficient operation of the school district or school activity; conduct which disrupts the rights of other students to participate in or obtain their education; conduct that is violent or destructive; or conduct which interrupts the maintenance of a disciplined atmosphere. Disciplinary measures include, but are not limited to, removal from the classroom, detention, suspension, probation and expulsion.

Suspension can be defined as, but not limited to, an in-school suspension, an out-of-school suspension, a restriction from activities or loss of eligibility. An in-school suspension means the student will attend school but will be temporarily isolated from one or more classes while under supervision. An in-school suspension will not exceed ten consecutive school days. An out-of-school suspension means the student is removed from the school environment, which includes school classes and activities. An out-of-school suspension will not exceed ten days. A restriction from school activities means a student will attend school and classes and practice but will not participate in school activities.

Probation means a student is given a conditional suspension of a penalty for a definite period of time in addition to being reprimanded. The conditional suspension will mean the student must meet the conditions and terms of the suspension of the penalty. Failure of the student to meet these conditions and terms will result in immediate reinstatement of the penalty.

Expulsion means an action by the Board to remove a student from the school environment, which includes, but is not limited to, classes and activities, for a period of time set by the Board.

## SCHOOL ADMINISTRATIVE UNIT 79

JICD

### STUDENT CONDUCT, DISCIPLINE AND DUE PROCESS – Safe School Zone (CON'T)

Due process in accordance with all applicable laws will be afforded to any student involved in a proceeding that may result in suspension, restriction, or expulsion. Students expelled from school may be reinstated by the Board under the provisions of RSA 193:13.

The Superintendent may modify expulsion requirements as provided in RSA 193:14, IV.

Students receiving special education services will be disciplined in accordance with the student's IEP and all applicable provisions of the Individual With Disabilities Education Act (IDEA).

At all times, students are required to conduct themselves in accordance with behavioral standards set forth in Policy JIC and all other applicable Board policies.

Students are parents will be notified annually of this policy.

#### **Legal References:**

*RSA 193:13, Suspension & Expulsion of Pupils*

*NH Code of Administrative Rules, Section Ed 306.04 (a) (3), Student Discipline*

*NH Code of Administrative Rules, Section Ed 306.04 (f), Student Discipline*

*NH Code of Administrative Rules, Section Ed 317.04 (b), Disciplinary Procedures*

1<sup>st</sup> Reading: January 26, 2009

2<sup>nd</sup> Reading: February 9, 2009

Adopted: February 9, 2009

Reviewed: November 8, 2011

## SCHOOL ADMINISTRATIVE UNIT 79

JICFA

### HAZING

It is the policy of the District that no student or employee of the District shall participate in or be members of any secret fraternity or secret organization that is in any degree related to the school or to a school activity. No student organization or any person associated with any organization sanctioned by the Board of Education shall engage or participate in hazing.

For the purposes of this policy, hazing is defined as an activity which recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization sanctioned or authorized by the Board of Education.

“Endanger the physical health” shall include, but is not limited to, any brutality of a physical nature, such as whipping; beating; branding; forced calisthenics; exposure to the elements; forced consumption of any food, alcoholic beverage, drug or controlled dangerous substance; or any forced physical activity which could adversely affect the physical health or safety of the individual.

“Endanger the mental health” shall include any activity, except those activities authorized by law, which would subject the individual to extreme mental stress, such as prolonged sleep deprivation, forced prolonged exclusion from social contact which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual.

Any hazing activity upon which the initiation or admission into or affiliation with an organization sanctioned or authorized by the Board of Education is conditioned, directly or indirectly, shall be presumed to be a forced activity, even if the student willingly participates in such activity.

This policy is not intended to deprive School District authorities from taking necessary and appropriate disciplinary action toward any student or employee. Students or employees who violate this policy will be subject to disciplinary action which may include expulsion for students and employment termination for employees.

A copy of this policy will be furnished to each student and teacher in the School District.

**Legal References:**

*RSA 631:7, Student Hazing*

1<sup>st</sup> Reading: January 26, 2009

2<sup>nd</sup> Reading: February 9, 2009

Adopted: February 9, 2009

## SCHOOL ADMINISTRATIVE UNIT 79

JICI

### **PROCEDURAL GUIDELINS FOR PROHIBITING WEAPONS ON SCHOOL PROPERTY IN ACCORDANCE WITH RSA 193:13**

Weapons are not permitted on school property at any time. Visitors, faculty, staff and students are strictly prohibited from bringing any weapon, whether visible or concealed, into any school building, onto school property or a school bus, or to any school-sponsored event.

The term “weapons” includes, but is not limited to, firearms (rifles, pistols, revolvers, pellet guns, BB guns, etc) knives, slingshots, metallic knuckles, firecrackers, billies, stilettos, switchblade knives, sword canes, pistol canes, black jacks, daggers, dirk knives, or any other substance, object or thing which, in the manner it is used, or threatened to be used, is known to be capable of producing death or bodily injury.

A violation of this policy by any person, with respect to any weapon, will result in an immediate report to the principal, who shall in turn notify the police. A student violation of this policy will result in immediate confiscation of the weapon and notice to the student’s parents or guardians. If the student violation involves a firearm, the superintendent shall expel that student from school in accordance with the mandates of RSA 193:13 and Elementary and Secondary Education Act.

The superintendent of schools, or designee, shall have the authority, pursuant to RSA 193:13 III, to grant written authorization to a student to possess a firearm or other weapon on school property. Any such authorization shall be requested in writing by the student and shall also be signed by a parent or guardian. The authorization shall be issued in advance of the possession. Any such authorization shall identify the student, the weapon or firearm, the purpose of the possession, and time frame(s) of the authorization.

The only persons who are exempt from this policy are law enforcement personnel.

Adopted: December 29, 1994

Revised: July 16, 2007

## SCHOOL ADMINISTRATIVE UNIT 79

JICI

### WEAPONS ON SCHOOL PROPERTY

Weapons are not permitted on school property, on school vehicles or at school-sponsored activities. Student violations of this policy will result in both school disciplinary action and notification of the police. Suspension or expulsion from school could result.

The term “weapons” includes, but is not limited to, firearms (rifles, pistols, revolvers, pellet guns, BB guns, etc) knives, slingshots, metallic knuckles, firecrackers, billies, stilettos, switchblade knives, sword canes, pistol canes, black jacks, daggers, dirk knives, explosives, incendiaries, martial arts weapons (as defined by RSA 159:24), self-defense weapons (as defined by RSA 159:20) or any other substance, object or thing which, in the manner it is used, or threatened to be used, is known to be capable of producing death or bodily injury.

In addition, any student who is determined to have brought a firearm (as defined by 18 US 921) to school will be expelled for not less than one year (365 days). This expulsion may be modified by the Superintendent upon review of the specific case in accordance with other applicable law.

Weapons under control of law enforcement personnel are permitted.

All students will receive written notice of this policy at least once each year.

#### Legal Reference:

18 U.S.C.A. 921 – 924

RSA 193-D Safe School Zones

RSA 193:13 Suspension and Expulsion of Students

NH Code of Administrative Rules, Section Ed. 317 Standards and procedures for suspension and expulsion of pupils including procedures assuring due process

NCLB 20 U.S.C.A. 7139 et seq.

Appendix JICD-R

JICI-R

Adopted: December 29, 1994

Revised: February, 2005

Reviewed: July 16, 2007

Reviewed: August 24, 2009

## **SCHOOL ADMINISTRATIVE UNIT 79**

**JICI-a**

### **REPLICA GUN POLICY**

No toy, imitation or replica weapons of any kind, including guns and knives, will be permitted or be in the possession of a student, on school premises, at school sponsored events and/or at school related events, including athletic games or school buses or other transportation. Items such as these will be confiscated and may result in suspension or expulsion if they are determined by the principal of the school to be in violation of this Expulsion Policy.

The use or possession of any such toy, imitation or replica weapon or instrument, by a student in a threatening way or used or possessed to give the appearance of being a dangerous weapon that could cause death or great bodily harm, may result in expulsion.

Adopted: July 16, 2007  
Reviewed: August 24, 2009



PUPIL SAFETY AND VIOLENCE PREVENTION

**I. Definitions** ( RSA 193-F:3 )

1. **Bullying.** Bullying is hereby defined as a single significant incident or a pattern of incidents involving a written, verbal, or electronic communication, or a physical act or gesture, or any combination thereof, directed at another pupil which:
  - (1) Physically harms a pupil or damages the pupil's property;
  - (2) Causes emotional distress to a pupil;  
For the purposes of this policy, the term "emotional distress" means distress that 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.
  - (2) Interferes with a pupil's educational opportunities;
  - (4) Creates a hostile educational environment;  
For the purposes of this policy, the term "hostile educational environment" as an environment resulting from conduct that is so severe, pervasive and objectively offensive that it affectively denies equal access to educational programming and opportunities.
  - (5) Substantially disrupts the orderly operation of the school.

Bullying shall also 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.

2. **Cyber Bullying.** Cyber bullying is defined as any conduct defined as "bullying" in this policy that is undertaken through the use of electronic devices. For purposes of this policy, any references to the term bullying shall include cyber bullying.
3. **Electronic devices.** Electronic devices include, but are not limited to, telephones, cellular phones, computers, pagers, electronic mail, instant messaging, text messaging, and websites.
4. **Perpetrator.** Perpetrator means a pupil who engages in bullying or cyber bullying.
5. **School property.** School property means all real property and all physical plant and equipment used for school purposes, including public or private school buses or vans.

PUPIL SAFETY AND VIOLENCE PREVENTION  
(Continued)

6. Victim. Victim means a pupil against whom bullying or cyber bullying has been perpetrated.

**II. Statement Prohibiting Bullying or Cyber Bullying of a Pupil** ( RSA 193-F:4, II ( a ) )

The Board is committed to providing all pupils a safe and secure school environment. This policy is intended to comply with RSA 193-F. Conduct constituting bullying and/or cyber bullying will not be tolerated and is hereby prohibited.

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

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

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

**III. Statement prohibiting retaliation or false accusations** ( RSA 193-F:4, II ( b ) )

False Reporting

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

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

Reprisal or Retaliation

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

1. The consequences and appropriate remedial action for a student, teacher, administrator, volunteer, or other employee who engages in reprisal or retaliation shall be determined by the Principal after consideration of the nature, severity and circumstances of the act, in accordance with law, Board policies and any applicable collective bargaining agreements.

**PUPIL SAFETY AND VIOLENCE PREVENTION  
(Continued)**

2. Any student found to have engaged in reprisal or retaliation in violation of this policy shall be subject to measures up to, and including, suspension and expulsion.
3. Any teacher, administrator, volunteer, or other employee found to have engaged in reprisal or retaliation in violation of this policy shall be subject to discipline up to, and including, termination of employment.
4. Any school volunteer found to have engaged in reprisal or retaliation in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds.

Process To Protect Pupils From Retaliation

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

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

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

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

**V. Disciplinary Consequences For Violations of This Policy** ( RSA 193-F:4, II ( d ) )

The district reserves the right to impose disciplinary measures against any student who commits an act of bullying, falsely accuses another student of bullying, or who retaliates against any student or witness who provides information about an act of bullying.

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

Staff and Volunteers

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

Students

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

PUPIL SAFETY AND VIOLENCE PREVENTION  
(Continued)

Students will participate in an annual education program which sets out expectations for student behavior and emphasizes an understanding of harassment, intimidation, and bullying of students, the District's prohibition of such conduct and the reasons why the conduct is destructive, unacceptable, and will lead to discipline. Students shall also be informed of the consequences of bullying conduct toward their peers.

The Superintendent, in consultation with staff, may incorporate student anti-bullying training and education into the district's curriculum, but shall not be required to do so.

Parents

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

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

At each school, the Principal shall be responsible for receiving complaints of alleged violations of this policy.

Student Reporting

1. Any student who believes he or she has been the victim of bullying should report the alleged acts immediately to the Principal. If the student is more comfortable reporting the alleged act to a person other than the Principal, the student may tell any school district employee or volunteer about the alleged bullying.
2. Any school employee or volunteers who witnesses, receives a report of, or has knowledge or belief that bullying may have occurred shall inform the Principal as soon as possible, but no later than the end of that school day.
3. Although students, parents, volunteers and visitors may report anonymously, formal disciplinary action may not be based solely on an anonymous report. Independent verification of the anonymous report shall be necessary in order for any disciplinary action to be applied.
4. Upon receipt of a report of bullying, the Principal shall commence an investigation consistent with the provisions of Section XI of this policy.

Staff Reporting

1. An important duty of the staff is to report acts or behavior that they witness that appears to constitute bullying.
2. Any school employee or volunteers who witnesses, receives a report of, or has knowledge or belief that bullying may have occurred shall inform the Principal as soon as possible, but no later than the end of the school day.

PUPIL SAFETY AND VIOLENCE PREVENTION  
(Continued)

3. Upon receipt of a report of bullying, the Principal shall commence an investigation consistent with the provisions of Section XI of this policy.

**VIII. Procedure for Internal Reporting Requirements** (RSA 193-F:4, II ( g ) )

In order to satisfy the reporting requirements of RSA 193-F:6, the Principal or designee shall be responsible for completing all New Hampshire Department of Education forms and reporting documents of substantiated incidents of bullying.

**VIII. Procedure for Internal Reporting Requirements** ( RSA 193-F:4, II ( g ) )

In order to satisfy the reporting requirements of RSA 193-F:6, the Principal or designee shall be responsible for completing all New Hampshire Department of Education forms and reporting documents of substantiated incidents of bullying.

**IX. Notifying Parents of Alleged Bullying** (RSA 193-F:4, II(h))

The Principal shall report to the parents of a student who has been reported as a victim of bullying and to the parents of a student who has been reported as a perpetrator of bullying within 48 hours of receiving the report. All notifications shall be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

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

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

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

1. Upon receipt of a report of bullying, the Principal shall, within 5 school days, initiate an investigation into the alleged act. If the Principal is directly and personally involved with a complaint or is closely related to a party to the complaint, then the Superintendent shall direct another district employee to conduct the investigation.
2. If the alleged bullying was in whole or in part cyber bullying, the Principal may ask students and/or parents to provide the District with printed copies of e-mails, text messages, website pages, or other similar electronic communications.
3. A maximum of ten (10) school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.

**PUPIL SAFETY AND VIOLENCE PREVENTION  
(Continued)**

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

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

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of bullying or retaliation may range from positive behavioral interventions up to and including suspension or expulsion of students and dismissal from employment for staff members.

Consequences for a student who commits an act of bullying or retaliation shall be varied and graded according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. Remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim, and take corrective action for documented systematic problems related to bullying.

In support of this policy, the Board promotes preventative educational measures to create greater awareness of aggressive behavior, including bullying. The Board encourages the Superintendent to work collaboratively with all staff members to develop responses other than traditional discipline as a way to remediate substantiated instances of bullying.

**XIII. Reporting of Substantiated Incidents to the Superintendent** ( RSA 193-F:4, II ( 1 ) )

The Principal shall forward all substantiated reports of bullying to the Superintendent upon completion of the Principal's investigation.

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

1. Within two school days of completing an investigation, the Principal will notify the students involved in person of his/her findings and the result of the investigation.
2. In accordance with the Family Educational Rights and Privacy Act and other law concerning student privacy, the District will not disclose educational records of students including the discipline and remedial action assigned to those students and the parents of other students involved in a bullying incident.

**XV. Appeal**

1. For non-disciplinary remedial actions where no other review procedures govern, the parents of the pupils involved in the bullying shall have the right to appeal the Principal's

**PUPIL SAFETY AND VIOLENCE PREVENTION  
(Continued)**

decision to the Superintendent in writing within five (5) school days. The Superintendent shall review the Principal's decision and issue a written decision within ten (10) school days. If the aggrieved party is still not satisfied with the outcome, the aggrieved party may file a written request for review by the School Board within ten (10) school days of the Superintendent's decision. The School Board will adhere to all applicable New Hampshire Department of Education administrative rules.

2. The procedures under RSA 193:13, Ed 317, and District policies establish the due process and appeal rights for students disciplined for acts of bullying.
3. The School Board or its designee will inform parents of any appeal rights they may have to the New Hampshire State Board of Education.

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

The Superintendent of schools is responsible for ensuring that this policy is implemented. In order to facilitate the implementation of this policy, the Superintendent may establish further administrative rules or regulations.

**XVII. Use of Video Recordings in Student Discipline Matters**

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

In the event a video recording is used as part of a student discipline proceeding, such video may become part of a student's education record. If a video recording does become part of a student's education record, the provisions of Policy JRA shall apply.

The Superintendent is authorized to contact the District's attorney for a full legal opinion relative in the event of such an occurrence.

**Legal References:**

*RSA 193-F:3, Pupil Safety and Violence Prevention Act*

*RSA 570-A:2, Capture of Audio Recordings on School Buses Allowed*

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

Revised: July 2004, August 2006, May 2008

Revised as a result of Legislation effective July 1, 2010

1<sup>st</sup> Reading: August 10, 2010, October 12, 2010, November 9, 2010

2<sup>nd</sup> Reading: December 14, 2010

Adopted: December 14, 2010

## SCHOOL ADMINISTRATIVE UNIT 79

JICL

### **SCHOOL DISTRICT INTERNET ACCESS FOR STUDENTS**

The School Board recognizes that technological resources can enhance student performance by offering effective tools to assist in providing a quality instructional program, facilitating communications with parents/guardians, teachers, and the community, supporting District and school operations, and improving access to and exchange of information. The Board expects all students to learn to use the available technological resources that will assist them in the performance of their education. As needed, students shall receive lessons and instruction in the appropriate use of these resources.

Students shall be responsible for the appropriate use of technology and shall use the District's technological resources primarily for purposes related to their education. Students are hereby notified that there is no expectation of privacy on district computers, computer files, email, internet usage logs, and other electronic data.

The Superintendent or designee shall ensure that all District computers with Internet access have a technology protection measure that prevents access to visual depictions that are obscene or pornographic and that the operation of such measures is enforced. The Superintendent or designee may disable the technology protection measure during use by an adult to enable access for bona fide research, educational or other lawful purpose.

The Superintendent shall establish administrative regulations and an Acceptable Use Agreement that outlines student obligations and responsibilities related to the use of District technology. He/she also may establish guidelines and limits on the use of technological resources. Inappropriate use may result in a cancellation of the student's user privileges, disciplinary action, and/or legal action in accordance with law, Board policy, and administrative regulations.

The Superintendent or designee shall provide copies of related policies, regulations, and guidelines to all students. Students shall be required to acknowledge in writing that they have read and understood the District's Acceptable Use Agreement.

#### **Legal References:**

*RSA 194:3-d, School District Computer Networks*

*[47 U.S.C. §254](#), Requirements For Certain Schools – Internet Safety*

*[20 U.S.C. §6777](#), Enhancing Education Through Technology – Internet Safety*

1<sup>st</sup> Reading: October 8, 2013

2<sup>nd</sup> Reading: November 12, 2013

Adopted: November 12, 2013



**SEARCHES OF STUDENTS AND THEIR PROPERTY**

The superintendent, principal, security personnel of the school or other authorized personnel may detain and search any student or students on the premises of the public schools, or while attending, or while in transit to, any event or function sponsored or authorized by the school under the following conditions:

1. When an authorized person has reasonable suspicion that the student may have on the students' person or property alcohol; dangerous weapons; prohibited electronic devices; controlled dangerous substances as defined by law or stolen property if the property in question is reasonably suspected to have been taken from a student, a school employee, or the school during school activities; or any other items which have been or may reasonably be disruptive of school operations or in violation of student discipline rules and applicable provisions of the student handbook.
2. School lockers and school desks are the property of the school, not the student. Students who use school district lockers, desks, and other storage areas or compartments have no reasonable expectation of privacy from school employees as to the contents of those areas. Lockers, desks, and other storage areas or compartments may be subjected to searches at any time with or without reasonable suspicion. Students are not to use any school area or property to store anything that should not be at school. Students shall not exchange lockers or desks. Students shall not use any lockers or desks other than those assigned to them by the principal or designee. A shared locker or storage area implies shared responsibility.
3. Authorized personnel may conduct a search of the student's person or the student's belongings, as noted above, whenever a student freely and voluntarily consents to such a search. Consent obtained through threats or coercion is not considered to be freely and voluntarily given.
4. Strip searches are forbidden. No clothing except cold weather/outdoor garments and footwear will be requested to be removed before or during a search.
5. Authorized personnel conducting a search shall have authority to detain the student or students and to preserve any contraband seized. Contraband seized during the course of a search will be preserved and held in accordance with applicable administrative rules and procedures.
6. Any searches of students as outlined herein will be conducted by authorized personnel of the same sex as the student being searched. Whenever possible, two authorized persons shall be present during any search of a student or student property.

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**JIH**

**SEARCHES OF STUDENTS AND THEIR PROPERTY  
(Cont.)**

7. The superintendent is authorized to arrange for the use of trained canines to aid in the search process.
8. Items that may be seized during an unauthorized search, in addition to those mentioned in Paragraph 1 above, shall include but not be limited to, any item, object, instrument, or material commonly recognized as unlawful or prohibited by law or by district policy. For example: prescription or non-prescription medicines, switchblade knives, brass knuckles, billy clubs, and pornographic literature are commonly recognizable as unlawful or prohibited items. Such items, or any other items which may pose a threat to a student, the student body, or school personnel shall be seized, identified as to ownership if possible and held for release to proper authority.

In conducting searches of students and property, school officials should consult with legal counsel and law enforcement authorities to be aware of circumstances when involvement of the police is advisable and/or necessary.

Legal References:

NH Constitution, Pt.1, Art.19

State v. Drake, 139 NH 662 (1995)

State v. Tinkham, 143 NH 73 (1998)

1<sup>st</sup> Reading: December 10, 2010

2<sup>nd</sup> Reading: October 11, 2011

Adopted: October 11, 2011