

## SECTION G: PERSONNEL

Section G contains policies on all school employees except for the Superintendent (policies on the school chief are located in Section C, General Administration). The category is divided into three main divisions: GB has policies applying to all school employees or to general personnel matters; GC refers to instructional and administrative staff; and GD refers to support or classified staff.

<b>Code</b>	<b>Category</b>	<b>Title</b>
GA	R	Personnel Goals/Priority Objectives
GBA	R	Equal Employment Opportunity and Affirmative Action
GBAA	P	Sexual Discrimination & Harassment (Also JBAA)
GBB	O	Staff Involvement in Decision-Making
GBCD	P	Criminal History Records Check/Background Investigation (Also IJOC)
GBD	O	Communications with Staff (Also BHC)
GBE	R	Staff Rights and Responsibilities
GBEA	R	Staff Ethics/Conflict of Interest
GBEB	R	Personal Conflicts of Interest
GBEBB	O	Staff Conduct with Students (Also JICDAA)
GBEBC	O	Gifts to and Solicitations by Staff
GBEC	R	Drug-Free Workplace (Also ADB)
GBED	P	Tobacco-Free Workplace/No Smoking (Also ADC, & JICG )
GBG	R	Staff Welfare/Protection
GBGA	R	Staff Health
GBGAA	R	HIV/AIDS Policy (Also IHAMC & JLCCA )
GBJ	R	Personnel Records and Files
GBK	O	Staff Concerns/Complaints/Grievances
GCA	R	Professional Staff Positions
GCB	R	Professional Staff Contracts and Compensation
GCCAE	O	Instructional Staff Conferences/Training/Workshops
GCCBC	R	Administrative Staff Maternity/Paternity/Parental Leave (Family Medical Leave Act)
GCEB	O	Recruiting of Administrative Staff
GCF	R	Professional Staff Hiring
GCG	R	Part-Time and Substitute Professional Staff Employment

**SECTION G  
(continued)**

<b>Code</b>	<b>Category</b>	<b>Title</b>
GCH	O	Professional Staff Orientation and Training
GCI	R	Professional Staff Development Opportunities
GCID	O	Professional Staff Training, Workshops and Conferences
GCK	O	Professional Staff Assignments and Transfers
GCM	O	Professional Staff Work Load
GCNA	R	Supervision of Instructional Staff
GCO	R	Evaluation of Professional Staff
GCP	O	Professional Staff Promotion/Reclassification
GCQA	R	Instructional Staff Reduction in Force
GCQC	R	Resignation of Instructional Staff
GCQD	R	Voluntary/Involuntary Exit Policy and Procedure
GCQE	O	Retirement of Professional Staff
GCR	R	Non-School Employment of Professional Staff
GCRC	R	Staff Consulting Activities
GCRD	O	Tutoring for Pay
GDF	R	Support Staff Hiring
GDM	O	Support Staff Career Development
GDO	R	Evaluation of Support Staff

**Categories**

- O = Optional**      These policies should be reviewed to determine whether they meet a particular local need. Most are informational in nature.
- P = Priority**      The subject matter of these policies is required by state and/or federal law.
- R = Recommended**      While these policies are not required by law, they are highly recommended for effective and efficient school board operation.

### PERSONNEL POLICIES GOALS

The Board recognizes that a dynamic and efficient staff dedicated to education is necessary to maintain a constantly improving educational program. The Board is interested in its personnel as individuals, and it recognizes its responsibility for promoting the general welfare of the staff.

The Board's specific personnel goals are:

to recruit, select, and employ the best qualified personnel to staff the School system.

to provide staff compensation and benefits programs sufficient to attract and retain qualified employees.

to provide an in-service training program for all employees to improve their performance, and to improve the overall rate of retention and promotion of staff, including a work-site wellness program that encourages health promotion and disease prevention for employees and their families through attention to their physical, mental, and emotional well-being.

to conduct an employee appraisal program that will contribute to the continuous improvement of staff performance.

to assign personnel so as to ensure they are utilized as effectively as possible.

to effectively administer negotiated collective bargaining agreements.

to develop the quality of human relationships necessary to obtain maximum staff performance and satisfaction.

Adopted December, 1984

Revised: January, 1996

Revised: July, 1998

Approved: May, 2002

### **EQUAL OPPORTUNITY EMPLOYMENT**

The District will recruit and consider candidates without regard to age, race, color, Religion, country of origin, marital status, and sex. When there are opportunities for promotions and qualifications are equal, consideration will be given first to employees.

The District will employ individuals who meet the physical and mental requirements, and who have the education, training, and experience established as necessary for the performance of the job without regard to age, race, religion, country of origin, sex (except where sex is a bonafide occupational requirement), sexual preference and handicapping conditions, except for reasons related to ability to perform the requirements of the job.

Adopted: December, 1984

Revised: November, 1999

Revised: July, 1998

Approved: May, 2002

**SEXUAL HARASSMENT AND SEXUAL VIOLENCE**

**I. GENERAL STATEMENT OF POLICY**

Sexual harassment is a form of sex discrimination which violates Section 703 of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e, et seq., and Title IX. Sexual violence is a physical act of aggression that includes a sexual act or sexual purpose.

It is the policy of the District to maintain a learning and working environment that is free from sexual harassment and sexual violence. The District prohibits any form of sexual harassment and sexual violence.

It shall be a violation of this policy for any student or employee to harass a student or an employee through conduct or communication of a sexual nature as defined by this policy.

It shall be a violation of this policy for any student or employee to be sexually violent to a student or employee.

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

**II. SEXUAL HARASSMENT/SEXUAL VIOLENCE DEFINED**

A. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

1. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education; or
2. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or

**SEXUAL HARASSMENT AND SEXUAL VIOLENCE  
(continued)**

3. That conduct or communication has the purpose or effect of substantially or unreasonably interfering with a individual's employment or education, or creating an intimidating, hostile or offensive employment or education environment.

Any sexual harassment as defined when perpetrated on any student or employee by any student or employee will be treated as sexual harassment under this policy.

B. Sexual harassment may include but is not limited to:

1. verbal harassment and/or abuse of a sexual nature;
2. subtle pressure for sexual activity;
3. inappropriate patting or pinching;
4. intentional brushing against a student's or an employee's body;
5. demanding sexual favors accompanied by implied or overt threats concerning an individual's employment or educational status;
6. demanding sexual favors accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status;
7. any sexually motivated unwelcome touching; or
8. sexual violence which is a physical act of aggression that includes a sexual act or sexual purpose.

**SEXUAL HARASSMENT AND SEXUAL VIOLENCE  
(continued)**

III. REPORTING PROCEDURES

Any person who believes he or she has been the victim of sexual harassment or sexual violence by a student or an employee of the District, or any third person with knowledge or belief of conduct which may constitute sexual harassment or sexual violence should report the alleged acts immediately to an appropriate District official as designated by this policy. The District encourages the reporting party or complainant to use the report form available from the Principal of each building or available from the Superintendent's office.

A. In each building. The building Principal is the person responsible for receiving oral or written reports of sexual harassment or sexual violence at the building level. Upon receipt of a report, the Principal must notify the Superintendent immediately without screening or investigating the report. A written report will be forwarded simultaneously to the Superintendent. If the report was given verbally, the Principal shall reduce it to written form within 24 hours and forward it to the Superintendent. Failure to forward any sexual harassment or sexual violence report or complaint as provided herein will result in disciplinary action. If the complaint involves the building Principal, the complaint shall be filed directly with the Superintendent.

B. District-Wide. The Board hereby designates the Superintendent as the District Human Rights Officer to receive reports or complaints of sexual harassment and sexual violence from any individual, employee or victim of sexual harassment or sexual violence and also from the building Principals as outlined above. If the complaint involves the Superintendent, the complaint shall be filed directly with the School Board.

The District shall conspicuously post the name of the Human Rights Officer, including a mailing address and telephone number.

C. Submission of a complaint or report of sexual harassment or sexual violence will not affect the individual's future employment, grades or work assignments.

**SEXUAL HARASSMENT AND SEXUAL VIOLENCE  
(continued)**

D. Use of formal reporting forms is not mandatory. The District will respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed as much as possible, consistent with the School District's legal obligations and the necessity to investigate allegations of sexual harassment and sexual violence and take disciplinary action when the conduct has occurred.

**IV INVESTIGATION AND RECOMMENDATION**

By authority of the District, the Human Rights Officer, upon receipt of a report or complaint alleging sexual harassment or sexual violence shall immediately authorize an investigation. This investigation may be conducted by District officials or by a third party designated by the District. The investigating party shall provide a written report of the status of the investigation within 10 working days to the Superintendent. If the Superintendent is the subject of the complaint, the report shall be submitted to the Board.

In determining whether alleged conduct constitutes sexual harassment or sexual violence, the District should consider the surrounding circumstances, the nature of the sexual advances, relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes sexual harassment or sexual violence requires a determination based on all the facts and surrounding circumstances.

The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

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

**SEXUAL HARASSMENT AND SEXUAL VIOLENCE  
(continued)**

V. SCHOOL DISTRICT ACTION

A. Upon receipt of a recommendation that the complaint is valid, the District will take such action as appropriate based on the results of the investigation.

B. The complainant may appeal the investigations recommendations to the Superintendent (presuming the superintendent is not the investigation, or to the Board.

C. The result of the investigation of each complaint filed under these procedures will be reported in writing to the complainant by the School District. The report will document any disciplinary action taken as a result of the complaint.

VI. REPRISAL

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

VII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

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

**SEXUAL HARASSMENT AND SEXUAL VIOLENCE  
(continued)**

**VIII. SEXUAL HARASSMENT OR SEXUAL VIOLENCE AS SEXUAL ABUSE**

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

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

**IX. DISCIPLINE**

The School District will take such disciplinary action it deems necessary and appropriate, including warning, suspension or immediate discharge to end sexual harassment and sexual violence and prevent its recurrence.

**X. BY-PASS OF POLICY**

Any individual with a sexual harassment complaint may choose to bypass this Policy and accompanying regulation and proceed directly to: N.H. Commission on Human Rights, at 2 Chenelle Dr., Concord, NH, phone 603-271-2767 or Office of Civil Rights, Health and Human Services, Region #1 Room 2403, JFK Federal Building, Government Center, Boston Massachusetts 02203. 617-565-1340.

Administrative Rules

ED 303.01 (j), 1-9

Appendix: GBAA-R

JBAA-R

BBA-R

Adopted: October, 1993, November, 1999

Revised: July, 1998, November 1999

Approved: May, 2002

**EMPLOYEE INVOLVEMENT IN DECISION-MAKING**

The Superintendent shall establish channels for open communications with employees for ideas regarding the operation of schools.

The Superintendent may involve professional and support staff employees for the ready inter-communication of ideas regarding the operation of the schools. He/she will consider with care the counsel given by employees when appropriate, and shall inform the Board of all such counsel in presenting reports of administrative action and in presenting recommendations for Board action.

Revised: July, 1998

Approved: May, 2002

**BACKGROUND INVESTIGATION AND CRIMINAL RECORDS CHECK  
PURPOSE**

In an effort to protect the students and employees of the school districts and school administrative unit and to comply with New Hampshire State Statute, the school districts and school administrative unit will conduct background investigations and criminal records checks on prospective employees of the district/unit as herein described. The term "district" shall refer to the school districts and school administrative unit hereafter.

**BACKGROUND INVESTIGATION** -The Superintendent, or designee, shall conduct a thorough investigation into the past employment history, and other applicable background, of any person considered for employment with the district. This investigation shall be completed prior to making an offer of employment. In certain circumstances outlined later in this policy, the Superintendent, or designee, shall also conduct background investigations for volunteers prior to volunteering in the school and verify adherence with background investigation and criminal records check law by contracted services/schools prior to placing students in their care.

The Superintendent shall develop a background investigation protocol for use in completing a background investigation and shall keep a written record of all background investigations, which have been done. The log shall contain the applicant's name, date of initial and secondary mailing, and date of record receipt. No record shall be kept of the actual investigation and record check outcome.

As part of the application process, each applicant for a position shall be asked whether he / she has ever been convicted of any crime, and whether there are any criminal charges pending against him/her at the time of the application. To assist the applicant a copy of the "New Hampshire Criminal Statutes with Felony Penalties" shall be supplied with the application. The falsification or omission of any information on a job application or in a job interview, including, but not limited to, information concerning criminal convictions or pending criminal charges, shall be grounds for disqualification from consideration for employment or immediate discharge from employment.

**CRIMINAL RECORDS CHECK FOR EMPLOYEES** - Each person considered for employment by the Board whose duties require regular contact with students must submit to a State and FBI Criminal Records Check per NH State Statute prior to the start of employment.

**BACKGROUND CRIMINAL RECORDS  
(continued)**

Persons regularly in contact with students means a person or persons who, in the performance of his/her duties, 1) comes in direct contact with students on a daily basis for any period of time, 2) meets regularly, e.g., once or twice a week, with students, including, but not limited to, an art, music, or physical education teacher, 3) provides special education instruction and/or services, 4) a substitute teacher who comes in direct contact with students on a limited basis, or 5) any other persons whom the Superintendent believes, by virtue of their duties and contact with students, should appropriately undergo a Criminal Records Check. Any person seeking employment in the district and for whom the Board requires a Criminal Records Check shall be reimbursed for all fees and costs associated with the fingerprinting process per the following criteria:

1. The Criminal Records Check was successfully completed as determined by the Superintendent.
2. The applicant was still employed by the district at the end of the school year.

The district shall not transfer this information to other school districts. Nor shall the district accept criminal records check information previously conducted by other schools. The Superintendent is responsible to establish all necessary internal, procedures relative to the initiation and completion of the State and FBI Criminal Records Check.

**CRIMINAL RECORDS CHECK FOR VOLUNTEERS** -Volunteers by the nature of their function, frequency of service, and access to supervision may be subject to a background investigation and criminal records check. This policy is not meant to hinder the volunteer effort in our schools or on school sponsored field trips or activities.

In cases where a person volunteers to be regularly in the schools for a specified purpose, e.g., library aide, reading tutor, snack monitor, and such activities, this person shall be subject to a background investigation and criminal records check. Overnight school sponsored events shall also be subject to a background investigation and criminal records check. Regular volunteers will be subject to the same policy set forth for employees requiring the initiation of the background investigation and criminal records check prior to starting their volunteer assignment.

Persons that volunteer on a sporadic frequency, e.g., field trip monitor, book fair assistant, classroom guest, and such activities, shall not be subject to a background investigation and criminal records check as long as persons acting in such capacity are supervised by school staff at all times. The Superintendent shall designate the Building Principal to notify the SAU Office of any person acting in the capacity of a volunteer that may require a background investigation and criminal records check based on the above stated criteria.

**BACKGROUND CRIMINAL RECORDS CHECK**

**(continued)**

Volunteers subject to background investigation and criminal records checks shall be reimbursed for all fees and costs associated with the fingerprinting process upon successful completion of the process and approval of the Building Principal. The district shall not transfer this information to other school districts. Nor shall the district accept criminal records check information previously conducted by other schools.

**CRIMINAL RECORDS CHECK FOR SPECIAL EDUCATION** -Per the NH Department of Education (Technical Assistance Advisory: School Employee Background Investigation Including Criminal History Record Adopted July 28, 1997.) all New Hampshire approved nonpublic special education schools/programs shall be subject to the NH State Statute for background investigation and criminal records check.

The Superintendent shall designate the Special Services Coordinator to place all students requiring out-of-district program in an approved public or nonpublic special education school/ program. If student placement in a state approved public or nonpublic NH State School is not feasible, the Special Services Coordinator shall request permission from the Superintendent for such a placement contingent upon the receipt of a successful criminal records check per the guidelines of this policy or the written verification that the facility abides by the NH State Statutes regarding background investigation and criminal records checks per the guidelines of this policy.

The cost for background investigations and criminal records checks for employees or selected applicants for employment with such public or nonpublic state approved special education schools shall be borne by the receiving special education school and not the sending district.

**CRIMINAL RECORDS CHECK FOR CONTRACTED SERVICES** -Per NH Statute any self-employed person or employee or selected applicant for employment with private business and agencies which contract with the district, including but not limited to bus drivers, therapy providers, cafeteria workers, must have a successful background investigation and criminal records check conducted in accordance with guidelines set forth in this policy.

The Superintendent shall designate the Special Services Coordinator to verify ~ in writing that all special education contracted services providers have a successful criminal records check and have abided by the State Statutes

The Superintendent shall designate the Business Manager to verify in writing that all regular and extracurricular transportation and cafeteria contracted services providers have a successful criminal records check and have abided by the State Statutes regarding background investigations and criminal records checks and this policy.

**BACKGROUND CRIMINAL RECORDS CHECK**  
(continued)

The Superintendent shall require all Building Principals to request permission to contract services that regularly come in contact with students, other than those specified above. Upon Superintendent permission, it shall be the responsibility of the Superintendent or designee to obtain written verification that the contracted service has a successful criminal records check and has abided by the NH State Statutes regarding background investigation and criminal records checks and this policy.

The cost for background investigations and criminal records checks for any self-employed person or employees or selected applicants for employment with such contractors shall be borne by the self-employed person or contractor.

**CONDITIONAL EMPLOYMENT** -Persons who have been selected for, employment may be hired on a conditional basis, pending a successful completion of the State and FBI Criminal Records Check.

No selected applicant for employment shall be extended a conditional offer of employment until the Superintendent, or designee, has initiated the formal State and FBI Criminal Records Check process and has completed a background investigation.

Any person who is offered conditional employment, by way of individual contract or other type of letter of employment, will have clearly stated in such contract or letter of employment that his/her contract and continuation of employment is entirely conditioned upon the completion of a Criminal Records Check which is satisfactory to the district.

All persons employed under a conditional offer of employment may be covered under the district's health insurance and other insurance programs, at the sole discretion of the Board, and in accordance with Board policies and/or collective bargaining agreements, if applicable. However, any such coverage will immediately cease and will not be subject to extension under COBRA, if the Board does not tender the person a final offer of employment by reason of application of this Policy.

**FINAL ACCEPTANCE OF EMPLOYMENT, CONTRACT VOLUNTEER**

**STATUS** -A person who has been extended a conditional offer of employment, contract service, or volunteer status may be extended a final offer upon the completion of a Criminal Records Check, which is satisfactory to the Board.

No person with a conditional offer shall be extended a final offer shall be extended a final offer if such person has been convicted of the following offenses. as referenced in RSA 189:13-A,V: Capital, first degree, second degree murder , Manslaughter, Aggravated felonious, felonious sexual assault, Kidnapping, Incest, endangering welfare of child, or incompetent, indecent exposure and lewdness (partial elements of statute), prostitution and related offenses,

**BACKGROUND CRIMINAL RECORDS CHECK  
(continued)**

Child Pornography, computer pornography, certain uses of computer services, and (Obscene matter) offenses (where the act involves a child) in this State; or where such person has been convicted of the same conduct in another state, territory, or possession of the United States. In addition to the felonies and misdemeanors listed above, a person may be denied a final offer if he/she has been convicted of ANY FELONY. The Superintendent, or designee, will transmit this policy to the State Police who will then screen the criminal records check for any selected applicant for employment, contract service or designated volunteer and will notify the district whether the record of said selected applicant or designated volunteer contains ANY FELONY CONVICTIONS.

When the district receives a Criminal Records Check on a particular applicant which states a felony conviction, the Superintendent shall:

1. Verify the accuracy of such report with the NH State Police.
2. Check the employment application for disclosure of a felony conviction.

The Superintendent shall initiate an immediate investigation and decide case-by-case whether an applicant's felony conviction warrants rejection of his/her employment application. If the felony conviction warrants rejection of the employment application, the Superintendent shall dismiss said applicant within twenty-four (24) hours of the receipt of such report, excluding Saturdays, Sundays, or legally recognized holidays.

**STATUS OF CRIMINAL RECORDS DOCUMENTS** -Confidentiality of all criminal history investigations and records shall be maintained. In the event of a no record response, the district shall destroy the information immediately following review of the information. If the applicant has a conviction listed in RSA 189: 13-a, or per policy, the district shall destroy any conviction notice within 30 days of receipt.

**ADDITIONAL CRIMINAL RECORDS CHECKS** -The Board may require a Criminal Records Check of any employee at any time

Statutory Reference: RSA 189:13-a

Appendix: GBCD-R, GBCD-R-1

Revised: July, 1998; November, 1999 with addition of updated Technical Assistance Advisory

Adopted: September, 2000

Approved: May, 2002

**NEW HAMPSHIRE CRIMINAL STATUTES WITH FELONY  
PENALTIES**

(Inchoate Crimes) ~ Attempt- penalty same as crime attempted, except murder-  
Criminal Solicitation - same as crime solicitudes, except murder. Class A Felony.  
Conspiracy - same as crime object of conspiracy, except murder. Class A Felony.  
First Degree Assault - Class A Felony.  
Second Degree Assault - Class B. Felony. .-  
Reckless Conduct - (if use of a deadly weapon) Class B. Felony.  
Criminal Threatening- (if use of a deadly weapon) Class B Felony.  
Criminal Restraint - Class B Felony.  
Stalking - (subsequent convictions) Class B .Felony  
Interference with Custody - Class B Felony. - Class A & B Felony.  
Criminal Mischief - (over \$1 K) Class B Felony.  
Burglary - Class A & B Felony.  
Interference with Cemetery or Burial Grounds - Class B Felony.  
Unlawful Possession or Sale of Gravestones or Gravesite Items Class B Felony.  
Robbery - Class A & B Felony.  
Theft - (\$1 K+; Firearm; or actor armed w/deadly weapon) Class A; (\$500-\$999;  
or convicted 2+ times) Class B Felony.  
Forgery - Class B Felony.  
Fraudulent Handling of Recordable Writings - Class B Felony.  
Bad Checks- (\$1 K+) Class A Felony; (\$500-\$~99) Class B Felony.  
Fraudulent Credit Card- Class A & B Felony.  
Fraudulent Communications Paraphernalia - Class B Felony.  
Commercial Bribery - Class A & B Felony.  
Sports Bribery - Class A & B Felony.  
Fraud on Women. Infants. and Children Programs - Class A & B Felony.  
Computer Crime - Class A & B Felony.  
Insurance Fraud- Class A & B Felony.  
Possession or Use - Class 8 Felony.  
(Same as Above) Traffic and Manufacture: Exclusions- Class B Felony.  
Bigamy - Class B Felony.  
Incest - Class B Felony.  
Endangering the Welfare of a Child or Incompetent - Class B Felony.  
Concealing Death of a Newborn - Class B felony.  
Bribery in Official and Political Matters - Class B Felony.  
Improper Influence - Class B Felony.

**NEW HAMPSHIRE CRIMINAL STATUTES WITH FELONY PENALTIES**

Perjury - Class B Felony  
Tampering with a Witness & Informants - Class B Felony  
Falsifying Physical Evidence - Class B Felony  
False Filing with the Director of Charitable Trusts - (murder is Class A); Class B Felony.  
Escape - (use of a firearm is Class A); Class B Felony.  
Implements for Escape and Other Contraband - Class B Felony.  
Assaults by Prisoners - Class A & B Felony.  
Riot - Class B Felony.  
False Alarms Resulting in Injury or Death - Class B Felony.  
Unlawful Interference w/ Fire Arm Apparatus - Class B Felony.  
Cruelty to Animals - Class B Felony.  
Exhibitions of Fighting Animals - Class B Felony.  
Maiming or Causing the Death of or Willful Interference w/Police Dogs or Horses - Class B Felony.  
Willful Interference w/Organizations or Projects Involving Animals or w/Animal Facilities - Class B Felony  
Indecent Exposure & Lewdness - {second offense), Class B Felony.  
Prostitution and Related Offenses - Class B Felony.  
Child Pornography - Class B Felony.  
Obscene Matter- Class B Felony.  
Felonious Use of a Firearm - Class A & B Felony.  
Felonious Use of Body Armor - Class B Felony.

## **BOARD-EMPLOYEE COMMUNICATIONS**

The Board desires to maintain open channels of communication between itself and the staff. The basic line of communication will, however, be through the Superintendent of Schools.

### **Staff Communications to the Board**

All communications or reports to the Board or any Board committee from Principals, supervisors, teachers, or other staff members shall be submitted through the Superintendent.

### **Board Communications to Staff**

All official communications, policies, and directives of staff interest and concern will be communicated to staff members through the Superintendent, and the Superintendent will employ all such media as are appropriate to keep staff fully informed of the Board's problems, concerns, and actions.

### **Visits to Schools**

Individual Board members interested in visiting schools or classrooms will inform the Superintendent of such visits and make arrangements for visitations through the Principals of the various schools. Such visits shall be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes. Official visits by Board members will be carried on only under Board authorization and with the full knowledge of the Superintendent and Principals.

### **Social Interaction**

Staff and Board members share a keen interest in the Schools and in education generally, and it is to be expected that, when they meet at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations and general District problems. However, individual Board members have no special authority excepting when they are convened at a legal meeting of the Board or vested with special authority by Board action. Therefore, discussions by either party of personalities or personnel grievances will be considered as evidence of unethical conduct.

Revised:  
July, 1998, November, 1999

Approved      May 2002

### EMPLOYEE RIGHTS AND RESPONSIBILITIES

Essential to the success of ongoing school operations and the instructional program are the following specific responsibilities, which shall be required of all personnel:

1. Faithfulness and promptness in attendance at work.
2. Support and enforcement of all policies of the Board and regulations of the School Administration.
3. Diligence in submitting required reports promptly at the times specified.
4. Care and protection of school property.
5. Concern and attention toward their own and the Board's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times.
6. Concern and attention to their responsibility to follow exemplary standards of conduct in their public behavior as representatives of the District and role models for students.

All School employees shall set examples that are an important part of the educational process. Their *conduct*, manner, dress, courtesy, and attitudes establish models that affect the development of young people. The Board expects its staff members to set exemplary standards, as well as provide exemplary instruction.

Personnel who are cited or charged by law enforcement personnel with a violation of any law of regulation must notify the principal or superintendent of such event within 24 hours of the occurrence.

Revised: November, 1999  
Revised: July, 1998  
Revised: May, 2002  
Approved: October, 2008

## STAFF ETHICS

An employee speaking or writing as a citizen should be free from institutional censorship or discipline, but his/her special position in the community carries special obligations. The employee must remember that the public may judge the profession and institution by his/her utterances. Hence the employee should, at all times, be accurate, exercise appropriate restraint, show respect for the opinion of others, and make every effort to indicate that he/she is not a school spokesperson.

## EMPLOYEE CONFLICT OF INTEREST

Employees will not engage in, or have a financial interest in, any activity that raises a reasonable question of conflict of interest with their duties and responsibilities as employees. This includes, but is not limited to:

1. Employees will not participate for financial remuneration in outside activities wherein their position on the staff is used to sell goods or services pupils or their parents.
2. Employees who have patented or copyrighted any device, publication, or other item will not receive royalties for use of such item in the District.
3. Employees will not engage in any type of work where the source of information concerning customer, client, or employer originates from information obtained through the District.
4. School employees will not solicit or sell for personal gain any educational materials or equipment in the attendance areas served by the School to which they are assigned. Nor will any employees make available lists of names of students or parents to anyone for sale purposes. To avoid nepotism in the supervision of personnel, the Board directs that no employee be assigned in any position where the employee would be responsible to a relative.

Revised: November, 1999

Revised: July, 1998

Approved: May, 2002

**PERSONAL CONFLICTS OF INTEREST**

It is essential that School District employees, students, parents and members of the broader community have confidence that all decisions and actions on the part of all employees of SAU #82 and Chester Academy are taken solely on the basis of facts and professional judgment in the best interests of the mission of the Chester School District. Personal conflicts of interest erode this confidence and the trust that is essential for students, employees, parents and citizens to best support each other and fulfill their roles in providing a good education for Chester students.

Employees may not supervise someone with whom they share a close personal relationship, such as members of their families or households, or individuals with whom they have or have had a romantic relationship or similarly close personal relationship.

Employees may not participate in the selection process for, or supervise the School District's relationship with, a supplier of goods or services to the School District if the supplier employs someone with whom an employee has a close personal relationship.

If an employee supervises someone, even indirectly, with whom the employee has one of the relationships described above, or if an employee has such a relationship with an employee of a supplier that does business with the District, the employee must disclose the relationship as soon as he or she becomes aware of it.

The Board hereby designates the Superintendent as the District official to receive reports or complaints of personal conflicts of interest. The Superintendent will ensure the thorough and professional investigation of such complaints prior to determining whether there is substance to each complaint and whether the facts show a violation of this Policy.

The School District will take such disciplinary action as it deems necessary and appropriate, including warning, suspension or immediate discharge to end personal conflicts of interest and to prevent their recurrence.

**EMPLOYEE-STUDENT RELATIONS**

Employees and students shall be expected to regard each other as individuals to be treated with courtesy and respect.

Revised: July, 1998

Approved: May 2002

**EMPLOYEE GIFTS AND SOLICITATIONS**

All employees are prohibited from accepting things of material value from companies or organizations doing business with the District. Exceptions to this policy are the acceptance of minor items which are generally distributed by the companies through public relations programs.

**Solicitations**

No organization may solicit funds of staff members within the Schools, nor may anyone distribute flyers or other materials related to fund drives through the Schools, without the approval of the Superintendent. Staff members will not be made responsible, or will they assume responsibility for, the collection of any money or distribution of any fund drive literature within the Schools unless such activity has the Superintendent's approval. The Board expects such activities to be kept to a minimum. The Superintendent shall seek direction from the Board in instances where prior practice offers no guidance about a particular fund drive.

Revised: November, 1999

Revised: July, 1998

Approved: May, 2002

Also ADB, ADC, GBED & JICG

### **DRUG-FREE WORKPLACE POLICY**

The School District will provide a drug-free workplace in accordance with the Drug-Free Schools and Communities Act of 1988 and Amendments of 2989(L. 202-226). In compliance with statutory requirements, the District will:

1. Notify all employees, in writing, that the unlawful manufacture, distribution, dispensation, possession, or use of illicit drugs and alcohol is prohibited in the District's workplace and that any violation is subject to disciplinary action. Notification will be accomplished by distribution of this policy to all employees.
2. Provide a drug-free awareness program to inform employees about:
  - a. The dangers of illicit drugs in the workplace;
  - b. The District's policy of maintaining a drug-free workplace;
  - c. Available drug and alcohol counseling, rehabilitation, and employee assistance and/or re-entry programs; and
  - d. The penalty/penalties that may be imposed on employees for drug and alcohol violations occurring in the workplace.
3. Notify employees that, as a condition of employment in the District, they will agree to and abide by the terms of the policy, and will notify the District of any drug statute conviction resulting from workplace conduct within five days of the conviction.
4. Establish the following as grounds for disciplinary action:
  - a. Working under the influence of alcohol or illegal drugs, no matter where consumed.
  - b. Having an unsealed container of alcohol or consuming alcohol on School property. (Any employee who finds any type of container of alcohol on School property should report it to the administration as soon as possible.)

Also ADB, ADC, GBED & JICG

**DRUG-FREE WORKPLACE POLICY  
(continued)**

- c. Possessing or distributing controlled substances on School property.
- d. Consuming, possessing, or distributing alcohol or illegal drugs at official\* School functions not on School property.

\* An "official" School function is defined as one which is authorized and conducted by the School with School officials present, in charge, and on duty, such as, but not limited to:

- a. Interscholastic athletic contests
  - b. Field trips
  - c. School dances
- 5. Alert the local law enforcement agency of suspected violations of the policy.
  - 6. Take any of the following disciplinary actions (either alone or in combination) regarding an employee who is in violation of the policy:
    - a. Suspension
    - b. Termination of employment
    - c. Satisfactory participation in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health or law enforcement, or other appropriate agency.
  - 7. Make a good faith effort to continue to maintain a drug-free workplace through implementation of all the provisions of this policy. In so doing, the District will conduct a biennial review of its programs to determine their effectiveness and to ensure that the disciplinary sanctions are consistently enforced and changes are implemented, if needed.

Adopted: November, 1990  
Revised: July, 1998, November 1999

Approved: May, 2002

**Also ADB, ADC, GBEC & JICG**

**USE OF TOBACCO PRODUCTS STRICTLY PROHIBITED IN/ON ALL  
SCHOOL FACILITIES AND/OR GROUNDS**

No person shall use any tobacco product in any facility maintained by the School District, nor on any of the grounds of the District.

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

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

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

It is the responsibility of the building Principal(s), or designee, to initially enforce this policy by requesting that any person who is violating this policy to immediately cease the use of tobacco products. After this request is made, if any person refuses to refrain from using tobacco products in violation of this policy, the Principal or designee may call the local police who shall then be responsible for all enforcement proceedings and applicable fines and penalties.

**Students**

No student shall purchase, attempt to purchase, possess or use any tobacco product in any facility, in any School vehicle or anywhere on School grounds maintained by the District.

Enforcement of this prohibition shall initially rest with building Principals, or their designee who may report any violation to the local police department. In accordance with state law, the police department shall be responsible for all proceedings and applicable fines and penalties.

Also ADB, ADC, GBEC & JICG

**TOBACCO PRODUCTS BAN**  
**(continued)**

The Principal will develop regulations which cover disciplinary action to be taken for violations of this policy. These regulations will be communicated to students by means deemed appropriate by the Principal. In addition to disciplinary actions taken by the School, criminal penalties for fines may result from violations of this policy.

**Employees**

No employee shall use any tobacco product in any facility in any School vehicle or anywhere on School grounds maintained by the District.

Initial responsibility for enforcement of this prohibition shall rest with building Principals, or their designees. The Principal may report violations to the local police department. In accordance with state law, the police department shall be responsible for all proceedings and applicable fines and penalties.

The Principal will develop and implement the appropriate means of notifying employees of the possible disciplinary consequences of violating this policy. Any employee(s) who violate this policy are subject to disciplinary action which may include warning, suspension or dismissal. In addition, fines or other penalties may result from enforcement of these prohibitions by other law enforcement officials.

**All Other Persons**

No visitor shall at any time use tobacco products in any facility, in any School vehicle, or anywhere on School grounds maintained by the District.

Responsibility for enforcement of this prohibition shall rest with all School District employees who may report violations to the local police department. In accordance with state law, the police department shall be responsible for all proceedings and applicable fines and penalties.

Statutory References:

RSA 155:64 - 76

RSA 126 - K:6 & K:7

Adopted: November 1998

Revised: July, 1998, November, 1999

Approved: May 2002

## **STAFF WELFARE/PROTECTION**

The School Board will indemnify and hold harmless District employees against claims that may be entered against them as a result of carrying out their assigned responsibilities, as provided under RSA 31:105 and 31:106. To protect the District's financial resources, as well, the Board will provide for liability coverage for all personnel through policies structured to maintain the statutory immunities as provided in RSA 31:507:B; professional liability insurance as needed, workers' compensation, and unemployment compensation coverage.

### **Workers' Compensation**

All employees of the Board are covered by workers' compensation insurance paid for and provided by the Board. This insurance coverage is provided for employees in accordance with the provisions of the insurance carrier.

### **Unemployment Compensation**

All employees of the Board are covered by unemployment compensation insurance paid for and provided by the Board. This insurance coverage is provided for all employees regardless of assignment, length of assignment, and/or hours worked per day. Benefits afforded are for wage loss due to temporary unemployment through no fault of the individual, for those who meet eligibility requirements as provided for in state law. District employees with reasonable assurance of employment after a regularly scheduled vacation break are ineligible for benefits during such breaks.

Statutory References:

RSA 31:105, 106, & 507-B

Revised: November, 1999

Revised: July, 1998

Approved: May 2002

## STAFF HEALTH

### I. Medical Examination of School Personnel

All school personnel shall be required to have a pre-employment medical examination by a licensed physician. Any person who objects to all or part of any medical examination because of religious beliefs shall be exempt from said examination, except that no such exemption shall be granted if state or local authorities determine that such exemption would constitute a hazard to the health of persons exposed to the unexamined individual.

### II. Additional Examinations

The Superintendent may request a medical examination for any employee if at any time he/she has reason to believe that the employee's physical or mental health may be inimical to the welfare of pupils or other employees. The cost of such examination will be borne by the District.

### III. Responsibility

It is the responsibility of the school nurse assigned to each School to report any violation of the above policy through the Principal to the Superintendent of Schools and to keep accurate records as evidence of compliance with the above policy.

The principal of each School is instructed to take such action as is required to implement this policy and to supervise the necessary record keeping to substantiate test results.

#### Statutory References:

RSA 200:20

RSA 200:36

RSA 200:37 (Bus Drivers)

Revised: November, 1999, July, 1998

Approved: May, 2002

## HIV/AIDS POLICY

### Preamble

Acquired Immunodeficiency Syndrome (AIDS) is a disease in which the body's immune system is impaired by the Human Immunodeficiency Virus (HIV). The virus leaves its victim unable to fight off infections. As a result, persons with AIDS are susceptible to serious secondary infections, such as pneumonia and certain malignancies. Some, but not all, persons infected with HIV develop AIDS. To assist the District and infected persons, the District has developed the following policy.

#### I. General Principles:

(A) HIV is not spread by casual, everyday contact. Therefore, absent a serious secondary infection that may be transmitted to others or a significant health problem that restricts the infected person's ability to attend School, a student who is infected with HIV or AIDS shall attend the School and classroom to which he or she would be assigned, and shall receive the rights, privileges and services to which he or she would be entitled if not infected. Decisions about any changes in the educational program of a student who is infected with HIV or AIDS shall be made on a case-by-case basis.

(B) There shall be no discrimination in employment against a person infected with HIV or AIDS based solely upon said infection. No District employee shall be terminated, non-renewed, demoted, suspended, transferred or subjected to adverse action based solely upon his/her infection with HIV or AIDS, or the perception that he or she is so infected. However, the District may take whatever action is appropriate as to an employee who, despite reasonable accommodation, is unable to perform his/her duties due to an illness, including an illness related to HIV or AIDS.

(C) The School District shall provide a sanitary environment and shall establish procedures for handling bodily fluids, pursuant to Section V.

**HIV/AIDS POLICY  
(continued)**

(D) The District shall administer a program of education about HIV or AIDS for students, their families, and School District employees to ensure that they are informed about the following:

- (1) The nature of HIV, including how HIV is transmitted, according to current scientific evidence;
- (2) District policies and procedures relating to employees and students with diseases such as HIV or AIDS;
- (3) Resources within the School District and elsewhere for obtaining additional information or assistance; and
- (4) Procedures to prevent the spread of communicable diseases at School.

II. Evaluation of Infected Students and Staff

(A) HIV is not transmitted casually. Accordingly, infection with HIV or AIDS is not, by itself, sufficient reason to remove a student or staff member from the School. When the Superintendent has been notified that a student or staff member is infected with HIV or AIDS, the Superintendent shall act appropriately to ensure the safety of persons in the School setting and to plan to support the infected person.

(B) When the District learns that a student is infected with HIV or AIDS, the appropriate procedures under State and Federal Law with regard to evaluation and educational programming shall be followed if the student is or may be educationally handicapped.

(C) (1) When notified that an employee is infected with HIV or AIDS, the Superintendent shall determine whether the infected person has a significant health problem that will restrict his/her ability to work and shall determine whether the infected person has a secondary infection (e.g., tuberculosis) that poses a medically recognized risk of transmission of disease. The Superintendent shall make this determination by consulting with the infected person's physician and the infected person.

**HIV/AIDS POLICY**  
**(continued)**

The Superintendent also may consult with public health officials and other persons, subject to the confidentiality provisions in this policy. The Superintendent shall consider methods in which the School District may anticipate and meet the needs of persons infected with HIV or AIDS.

(2) Absent a secondary infection which creates a medically recognized risk of transmission of disease, or a significant health problem which restricts the infected person's ability to work, the Superintendent shall not alter the job assignment of the infected person. However, the Superintendent shall periodically review the case with the persons described in Section II(C) (1).

(3) If the Superintendent determines that a secondary infection poses a medically recognized risk of transmission of disease in the School setting or that a significant health problem restricts the infected person's ability to work, the Superintendent shall consult with the persons described in Section II(C) (1). After said consultation, the Superintendent shall, if necessary, develop an individually tailored plan to accommodate the staff member if reasonably possible. Additional persons may be consulted if necessary for gaining additional information, but the infected person must approve of the notification of any additional persons who are informed of the infected person's identity. The Superintendent may consult with legal counsel to ensure that any official action is consistent with state and federal law. If an individually tailored plan is necessary, said plan shall be medically, legally, educationally and ethically sound.

(D) Infected students who are aggrieved by the education plan determinations may appeal said determinations pursuant to state and federal special education law if the infected student is eligible for or claims that he is eligible for special education or special education and related services. Infected persons who do not claim that they are eligible for special education or special education and related services, but who are aggrieved by the Superintendent's determinations, may appeal said determinations to the Board.

(E) Confidentiality shall be observed throughout the foregoing process.

**HIV/AIDS POLICY**  
**(continued)**

III. Confidentiality

(A) The identity of a student or staff member who is infected with HIV or AIDS may be disclosed to those persons who determine whether the infected person has a secondary infection that poses a medically recognized risk of transmission of disease in the School setting or whether a significant health problem will restrict the infected person's ability to work or attend class. These persons include:

- (1) The Superintendent or a person designated by the Superintendent to be responsible for the determination, or, in the case of a student who is identified as educationally handicapped or who is claimed or believed to be educationally handicapped, the special services team.
- (2) The physician of the infected person.
- (3) Public health officials, to the extent that their knowledge of the infected person's identity is necessary.

(B) The persons listed in Section III (A) (1) - (2) and the infected person (or his/her parents or guardians) shall determine whether additional persons need to know the identity of an infected person. The identity of an infected person shall not be disclosed to persons who are not listed in Section III (A) without the consent of the infected person, or the infected person's parents or guardians. The persons to whom the infected person's identity may be disclosed with the aforementioned consent include the School nurse, the School Principal or other persons necessary to protect the health of the infected person or to evaluate and monitor the case.

(C) All staff members who know the identity of persons infected with HIV or AIDS shall treat said information as confidential. No information shall be divulged directly or indirectly to any individuals or groups, except as noted in Section III (A) - (B). All medical information and written documentation of discussions, telephone conversations, proceedings, and meetings concerning the HIV or AIDS infection shall be maintained in a locked file. Access to said file shall be granted only to those persons

**HIV/AIDS POLICY  
(continued)**

who have the written consent of the infected person or his/her parents or guardians. The names of infected persons shall not be used in documents, except when essential. No document containing the name or other information which reveals the identity of an infected person may be shared with any person for any purposes without the consent of the infected person or the infected person's parents or guardians. Any School staff member who violates the confidentiality provisions of Section III shall be subject to discipline. Test results and medical records shall be disclosed only with the consent of the infected person (or that person's parent if he is a minor), pursuant to a subpoena or order of a court or administrative agency, or otherwise in accordance with law.

IV. Testing

Mandatory testing for communicable diseases that are not spread by casual, everyday contact (e.g., HIV or AIDS) shall not be a condition for School entry or attendance, or for employment or continued employment.

V. Control of Infections

(A) HIV cannot penetrate unbroken skin, and there is no evidence that HIV has been transmitted through contact with vomit, nasal discharge, saliva, urine, or feces. However, said body fluids commonly transmit infections such as Hepatitis, colds and flu. Accordingly, direct skin contact with body fluids should be avoided whenever possible.

(B) Staff members shall follow the Universal Precautions in handling body fluids in the Schools.

(C) The District shall cooperate with local, state and federal health agencies in controlling infections.

Statutory References:

RSA 189:1-a

RSA 186-C:2,I

RSA 193:1

RSA 193:3

Adopted: May, 1986

Approved: May, 2002

**HEALTH EDUCATION**

The Board recognizes that (HIV) AIDS education should be integrated into the health and family life curriculum, but may also be applied to other curriculum areas.

The District's (HIV)AIDS education program must address, at a minimum, the nature, transmission, prevention, and effects of the disease. The program shall be provided in a sequential manner in all grades, taking into consideration the age and maturity of the pupils and the subject matter of the course. Development of the program should take into account the instructional needs of all pupils in the District.

The Superintendent shall ensure that the information presented as a part of the (HIV)AIDS program is articulated in such a way that transition from grade to grade in the elementary Schools and from elementary to secondary approaches to the material will be appropriate for all pupils.

The Superintendent shall ensure that all staff involved in teaching the (HIV) AIDS education program are properly certified and adequately prepared to teach the material. As necessary, appropriate staff training shall be provided. All employees shall have training in Universal Precautions.

Revised: November, 1999

Revised: July, 1998

Approved: May 2002

**PERSONNEL RECORDS**

The Superintendent is authorized and directed to develop and implement a comprehensive, confidential and efficient system of personnel records.

Statutory Reference:

RSA 91:A

Appendix: GBJ-R

Revised: July, 1998

Approved: May, 2002

**EMPLOYEE COMPLAINTS AND GRIEVANCES**

The Board will establish an orderly, well-defined grievance procedure for the resolution of problems derived from application of Board. Grievances will be handled expeditiously in accordance with the procedures approved by the Board.

The machinery set up for the resolution of "grievances" in collective bargaining agreements between the Board and recognized employee organizations will apply only to grievances as defined in the particular agreement.

Appendix: GBK-R

Revised: November, 1999

Revised: July, 1998

Approved: May, 2002

## PROFESSIONAL STAFF POSITIONS

### Responsibilities and Duties of Teachers

The teacher shall be academically qualified in the area he/she is to instruct and should demonstrate a competence at transmitting learning to the student and the manner and means of accumulating, assimilating, and evaluating the knowledge associated with his/her academic field. The teacher should demonstrate an awareness of other academic fields and should possess a reasonable and responsible attitude toward the education of the whole child.

The teacher shall constantly be alert to the example presented to students, parents, community, and fellow workers, striving to consistently exemplify the good. Relationships shall avoid personal attachments which detract from the obligation to constantly lead and critically evaluate the individual and the situation.

The teacher must be aware of various instructional trends and participate in exploration of possible changes in method or content of instruction.

The teacher shall demonstrate an ability to control the situations encountered in the performance of duties while exhibiting the proper respect for the dignity and worth of each individual.

The teacher shall demonstrate the ability to define the objectives of instruction and the ability to assess the results of the efficiency and effectiveness of the instruction.

A basic teaching assignment is described as follows: The teacher will instruct regular classes; properly prepare lessons and tests; properly correct all assigned work; evaluate student work, use care in filling out requested forms and reports; supervise bus arrivals and departures, playgrounds, cafeteria, hallways as special assignment, and as a general phase of daily work; make use of the extra help periods; accept and adequately perform duties as advisor to classes or clubs (including chaperoning occasional nighttime activities) and report to the assigned building on days as scheduled by the Superintendent and attend other affairs which are periodic in nature, such as teachers' meetings, department meetings, and community affairs directly related to the School and to actively participate in the School program. Each teacher is required to carry out assignments from the building Principal or other responsible Administrator in conformance with School Board policies and regulations of the Board and the Superintendent. Subject to Collective Bargaining Provisions and individual teaching contracts.

Revised: November, 1999

Revised: July, 1998

Approved: May, 2002

**PROFESSIONAL STAFF CONTRACTS**

Contracts are designed to protect the interests of the employee and the District. Every permanent professional employee shall be required to execute a contract with the District. The contract shall be signed by the employee and the Chairperson of the Board.

Revised: November, 1999

Revised: July, 1998

Approved: May, 2002

**PROFESSIONAL STAFF VISITATIONS AND CONFERENCES**

Teachers attending out-of-state conventions or conferences shall, upon their return, file brief written summaries of such conventions or conferences with the Superintendent's office.

Revised: July, 1998

Approved: May, 2002

### FAMILY AND MEDICAL LEAVE ACT

Consistent with the federal Family and Medical Leave Act of 1993, the School District recognizes that eligible employees have access to unpaid family and medical leave for up to twelve (12) weeks during any twelve (12) month period. The intent of this policy is to summarize the Act as it applies to eligible employees of the School District. An employee should consult the regulations which implement the Act for more specific definitions and criteria for use. It is not the intent of this Policy to provide additional, or different, provisions than those specified in the Act and its implementing regulations.

To be eligible for family or medical leave, an employee must have been employed for at least twelve (12) months, have worked at least 1,250 hours during the prior twelve months, and be employed at a work-site where at least 50 employees are employed by the District within a 75-mile radius of that work-site.

Family leave shall be provided when a son or daughter is born to the employee or when one is placed with the employee for adoption or foster care. Medical leave shall be provided in order for the employee to take care of a spouse, child, or parent who has a serious health condition rendering him/her unable to perform the functions of his/her job.

An employee may elect, or the District may require, an employee to use accrued paid vacation, personal, or family leave for purposes of family leave. An employee may elect, or the District may require, an employee to use accrued vacation, personal, or medical/sick leave for purposes of medical leave.

The employee shall notify the District of his/her request for leave, if foreseeable, at least thirty (30) days prior to the date when the leave is to begin. If such leave is not foreseeable, then the employee shall give such notice as is practical. The District may require a certification from a health care provider if medical leave is requested. When an employee returns following a leave, he/she must be returned to the same or equivalent position of employment. The Superintendent, or his/her designee, may reassign a teacher consistent with the teacher's agreement, to a different grade level, building, or other assignment, consistent with the employee's certification.

The District shall post a notice prepared or approved by the Secretary of Labor stating the pertinent provisions of the Family and Medical Leave Act, including information concerning the enforcement of the Act.

**Statutory Reference:**

Title 29 § 2601 et. seq.

Revised: November, 1999

Revised: July, 1998

Approved: May, 2002

**ADMINISTRATIVE STAFF RECRUITING**

Staff recruitment is the responsibility of the Superintendent. Principals and other staff will assist the Superintendent as needed.

First consideration will be given to those applicants seeking permanent rather than temporary employment.

All teachers must be recommended by the Superintendent and approved by the School Board.

The Superintendent shall ensure a thorough check is made of the candidate's prior record, prior to nomination to the Board.

Statutory Reference:

RSA 189:13-a

RSA 189:39

Revised: November, 1999

Revised: July, 1998

Approved: May, 2002

**PROFESSIONAL STAFF HIRING**

In accordance with RSA 189:39, the Superintendent will present at least 15 days prior to April 15th, a listing of teacher nominations for the coming year.

**Statutory References:**

RSA 189:39

RSA 189:14 (a & b)

Revised: November, 1999

Revised: July, 1998

Approved: May, 2002

**PART-TIME AND SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT  
(Substitute Teachers)**

The Superintendent shall maintain a list of qualified substitute teachers who may be called on to replace regular teachers who are absent. Such a list shall be filed with the principal of each school.

Insofar as possible, the Principal or designee will call teachers on the substitute list for the grades and/or subjects for which they are listed. A teacher whose name does not appear on the substitute list may not be employed in the District except when specifically approved by the Superintendent. Principals will be responsible for seeing that the work of the substitute is as effective as possible and will provide him/her with a planned program.

See policy GBCD for Criminal History Records Check information.

**SUBSTITUTES PAY**

The rate of pay for a substitute shall be set by the School Board and be subject to periodic review.

All part-time and substitute employees must undergo a Criminal History Records Check prior to any employment.

Statutory Reference:

RSA 189:13-a

Adopted: March 1980

Revised: November, 1999

Revised: July, 1998

Approved: May, 2002

### PROFESSIONAL STAFF ORIENTATION

The Superintendent, or his/her designee, will provide for an annual orientation of all professional staff members.

The orientation of returning personnel will focus on the changes which have occurred during the previous year, and the general goals for the coming year.

Orientation of personnel new to the school system may extend over a longer period of time and may provide a broadly-based effort to supply information and background details which will improve the new teacher's understanding of the District's framework -- including policies of the Board, rules and regulations, and the instructional program.

The building principal or the immediate supervisor shall orient all teachers to formulate evaluation procedures.

All employees will also receive orientation in school safety procedures and crisis management. The Superintendent or designee will be responsible for providing the orientation.

Revised: November, 1999

Revised: July, 1998

Approved: May, 2002

**PROFESSIONAL STAFF DEVELOPMENT OPPORTUNITIES**

A program of in-service training will be established to provide an opportunity for the continuous professional and technical growth of the professional staff.

Staff members will become knowledgeable regarding new developments and changes in their specialized fields, and will utilize new and improved methods in practice.

It shall be the responsibility of the Superintendent to implement appropriate staff development training and activities.

Revised: November, 1999

Revised: July, 1998

Approved: May, 2002

**PROFESSIONAL ACTIVITIES OF TEACHERS**

**IN-DISTRICT**

It is assumed that lectures, demonstrations or related activities performed by teachers within the District are to be considered a service to the community and are to be performed without fee. No teacher shall charge a fee for activities within the District directly related to his/her professional position. No teacher may advertise or sell educational materials within the District not specifically authorized or approved by the Board.

**OUT-OF-DISTRICT**

The Board encourages participation in professional and related activities. Arrangements for attendance and/or participation in such activities shall be cleared with the administration in advance.

When a staff member is invited to speak, serve on a panel, or similar assignment, all costs shall be borne by the District or organization sponsoring the event, unless other arrangements are approved by the Superintendent, upon the recommendation of the principal.

Revised: November, 1999

Revised: July, 1998

Approved: May, 2002

**PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS**

The assignment and/or transfer of all instructional personnel will be upon the approval of the Board following the recommendation of the Superintendent. All such assignments and/or transfers will be in the best interest of the Schools in keeping with the training and experience of the personnel.

The responsibilities and duties of all instructional personnel will be established by the Superintendent in conjunction with the Principal.

Note:

Assignment may be subject to specific terms of the Collective Bargaining Agreements.

Revised: November, 1999

Revised: July, 1998

Approved: May, 2002

**PROFESSIONAL STAFF WORK LOAD**

The responsibilities and duties of all permanent personnel will be established by the Superintendent in conjunction with the Principal.

Revised: November, 1999

Revised: July, 1998

Approved: May, 2002

### **SUPERVISION OF INSTRUCTIONAL STAFF**

Classroom visits are for several purposes: to encourage the growth and exchange of new ideas in teaching techniques and use of materials, to discover ways and means of coordinating the curriculum, to observe pupil conduct and pupil progress, to keep the administration informed about what is going on in the school program, and to evaluate teaching effectiveness, particularly as a basis for recommendation for re-appointment in the case of teachers in the probationary period.

Conferences between the principal/supervisor and teacher shall be held to promote the above purposes. Some conferences shall be formal and result in a written record. Informal conferences may occur frequently and will be summarized in the written record of the formal conference. The written record will be signed by both teacher and principal/supervisor, each of whom will retain a copy.

Revised: November, 1999

Revised: July, 1998

Approved: May, 2002

**EVALUATION OF PROFESSIONAL STAFF**

The Superintendent will cause all professional staff to be evaluated as a basis for contract recommendations which will be made annually to the Board between February 1 and April 15.

Statutory Reference:

RSA 189:14-a.

Adopted: June, 1978

Revised: March 1985

Revised: July, 1998

Approved: May 2002

**PROFESSIONAL STAFF PROMOTION/RECLASSIFICATION**

All personnel shall be notified, through several postings, of any opening of increased responsibility that might exist. As with all other opportunities in the District, the qualifications, performance and suitability of the applicant shall be the primary criteria for selection.

Revised: November, 1999

Revised: July, 1998

Approved: May, 2002

**REDUCTION IN INSTRUCTIONAL STAFF WORK FORCE**

When the Board finds it necessary to reduce the number of certified full-time and/or part-time positions for reasons of declining enrollments, budget reduction, change in or consolidation of Board-authorized programs, or for any other reason determined necessary or desirable by the Board, the following reduction-in-force policy will be implemented.

- A. Notice
  - 1. As soon as a reduction in force is seriously contemplated, the Superintendent shall notify the President of the Teachers' Association.

For the purposes of this policy, classifications are defined as follows:

K through third grade; fourth through sixth grade; seventh through ninth grade; tenth through twelfth grade. In secondary Schools (grades 7 through 9 and grades 10 through 12), classifications will be defined by major teaching subject areas. For each secondary School, the classifications in each School are further defined according to the courses of study being offered: English, Social Studies, Math, Art, Science, Foreign Language, Business, Home Economics, Physical Education, Vocational Arts, Industrial Arts, Special Education, Music, Alternative Education, Guidance, Library. (Here insert any other subjects which your School may offer.)

- 2. The decision to implement the reduction in force shall be made at the sole discretion of the School Board.

- B. Procedures for Determining Reduction in Force:

- 1. If reductions in staff are necessary or desirable, the Board should retain those teachers who, at its sole discretion, will be the best teachers for the School system and the students it serves.
  - 2. The Board does not condone "bumping." The best teachers shall be retained, regardless of whether the teacher is probationary or not. A teacher with more than three years of employment in the District shall not have the right to displace another teacher with less than three years of service in the School District.

**REDUCTION IN INSTRUCTIONAL STAFF WORK FORCE  
(continued)**

3. In identifying which teachers to release, the Board shall consider the following factors: certification, academic preparation, professional growth, job performance, and experience in certified area and/or job classification, ability, and overall effectiveness. All of the factors being equal, then seniority may be considered in making the final determination. Seniority is defined as the total number of years continuously employed in this School District.

4. There will be no recall rights for terminated employees. However, the School administration shall consider the applications of terminated employees for such positions which may become available in subsequent years provided that said terminated employees submit a seasonable and timely application at the time the position becomes vacant. A previously employed teacher who returns to a teaching position within a three-year period shall resume employment by the District at no less than the step occupied when the teaching position previously held was terminated.

5. Any transfer, assignments, or re-assignments resulting from or involved with a reduction in staff will be made at the sole discretion of the Superintendent. In the event of a change of assignment or transfer as a result of the reduction in force, the teacher involved shall be notified of such change.

6. This reduction-in-force procedure is the only procedure that may be used in a reduction in force. No other personnel action, other than a reduction in force, may be considered under this policy.

Note: Use only in absence of such a provision in a Collective Bargaining Agreement.

Adopted: March 1981  
Revised: November, 1999  
Revised: July, 1998

Approved: May, 2002

**RESIGNATION OF INSTRUCTIONAL STAFF MEMBER**

All staff members who sign a contract are expected to honor the contract.

Resignations tendered between the time the employee signs the contract and July 1 of a given year will not be accepted unless and until a suitable and fully qualified replacement is hired. Resignations tendered after July 1 of the year of the contract will not be accepted nor will the employee be released from his/her contractual duties.

However, the Board recognizes that extenuating circumstances may arise which warrants it giving special consideration to a resignation request. In these instances, the Board may make exceptions to this Policy, on a case by case basis.

If an employee under contract breaches his/her contractual obligations to the District, or fails to abide by the terms of this Policy, the Board may initiate such legal actions as it deems appropriate, including monetary damages from the employee.

In addition, if a teacher reneges on his/her contract, the Board shall notify the teacher certification division of the Department of Education.

Revised: November, 1999

Revised: July, 1998

Approved: May, 2002

**VOLUNTARY/INVOLUNTARY EXIT POLICY AND PROCEDURES**

**Purpose/Objective**

- To provide a standardized policy and process framework for managing employee departures due to resignation, termination, contract expiration, reduction in force or any other reason.

**Scope**

- This policy applies to Chester Academy Employees, SAU 82 employees and all other affiliated persons who provide services in support of the school
- This policy applies to the extended processes and relationships used to deliver services at Chester Academy

**Policy**

- The exit policy utilizes a documented exit process
- This policy addresses the exit process of a working relationship, either by the employer or the employee defined as:
  - The employer may end the relationship due to the conduct, performance or capacity of the employee
  - The employee may end the relationship by resignation
  - The employment relationship may come to an end through expiry of contract, retirement or death
- The exit process and final interview assist the Chester School District in determining why an employee is terminating her or his working relationship and may help to identify opportunities to improve District processes, policies and performance
- The process promotes harmonious termination of the employment relationship
- The process assists with the retention of knowledge and intellectual property
- The process assists with financial accuracy and consistency
- Any non-compliance with the process shall be remedied through the SAU.
- Scheduled Quarterly reviews with the School Board will occur to monitor the status and effectiveness of the policy and process.
- Targets for policy and process improvements shall be established if necessary

**References**

- New Hampshire School Boards Association, Legislative Summary 2008
- Business Affairs, Policies & Processes, 2009
- Draft Human Resources Code of Good Practice, Department of Labor of 2004
- University of Western Cape, 2009

**VOLUNTARY/INVOLUNTARY EXIT POLICY AND PROCEDURES**

Exit Process & Checklist	Who is accountable for validation	Evidence of Completion
<b>Evidence of Intent</b>		
<ul style="list-style-type: none"> <li>• Written resignation</li> </ul>		
<ul style="list-style-type: none"> <li>• Termination Letter</li> </ul>		
<ul style="list-style-type: none"> <li>• Effective date of separation</li> </ul>		
<ul style="list-style-type: none"> <li>• Notification to Union if applicable</li> </ul>		
<ul style="list-style-type: none"> <li>• Exit Interview</li> </ul>		
<b>Benefits</b>		
<ul style="list-style-type: none"> <li>• Health Insurance</li> </ul>		
<ul style="list-style-type: none"> <li>• Life Insurance</li> </ul>		
<ul style="list-style-type: none"> <li>• Sick time</li> </ul>		
<ul style="list-style-type: none"> <li>• Vacation Time owed</li> </ul>		
<b>Payroll</b>		
<ul style="list-style-type: none"> <li>• Pro-rate payroll required</li> </ul>		
<ul style="list-style-type: none"> <li>• Date determined to stop payroll</li> </ul>		
<ul style="list-style-type: none"> <li>• Overpayment</li> </ul>		
<ul style="list-style-type: none"> <li>• Tuition re-imbusement</li> </ul>		
<ul style="list-style-type: none"> <li>• Computer/system purchases</li> </ul>		
<ul style="list-style-type: none"> <li>• Schooling mileage</li> </ul>		
<ul style="list-style-type: none"> <li>• Review any outstanding expenses: pending invoices</li> </ul>		
<b>Access</b>		
<ul style="list-style-type: none"> <li>• Collect keys- files, school, classroom</li> </ul>		
<ul style="list-style-type: none"> <li>• Remove access to school</li> </ul>		
<ul style="list-style-type: none"> <li>• Reset security code on school alarm system (if applicable)</li> </ul>		
<ul style="list-style-type: none"> <li>• Remove access to school intranet</li> </ul>		
<ul style="list-style-type: none"> <li>• Change password on LAN (generic account)</li> </ul>		
<ul style="list-style-type: none"> <li>• Disable Email Accounts</li> </ul>		
<ul style="list-style-type: none"> <li>• Remove contact data from website</li> </ul>		
<ul style="list-style-type: none"> <li>• Alert PTA for website update/cancel AlertNow</li> </ul>		
<ul style="list-style-type: none"> <li>• Deactivate voicemail &amp; mailbox, remote access</li> </ul>		
<ul style="list-style-type: none"> <li>• Collect laptop/pc/phones</li> </ul>		
<ul style="list-style-type: none"> <li>• Cancel calling cards/pagers/wireless</li> </ul>		
<ul style="list-style-type: none"> <li>• Collect outstanding documentation on employees/children</li> </ul>		
<ul style="list-style-type: none"> <li>• Collect all printed and electronic information belonging to the School District</li> </ul>		

**RETIREMENT OF PROFESSIONAL STAFF MEMBERS**

Teachers shall be eligible for retirement in accordance with the regulations of the New Hampshire Retirement System.

Revised: November, 1999  
Revised: July, 1998

### **NON-SCHOOL EMPLOYMENT BY PROFESSIONAL STAFF MEMBERS**

When a person is hired on a regular, full-time basis, the Board considers that it has given him/her full-time employment. It expects employees to give the responsibilities of their positions in the District precedence over any type of outside part-time work.

The outside work done by a staff member is of concern to the Board insofar as it may:

An employee will not perform any duties related to an outside job during his/her regular working hours or during the additional time that she/he needs to fulfill the responsibilities of the position; nor will an employee use any District facilities, equipment, or materials in performing outside work.

An employee will confer with the Superintendent or his/her designee before accepting any outside employment, and will discuss impact of any outside employment on his/her employment with the District.

### **PROFESSIONAL PERSONNEL CONSULTING**

Each staff member is expected to restrict his/her outside work to his/her non-district paid hours.

A supervisor who observes that an employee's outside work activities are adversely affecting his/her job performance should advise the employee to resolve the situation. If it cannot be resolved to mutual satisfaction, then the supervisor shall make a report to the Superintendent.

Approved: May, 2002  
Chester School District Policy

GCRD

### **TUTORING FOR PAY**

No teacher may receive pay for tutoring one of his/her own pupils. A teacher should also avoid tutoring any child from his/her building. All questions regarding tutoring should be referred to the teacher's building principal.

The above does not apply to homebound instruction assigned by the school administration.

Revised: November, 1999  
Revised: July, 1998

Approved: May, 2002  
Chester School District Policy

**GDF**

### **SUPPORT STAFF HIRING**

The Superintendent shall have the authority to hire non-certified staff subject to approval of the Board.

Revised: November, 1999  
Revised: July, 1998

Approved: May, 2002  
Chester School District Policy

GDM

### **SUPPORT STAFF DEVELOPMENT OPPORTUNITIES**

Support staff employees are an integral part of the District's total staff. Their training and development are essential to the efficient and economical operation of the Schools.

All classified employees shall be encouraged to grow in job skills and to take additional training that will improve their skills on the job. It shall be the responsibility of all building Principals to assist in the training of custodians, clerks, and other classified employees assigned to their buildings.

Revised: November, 1999  
Revised: July, 1998

Approved: May, 2002  
Chester School District Policy

**GDO**

### **EVALUATION OF SUPPORT STAFF**

It will be the responsibility of the Superintendent to implement appropriate support staff evaluation procedures.

Note: May be covered by Collective Bargaining agreements.

Revised: November, 1999

Revised: July, 1998

Approved: May, 2002