

## ***AGENDA***

### **SCHOOL ADMINISTRATIVE UNIT NO. 12 Office of the Superintendent of Schools Londonderry, New Hampshire 03053**

A concurrent meeting of the School Administrative Unit No. 12 School Board and the Londonderry School District School Board will be held on Tuesday, August 8, 2017 at 7:00PM at the Londonderry Town Office, Moose Hill Conference Room, 268B Mammoth Road, Londonderry, NH.

7:00PM      1.      Call To Order

2.      Pledge of Allegiance

7:05 PM      3.      Questions, Announcements and Presentations

7:10 PM      4.      Consent Agenda

4.1      Resignation(s):

Victoria Ficker	Teacher	District Wide
Lisa Frisella	Custodian	Middle School
Kim Galluzzo	SPED Assistant	Moose Hill
Nidhi Gupta	SPED Assistant	High School
Cynthia Kroeplin	SPED Assistant	High School
Sarah Rook	SPED Assistant	High School
Brittany Skudder	Teacher	High School

4.2      Minutes:      July 11, 2017

4.3      Meetings:

August 22, 2017	Building Tours	6:00PM-6:30PM	South School
		6:45PM-7:15PM	Moose Hill
		7:30PM-8:00PM	High School
August 24, 2017	Building Tours	6:00PM-6:30PM	North School
		6:45PM-7:15PM	Middle School
		7:30PM-8:00PM	Matthew Thornton
August 29, 2017	Regular Meeting	7:00PM	Town Offices

7:20 PM      5.      Committee Reports

5.1      Student Council – Tyler Cullen

5.2      Teacher Liaison – Mary Wing Soares

5.3      School Board Liaison Reports

Tuesday, August 8, 2017

7:30 PM     6.     Deliberations

- 6.1     To see what action(s) the Board will take regarding the third reading of the following policies:
  - 6.1.1     Rescinding: Policy JO – Student Records
  - 6.1.2     Amending: Policy JOA – Confidentiality Policy
  - 6.1.3     Amending: Policy JOA-E – Confidentiality Requirement
  - 6.1.4     New: Policy JRA – Student Education Records and Information
  - 6.1.5     New: Policy JRA-R – Student Education Records and Information-Administrative Procedure
  - 6.1.6     New: Policy JRA-E – Annual Notice of Student Education Records and Information Rights
- 6.2     To see what action(s) the Board will take regarding the second reading of the following policies:
  - 6.1.1     Amending: Policy JHCD Administering Medications to Students
  - 6.1.2     New: Policy JHCD-E Parental Permission for Over the Counter Medications

8:00 PM     7.     Superintendent's Report

- 7.1     Dining Services Debt Recommendation – Peter Curro and Amanda Venezia
- 7.2     Summer Enrollment Update – Scott Laliberte

8:20 PM     8.     Non-Public Session

Non-Public Session requested under RSA 91-A:3, Section II (b) and (c). Please see attached Confidential Memorandum.

- 8.1     Personnel Nomination(s)
- 8.2     Coaching Nomination(s)

9.     Adjournment

**SCHOOL ADMINISTRATIVE UNIT NO. 12**  
**Office of the Superintendent of Schools**  
**Londonderry, New Hampshire 03053**

A concurrent meeting of the School Administrative Unit No. 12 School Board and the Londonderry School District School Board was held on **Tuesday, July 11, 2017** at 7:00PM at the Londonderry Town Office, Moose Hill Conference Room, 268B Mammoth Road, Londonderry, NH. In attendance were School Board members: Ms. Ganem, Mrs. Hendricks, Mr. Lekas, Mrs. Reilly and Mr. Young. Also in attendance were Superintendent, Mr. Laliberte, Business Administrator, Mr. Curro and School Board Secretary, Lisa Muse.

**1. Call To Order:** The meeting was called to order at 7:00PM by Mr. Lekas.

**2. Pledge of Allegiance:** The Pledge of Allegiance was led by Mr. Black.

**3. Questions, Announcements and Presentations:** Mrs. Hendricks mentioned she is looking forward to our next meeting where we will discuss the Math program. Mr. Laliberte said this will take place at the August 8th meeting.

**4. Consent Agenda:** Ms. Ganem made a motion to accept the Consent Agenda. Mrs. Hendricks seconded the motion. The motion passed by a vote of 5-0-0.

**4.1 Resignation(s):**

**Karen Clark**

**Dining Services**

**North School**

**Bridget Combes**

**SPED Assistant**

**South School**

**Karen DeMeo**

**Teacher**

**North School**

**Stephanie Messina**

**School Psychologist**

**High School**

**4.2 Minutes:**

**June 20, 2017**

**4.3 Meetings:**

**August 8, 2017**

**Regular Meeting**

**7:00PM**

**Town Offices**

**August 22, 2017**

**Building Tours**

**6:00PM-6:30PM**

**South School**

**6:45PM-7:15PM**

**Moose Hill**

**7:30PM-8:00PM**

**High School**

**August 24, 2017**

**Building Tours**

**6:00PM-6:30PM**

**North School**

**6:45PM-7:15PM**

**Middle School**

**7:30PM-8:00PM**

**Matthew Thornton**

**August 29, 2017**

**Regular Meeting**

**7:00PM**

**Town Offices**

**5. Committee Reports**

**5.1 Student Council – Tyler Cullen: None**

**5.2 Teacher Liaison – Mary Wing Soares: From South School:** Mrs. Daron and Ms. Lantagne are beginning this week with their summer production of the "The Daily Hawk" with 8 learners, 4 each from 4th and 5th grade. I have a copy of the fifth run of the paper to share. **From Karen Robinson:** Four LHS Advanced TV production students are having their short videos screened in all Chunky's theatres for the next three months. The students won contests sponsored by Chunky's for the best short film in three categories. Seniors Ashley Penland and Christi DeMarco won for best PSA in the Don't Talk or Text category. Nick Pucillo won for best PSA in the Arrive On-Time category. Sammy

Honeywell won for Best Comedy Trailer. The LHS TV Production students' wins in three categories was the most wins of any participating school.

These videos can also be viewed on the LHS you tube channel.

**5.3 School Board Liaison Reports: None**

**6. Deliberations**

**6.1 To see what action(s) the Board will take regarding approval of the fiscal year 2019-2024 School District Capital Improvement Plan:** Mr. Curro mentioned we had this discussion last Board meeting and this coming Monday night is the initial meeting where they pick the calendar for the Capital Improvement Plan (CIP). Each year the Town and School are required to submit their six-year plan. The committee is a subcommittee of the Planning Board. Based on needs and the tax rate impact, the subcommittee puts together a community CIP and that goes to the Planning Board at a public hearing. Once the CIP is adopted, we get back from them what has been approved by the Planning Board. The Board is not obligated to fund any of the projects, but this gives the community a sense of what is needed for the community over the next six years.

Packet includes what we feel are the needs and these include: District Office, Auditorium, new Elementary School and Building Renovations. Mrs. Reilly asked if there have been any changes. Mr. Curro said there are no changes, but regarding the District Office there is an option to commit to a long term lease and not build anything. We could look at leasing for 3-5 years and then determine what they want to do after that. In regard to the budget price tag, he asked the architects for a second option and they reached out to a contract management company. They came back with pretty much the same budget number for a building that size. In the packet, is a good starting point that was proposed. Mrs. Hendricks asked about leasing option property. Mr. Curro said they have not actively looked. He mentioned that there is a good amount of space over near Home Goods.

Mr. Young said in the past, they looked at leasing for the Town side and one of the buildings they considered was the second floor above Edible Arrangements and the St. Mary's property was decided on because of the bank crises and there were tax issues. Ms. Ganem asked if we have any idea what leasing would cost. Mr. Curro said the going rate was around \$8-\$10/square foot. It would cost a couple \$100,000 to move. The big part of the move would be the IT equipment. If we were to stay 3-5 years, we would build offices to be a little more permanent.

Mrs. Reilly said regardless of the time, you would need privacy space for meetings that are sensitive. Mr. Lekas agreed that his first recommendation is that we need a different plan and a third opinion. He thought the price tag is too much.

Mr. Young asked on the \$4 million new building plan without land what is the square footage. Mr. Curro said 10,500 and then you had a basement makes it 11,000 for records storage. Mr. Young mentioned he goes in a lot of different types of building and with the number of employees the number square foot/employee is nowhere near this. When Mr. Young went online to calculate how much space is needed for 27 employees it recommends that six private offices, three conference rooms (he will push that up to five), kitchen and two utility rooms and he selected "spacious" space for employees 200 square feet and 8,350 sq. feet is what is recommended per the calculator. An "Average" building is 7000 square feet. He doesn't understand why we are putting up walls when most businesses are taking walls down. He thought going to the voters for \$4 million is insane and he thought the size we want is also insane. He doesn't have a problem putting any of this in the capital plan to let the community know that we are planning on for growth. It is for the Planning Board and it is important to have. It is important to have because the funds we get from the impact fees; the Town Council is going to be sun setting that completely. We can't grow too fast because we need all of these items. Mr. Curro reiterates

that he asked the architects, who are well known for building schools and District Offices, and the second opinion both came back with basically the same budget. He suggests that we have the architects come and discuss why they recommend that amount of space and why they feel it is necessary and legitimate.

Mr. Lekas reminded everyone that this is the discussion phase. Mrs. Reilly felt that there is some value to the suggestion that one or two Board members sits down with the architects.

Mrs. Soares reminded the Board that the Planning Board does not change any numbers. Their decision is whether or not they agree with how urgent it is and where it will fall in the CIP. They rely on the people presenting the project to come in with a valid number.

Mr. Curro said we have the District Office in FY19, as an example the committee might feel Fire needs a renovation and that project has a higher need than a District Office and that could push us off to FY20. However, if the Board felt like it needs to be sooner, they have the right to put forth an article on the '19 warrant.

Mrs. Hendricks said we are in a growth mode. She felt the size is appropriate and having worked in an open concept, she does not feel it is the most productive way to construct an office. She does not have a problem moving forward with all these items in the CIP as this is just discussion.

Mr. Lekas also does not have a problem recommending or discussing all these projects, but needs to have a full understanding of all the projects. The numbers can change and plans can change. *Mrs. Hendricks made a recommendation to approve the Capital Improvement Plan for fiscal year 2019-2024 for our school district Capital Improvement Plan. Mr. Young seconded the motion. The motion passed by a vote of 5-0-0.*

**6.2 To see what action(s) the Board will take regarding the second reading of the following policies:** Mrs. Carpinone introduced Attorney Erin Feltes from Drummond Woodsum. She can answer any questions that there might be for the second reading of the FERPA policies and the first reading of the administrating medication to student's policy.

**6.2.1 Rescinding: Policy JO – Student Records**

**6.2.2 Amending: Policy JOA – Confidentiality Policy**

**6.2.3 Amending: Policy JOA-E – Confidentiality Requirement**

**6.2.4 New: Policy JRA – Student Education Records and Information**

**6.2.5 New: Policy JRA-R – Student Education Records and Information-Administrative Procedure**

**6.2.6 New: Policy JRA-E – Annual Notice of Student Education Records and Information Rights**

The two memos outline the changes we discussed at the June 20th meeting for the first readings of policy JOA and JOA-R and the rest of the policies we are recommending to rescind and adopt.

Mrs. Reilly asked for clarification on the second page of policy JRA under E, regarding the designation of law. Attorney Feltes explained the exceptions under FERPA to the law enforcement records. It is not an educational record under FERPA if it is a law enforcement record. School Resource Officers (SRO) are considered employees of the Londonderry Police department. If the SRO did an investigation that becomes a law enforcement record and can be shared with the Police Department, the county attorney's office and a prosecutor. Education record cannot be shared without permission from the parent. Mrs. Reilly understood the basic need and to keep the general population safe, but she is concerned about the incident that you have a child and the rush to judgement. At what point is an offense considered to have crossed the line. Under FERPA there is no obligation for the SRO to share the information. We can have a memorandum of understanding with the police department to clarify how the relationship with work. All the FERPA policy does is allow the information to share it if we

need to. We have veteran SROs that make these judgement calls all the time, but she is worried about the rare instance that an incident was not addressed at the school level and went to the police level.

Mr. Laliberte said there are two extra pieces that get to the heart of what we are talking about. The legal piece is when an SRO becomes involved and that is spelt out in the memorandum and is lengthy. The second piece is the relationship we have with the Londonderry Police Department and he knows they are involved on discussions on hypothetical levels. The Memorandum of Understanding piece lays that out.

Mrs. Reilly asked if it is a fair statement that if the Board enacts this policy and puts this forward that operationally the way we do things covers these types of events and protects the students. Mr. Laliberte said this does not alter the memorandum of understanding in any way, which sets how we interact with the police department.

Tyler Cullen talked about the student handbook and the different kinds of behavioral infractions were broken up. Law enforcement was only mentioned as a response for Level 4 which are the most dangerous crimes.

Mr. Young asked if anybody in the audience has any concerns or support of these policies. He also mentioned that these are on the website [www.londonderry.org](http://www.londonderry.org).

***Mrs. Hendricks made a motion to approve the second reading and move all of the following changes to the policy to the third reading:***

***6.2.1 Rescinding: Policy JO – Student Records***

***6.2.2 Amending: Policy JOA – Confidentiality Policy***

***6.2.3 Amending: Policy JOA-E – Confidentiality Requirement***

***6.2.4 New: Policy JRA – Student Education Records and Information***

***6.2.5 New: Policy JRA-R – Student Education Records and Information-Administrative Procedure***

***6.2.6 New: Policy JRA-E – Annual Notice of Student Education Records and Information Rights***

***Mr. Young seconded the motion. The motion passed by a vote of 5-0-0.***

**6.3 To see what action(s) the Board will take regarding the first reading of the following policies:**

***6.3.1 Amending: Policy JHCD Administering Medications to Students***

***6.3.2 New: Policy JHCD-E Parental Permission for Over the Counter Medications***

Mrs. Carpinone discussed the second memo in regard to the nursing policy. They made some changes to the current policy which was amended in 2008. The changes are already in our policy which allow students with a doctor's orders, parental permission and nurse approval to self-carry their epi pens and inhalers. Our policy right now specifically lists Albuterol and we want to use generic terms. We have also expanded that to include diabetic supplies for those students. The doctor, parent and nurse work together with a diabetic student so that they can self-manage.

Parental Permission for over the counter (OTC) medications was discussed. In order to have an OTC protocol we also needed a parent permission slip (JHCD-E) to allow over the counter medication. This allows for more efficient management. There would be an annual written notice from parents. Taking feedback from the nurses, we included the language that a first dose would not be administered before 10:00AM without a verification from parents.

Ms. Ganem discussed that we have a limited supply of over the counter medicine and asked if it is going to remain as limited in the budget. Mrs. Carpinone said some of the nurses really can't predict

how this will impact. If we know of someone with chronic headaches and we knew that from the doctor, we would ask the parents to provide. The parent has to bring the Tylenol/Advil to the nurse.

Tyler Cullen asked about the words in bold and how strict it will be enforced. The nurse would call home but they are trying to avoid the frequent flyers to the nurse and phone calls would clear this up.

Ms. Ganem asked about the self-administer epinephrine auto injector. She clarified that the physician needs to sign off that the student can auto inject. Mrs. Carpinone mentioned that sometimes the doctors felt the student is not mature enough so they will not sign off and this usually applies to grade school students. Attorney Feltes mentioned that this is a State law that they cannot change.

Mrs. Reilly understood the inhalers and diabetic testing supplies, but is concerned about needles being left behind by mistake. Mrs. Carpinone said the reason we are recommending the policy is so that we know all of the students that might be self-carrying an epi pen or a lancet. Mrs. Reilly is very nervous about the bus. Parents of diabetic students have offered to come and talk to the Board. Mrs. Reilly is worried about the safety of all the other students. The bus driver would be notified that a student was self-carrying so the driver would be aware of this.

Mrs. Reilly asked what other School Districts have done and if this is typical. Mrs. Carpinone said she could look at surrounding towns and maybe Londonderry will be in the forefront because we have a lot of Type 1 diabetic students right now. The more restrictions you have on the policies the more staff you need to have. Mrs. Reilly asked if this is for all schools and Mrs. Carpinone said yes that is the current recommendation in the policy.

Tyler Cullen mentioned that he carries an epi pen and seconds can be life or death. From the student's perspective, maybe starting in elementary school there could be something implemented into the health classes about the dangers of these medicines.

Ms. Ganem asked if we can change the word "physician" to health care provider. Mrs. Carpinone and Attorney Feltes will check.

Mrs. Hendricks asked about testing in the classroom and effecting the other students in the classroom and being distracting. Mrs. Carpinone said we have been doing that for years and she has never heard that it has been a distraction. It's done very discreetly. Mrs. Hendricks asked what do we do when another student is uncomfortable and what does the law say about protecting the other students in the classroom and she would like data on that. Mrs. Carpinone mentioned that if a parent/student is really uncomfortable they could educate them and if still uncomfortable move the student out of the visual and make them comfortable. Mrs. Reilly said we just need to find the balance.

Mrs. Carpinone mentioned that blood sugars are checked several times a day and checked right before leaving school.

Mrs. Reilly has had parents call her to ask why the kids cannot self-administer on the bus so she has heard both sides. She just wants to make sure all the students are protected.

***Mr. Young made a motion we approve the first reading for the change of the following:***

***6.3.1 Amending: Policy JHCD Administering Medications to Students***

***6.3.2 New: Policy JHCD-E Parental Permission for Over the Counter Medications***

***Ms. Ganem seconded the motion. The motion passed by a vote of 5-0-0.***

## **7. Superintendent's Report**

**7.2 Londonderry High School Discipline Report – Katie Sullivan:** 91% of the students did not have a disciplinary incident during semester two. Eight frequent fliers were responsible for 25%

of the discipline totals. Dropout rate was zero percent. She thanked all staff and administrators from the younger buildings. There were zero issues during the final week of school.

Mrs. Hendricks asked in regard to the misuse of electronic devices is there nothing we can do. Mrs. Sullivan said the numbers went down and she is proud of the students and teachers. They just need to keep educating the students. They can use the electronics during non-teaching time. Mr. Young said it's just the way the students communicate nowadays.

Mrs. Reilly asked about the cheating/plagiarism. Mrs. Sullivan said it is more cheating than plagiarism. Group work needs to be educated a little more to the students. Mrs. Reilly felt they should be separated on the incident chart.

Mrs. Reilly asked how they handle the out of school suspension. With the students that do more severe incidents, they hold monthly meetings for these students and the police.

Mr. Lekas asked about parent contact and Mrs. Sullivan said the parent is always contacted.

Tyler Cullen asked if historically the senior prank is considered a disciplinary infraction. Mrs. Sullivan said the senior prank is never accepted or approved by the administration.

**7.3 Londonderry Middle School Discipline Report – David Sutherland:** 88% of students did not have a single infraction during Semester Two. 44 students did have repeated behaviors and six were frequent fliers. Slight increase in harassment/bullying. The cyber harassing occurred out of the school. Videos are provided monthly to reinforce these types of learning opportunities. Relationship building between staff and students has really helped with the numbers. Merit system is where they recognize students going above and beyond. 88 were handed out. Certificates of merit are acknowledged weekly and their parents are notified as well.

Mrs. Hendricks asked about the dress code violations. She asked if the five violations were girls. Mr. Zacchilli said all five were female students. Mr. Barry in the 8<sup>th</sup> grade American Studies class had students write to me because they were concerned about the dress code. 13 students wrote letters. The dress code is for males and females. The kids understand the policy. Short shorts are the main problem. Mrs. Hendricks asked if there is any need to revisit the dress policy particularly for the Spring. Mr. Zacchilli spoke with other districts and they are all different but similar. He felt the policy is fair and he is happy how we approach it as a staff.

Mrs. Reilly discussed the email regarding a practice of some games that were potentially dangerous. She felt from a parent's perspective our District put out the most informative email. There were four school districts that had put out notices and she felt the information was very valuable and helpful. Mr. Sutherland said that was a collaboration with the High School.

**7.1 FY2017 1<sup>st</sup> Close Financial Report – Peter Curro:** Mr. Curro reminded everyone that the financial statements have not been audited. The auditors arrive in mid-August and the final report is given mid-December. He gave thanks to the HR and Business Department because he asked for so many updates because that's how razor close we were coming in. What saved us was we didn't need as much money reserved for special ed tuition and employee taxes. On the expenditure side, we were \$155,000 under budget. Revenues did come in under budget. The year-end surplus from operations is \$122,000. We will have enough funds to fund capital reserve equipment and sped trust fund.

As of June 30<sup>th</sup>, 2016 the Undesignated fund balance was \$402,810. He doesn't think they will be adding to that.

Ms. Ganem asked about impact fees. Mr. Curro said we will get rid of that at the end of the year.

Mr. Young thanked Mr. Curro for watching this so closely and wishes we weren't this close and disappointed we don't have funds to put into the capital reserve fund. We need a fund balance to run a \$70-million-dollar corporation. Mr. Young is more disappointed that we can't reduce the tax rate, but at least we are in the green.



Mr. Curro mentioned that Dining Services should break even on operations. They did a fair amount of catering work and pushed a lot of unique items and saw an increase in participation. The bad news is that the year-end open balance is over \$15,000. It was \$5,000 the year before and \$2,500 before that. The Federal law says bad debts for food service program must be covered by the Operating Budget. He felt the bad debt is the graduating seniors or someone who transferred and the auditors agreed. The write off from the operating budget for this year is \$438.

There is a dozen or so students that didn't make a single payment all year and there are students that owe over \$400. The District is leaning towards holding the diploma. Mr. Curro felt the word is out that you don't have to pay. We will put together a recommendation to the Board to consider and then a policy will need to be written. Tyler Cullen asked how much was seniors and Mr. Curro said that was \$438. Mr. Curro said the administrators at the high school do a great job tracking down the seniors. The fact that there is another \$14,500 district wide is very concerning. There are federal restrictions and not being on the federal program so he would like to have Mrs. Venezia present to discuss.

Mr. Young asked if the students debts keep accruing, would they start the year with a negative balance. Mr. Curro said yes. Having these large amounts is a burden on the program.

**8. Non-Public Session: Non-Public Session requested under RSA 91-A:3, Section II (b). Please see attached Confidential Memorandum. *Mrs. Reilly made a motion to adjourn into Non-Public Session requested under RSA 91-A:3, Section II (b). Mrs. Hendricks seconded the motion. The motion passed by roll call vote.***

**9. Adjournment**

The meeting was adjourned at 8:46PM.

Respectfully submitted,

Lisa Muse  
School Board Secretary

Londonderry School Board  
Non-Public Minutes  
Tuesday, July 11, 2017

5       PRESENT:     Board Members: Ms. Ganem, Mrs. Hendricks, Mr. Lekas, and Mrs. Reilly  
                      Superintendent of Schools: Mr. Laliberte  
                      Assistant Superintendent: Mr. Black  
                      Director of Business Administration: Mr. Curro  
                      Director of Human Resources: Mrs. Swenson

10       Mrs. Reilly moved, seconded by Mrs. Hendricks and passed unanimously (5-0) to enter non-  
public session under RSA 91-A:3, Section II (b) at 8:48PM

15       Mr. Young was not in attendance during this session.

      Ms. Ganem moved, seconded by Mrs. Hendricks and passed unanimously (4-0) to approve  
administration's recommendation for two teachers

20       Mrs. Reilly moved, seconded by Ms. Ganem and passed unanimously (4-0) to exit non-public  
session at 8:54PM

      Mrs. Hendricks moved, seconded by Ms. Ganem and passed unanimously (4-0) to adjourn public  
session at 8:55PM

25       Respectfully submitted,

30       Scott A. Laliberte  
Superintendent of Schools



LONDONDERRY SCHOOL DISTRICT

**PENDING PUPIL SERVICES POLICIES**

**READING SCHEDULE**

1 <sup>st</sup> Reading	June 20, 2017
2 <sup>nd</sup> Reading	July 11, 2017
3 <sup>rd</sup> Reading	August 8, 2017



# Londonderry School District

Kimberly Carpinone, Director of Pupil Services

## Memo

To: Nate Greenberg  
CC: School Board  
From: Kimberly Carpinone  
Date: July 11, 2017  
Re: Pupil Services Policies

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After the 1<sup>st</sup> reading on June 20, 2017, the following changes were made to 2 of the policies for the 2<sup>nd</sup> reading scheduled for July 11, 2017:

- **Policy JOA Student Education Records and Information:**  
On page 2, removed "Note" from "D. Transfer of Student Records"
- **Policy JOA-R Student Education Records and Information – Administrative Procedure:**  
On page 6, removed the phrase "for a minimum of fifty (50) years" from "J. Maintenance and Destruction of Education Records, item #2"

There are no changes to the remaining 4 policies which are discussed below.

Based on a review of the current policies related to students a few of these required updated language in order to be compliant with related RSAs and others were no longer relevant and could be rescinded. Additionally, there were other areas not addressed and therefore require policies to be added. The drafts of these policies are attached. The language would bring the School District into compliance with current federal and state regulations including the federal Family Educational Rights and Privacy Rights Act (FERPA), student records and confidentiality. Further, it is critical to rescind the other policies that are no longer relevant based on the above regulations.

In consultation with our attorney at Drummond Woodsum, I am recommending the following changes to the current School Board policies:

### **Rescind (blue):**

The current policies below do not reflect current legal terminology, federal or state regulations or district practice – policy should be updated and recoded to reference updated Federal and State regulations and district procedures. Recommend to rescind the following and adopt new **SB Policy JRA**

- **JO – student records**

**Amend (yellow):**

- **JOA** - current (2004) policy does not reflect current legal terminology related to FERPA. Draft policy cites updated legal references.
- **JOA-E** current (2004) policy does not reflect current legal terminology related to FERPA. Draft exhibit would confirm with the amended changes in JOA.

**Adopt new policy (green):**

- **JRA –Student Education Records and Information** – required by law (FERPA)
- **JRA – R Student Education Records and Information Administrative Procedure**
- **JRA- E Annual Notice of Student Education Records and Information Rights**

## STUDENT RECORDS

The Londonderry School Board, in compliance with the federal Family Education Rights and Privacy Act of 1974 (P.L. 93-380 and P.L. 93-568, 20 USCS Section 1232g), adopts the following policy.

1. NOTICE OF RIGHTS. Parents and eligible students shall be given annual notice of their rights by publishing a summary of them in a newspaper of general circulation during the month of August each year.
2. REQUESTS FOR INSPECTION. To exercise their right to inspect and review educational records, parents and eligible students shall address a request to do so in writing to the principal or his/her designee in the school where the student attends or has last attended. Such inspection and review shall take place during regular school hours; or if during vacation periods, at reasonable times not including weekends or holidays.
3. COPIES OF RECORDS. Single copies of educational records which the parents or eligible students are entitled to inspect will be provided, on request, free of charge. Additional copies will be provided at a cost of ten cents (\$.10) per page. The principal or his/her designee in the school where the student attends shall make a written list identifying the records of which copies have been provided, with dates, as well as the person to whom supplied, and shall place such list in the student's file.
4. RECORDS MAINTAINED. The school district will maintain records for each student in the following categories: directory information, academic records, results of standardized and individual tests taken by the student, individual educational programs and recommendations prepared by a district placement team, attendance and enrollment data, and health records provided by the parent or generated by the school in accordance with laws of the State of New Hampshire. The principal or his/her designee in the school where the student attends shall be responsible for the maintenance of these records.

The following schedule of retention of these records will be observed:

- a. Permanent records will be maintained in either paper or electronic form for a minimum of fifty (50) years. At least one of these copies shall be kept in a fireproof file. Permanent records shall include the following:
  1. Academic transcripts.
  2. Attendance records.
  3. Progress reports.
  4. Standardized test scores.
  5. Significant incident reports.
- b. Non-permanent records shall be maintained no less than one year after program completion/graduation. Non-permanent records include:

1. Examples of student work product.
  2. Early release forms.
  3. Parental permission slips.
  4. Health and physical/immunization records.
- c. The disposition of paper records shall be recorded to include the method and date of said disposition.
- d. Special Education records shall be maintained no less than six (6) years after program completion/graduation.
- e. All other student records may be destroyed after program completion/graduation.
5. DISCLOSURE OF RECORDS. In accordance with 20 USCS Section 12329(b)(1)(A), personally identifiable records of students, other than directory information, will not be disclosed by the school district without prior written consent of the parent or eligible student, except as permitted by law and in accordance with the Londonderry School District's Confidentiality Policy.
6. RECORD OF DISCLOSURE. The Londonderry School District shall maintain a written record of each disclosure of student records, except directory information. The record of disclosure shall indicate the parties who have requested or obtained disclosure of student records. This record of disclosures may be inspected by the parent, or eligible student, the principal who is responsible for the custody of the records, and for the purpose of auditing the record keeping procedures by legitimate State and Federal officers. A written record of such inspections shall also be maintained.
7. AMENDMENT OF RECORDS. Having inspected the education records of the students, the parent, or eligible student, may request that the records be amended in respect to information alleged to be inaccurate, misleading, or in violation of the privacy rights of the student. Such request shall be in writing. In the event that the district decides to refuse the request to amend, the School District shall so inform the parent, or the eligible student, and shall advise said person of his/her rights to a hearing.
8. COMPUTER USE/INTERNET LOGS. It is the policy of the Londonderry School District to maintain computer activity logs for ten (10) calendar days. Such activity logs shall be purged either manually or electronically.
9. CONTACT INFORMATION. The name and address of the administrator in charge of any particular student record may be obtained from the office of the Superintendent of Schools, 268 Mammoth Road, Londonderry, NH 03053, Telephone 603-432-6920.

#### LONDONDERRY SCHOOL BOARD

Adopted: January 23, 1981

Amended: June 1, 2004

1<sup>st</sup> Reading to Rescind: June 20, 2017

2<sup>nd</sup> Reading to Rescind: July 11, 2017

3<sup>rd</sup> Reading to Rescind: August 8, 2017

## **LONDONDERRY SCHOOL DISTRICT CONFIDENTIALITY POLICY**

### **PREAMBLE**

It is the policy of the Londonderry School District to respect the privacy, dignity, and confidentiality of all students attending the Londonderry School District. It is the policy of the Londonderry School District that student education records, and the personally identifiable information contained therein should only be viewed or shared as permitted by the Londonderry School District's policies.

### **STUDENT RECORDS AND PERSONALLY IDENTIFIABLE INFORMATION**

The Londonderry School District will only disclose education records and the personally identifiable information contained therein in accordance with the provisions of the Family Educational Rights and Privacy Act ("FERPA"), as well as other relevant federal and state laws and regulations as they relate to education records, personally identifiable information, and confidentiality.

Consistent with policy the Londonderry School District's Student Education Records and Information Policy and Procedures (JRA and JRA-R), the Londonderry School District will not disclose any personally identifiable information from a student's educational records without the prior written consent of the parent/eligible student, unless such disclosure is allowed by federal and/or state statutes or regulations.

Employees and volunteers of the Londonderry School District shall read and comply with the District's Student Education Records Information Policy and Regulations (JRA and JRA-R). It is the policy of the Londonderry School District that the building Principal of each school, or his/her designee, shall be the custodian of all student records for that school. Employees and volunteers who have access to personally identifiable information shall keep such information confidential and shall only be shared with the eligible student, with the parent or legal guardian of the student, with other individuals with appropriate written authorization, with other school officials that have a legitimate educational interest, or pursuant to a recognized exception under FERPA. When receiving an inquiry from individuals who are not specifically known to be qualified to receive the information, the employee shall consult Policy JRA prior to the disclosure of any personally identifiable information. If the individual seeking such information is not listed as a person entitled to receive such information, the employee shall not disclose any information until appropriate written authorization has been received, or it has been determined that an appropriate FERPA exception applies. If the employee has any questions as to whether or not such information may be shared, it is incumbent upon the employee to seek the assistance of his/her immediate supervisor and/or the building Principal. The building Principal for each school, or his/her designee, shall make the final determination regarding the release of a student's educational records and/or the release of personally identifiable information contained in a student's educational records.



Employees receiving personally identifiable information shall safeguard the information from dissemination to unauthorized parties. Steps should be taken to insure that personally identifiable information does not accidentally find its way into the public domain.

### OBSERVATIONS

During the course of carrying out activities as an employee or volunteer of the Londonderry School District, individuals may make certain observations that may disclose personally identifiable information about a student. These observations may indicate the nature of disabilities and/or accommodations that are made in response to such disabilities. These observations, by their very nature, may result in the employee or the volunteer receiving sensitive information about a student. To the degree such observations disclose personally identifiable information, the employee or volunteer in question making such observations must respect the privacy, dignity, and confidentiality of the student involved and not disclose such information in violation of this policy.

### VIOLATIONS

The dissemination of personally identifiable information by employees or volunteers to individuals who do not have a legitimate educational interest is strictly prohibited. Further, employees or volunteers are not to disclose such personally identifiable information to individuals who are not affiliated with the Londonderry School District without specific written authorizations for the release of such information, or without a determination that an appropriate FERPA exception applies. Such written authorizations may appear in the Student Information Sheet that is provided by the student and/or parents at the beginning of each school year or may be supplemented or amended as necessary. If the employee or volunteer has any question as to whether the individual is entitled to receive such information, then the building Principal or Designee shall be consulted prior to disclosure.

Employees or volunteers who release personally identifiable information in violation of Londonderry School District policies shall be subject to discipline and/or exclusion from continuing participation in volunteer activities. Such discipline may include, but not be limited to, termination.

### ELECTRONIC RECORDS/INFORMATION

Employees who have access to electronic personally identifiable information shall safeguard the dissemination of such material in accordance with Londonderry School District policies. In particular, information shall not be forwarded to individuals who do not have a legitimate educational interest in the information. Further, personally identifiable information shall not be stored in a manner in which unauthorized students, employees, or third parties may gain access.

When using email as a means of communicating personally identifiable information, employees shall take all steps to insure that the email addresses are accurate and that the information is not inadvertently delivered to unauthorized individuals. Further, and to the degree that information is going to be shared amongst a large group, information shall be tailored so that personally identifiable information is not shared with individuals without a legitimate educational interest.

Legal Reference: 20 U.S.C. § 1232g; 34 C.F.R. Part 99, as amended  
20 U.S.C. § 7908  
RSA 189:1-e, RSA 189:66, IV, 193-D:8, 194:31-a  
N.H. Code of Administrative Rules Ed 1119

Cross Reference: JRA – Student Education Records and Information  
JRA-E – Annual Notice of Student Education Records and Information Rights  
JRA-R – Student Education Records and Information Administrative Procedure  
JOA-E - Confidentiality Requirement

## LONDONDERRY SCHOOL BOARD

Adopted: June 1, 2004

1<sup>st</sup> Reading to Amend: June 20, 2017

2<sup>nd</sup> Reading to Amend: July 11, 2017

3<sup>rd</sup> Reading to Amend: August 8, 2017



**Londonderry School District**  
**268C Mammoth Road**  
**Londonderry, NH 03053**

### **CONFIDENTIALITY REQUIREMENT**

The undersigned employee/volunteer/substitute of the Londonderry School District hereby acknowledges **that he or she has read and understands his or her obligations under the Londonderry School District's Student Records and Information Policy and Procedures (JRA and JRA-R).** Specifically, all personally identifiable student information shall be kept confidential in accordance with the requirements of the Family Educational Privacy Act (FERPA). **All** personally identifiable student information obtained from student records, observations, student work product, or by any other means, shall only be shared with **the eligible student, with the parent or legal guardian** of the student, **with** other individuals with appropriate written authorization, **with** other school officials that have a legitimate educational interest in such information, **or pursuant to a recognized exception under FERPA.** If the undersigned employee/volunteer/substitute has any questions as to whether or not such information may be shared in accordance with this requirement, it is incumbent upon the employee/volunteer/ substitute to seek the assistance of his/her immediate supervisor. Violation of this Confidentiality Requirement may result in discipline **and/or exclusion from continuing participation in volunteer activities. Such discipline may include, but not be limited to, termination.**

Date \_\_\_\_\_ Employee/Volunteer/Substitute \_\_\_\_\_

LONDONDERRY SCHOOL BOARD

Adopted: June 1, 2004

1<sup>st</sup> Reading to Amend: June 20, 2017

2<sup>nd</sup> Reading to Amend: July 11, 2017

3<sup>rd</sup> Reading to Amend: August 8, 2017

## **STUDENT EDUCATION RECORDS AND INFORMATION**

The Londonderry School District shall comply with the Family Educational Rights and Privacy Act (“FERPA”) and all other federal and state laws and regulations concerning confidentiality and maintenance of student records and information.

### **A. Directory Information**

The Londonderry School District designates the following student information as directory information: name, participation and grade level of students in recognized activities and sports, height and weight of student athletes, dates of attendance in the school district, honors and awards received, and photographs and videos of student participation in school activities open to the public.

Directory information may be published in student yearbooks, school district websites, athletic publications, radio programs, television broadcasts, performing group graduation programs, and in the publication of achievement awards and honors for individual students. This information may also be disseminated to local newspapers in accordance with school sponsored sporting activities and/or programs.

The Londonderry School District may disclose directory information if it has provided notice to parents (and eligible students) and has not received timely written notice refusing permission to designate such information as directory information.

Absent an opt-out, the District may disclose directory information about former students without the consent of the parent/eligible student.

### **B. Military Recruiters/Higher Education Access to Information**

Under federal law, military recruiters and institutions of higher education are entitled to receive the names, addresses and telephone numbers of secondary students and the Londonderry School District must comply with any such request, provided that parents have been notified that they and secondary school students have the right to request that this information not be released without their prior written consent.

### **C. Health or Safety Emergencies**

In accordance with federal regulations, the School District may disclose education records in a health or safety emergency without prior written consent to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.

### **D. Transfer of Student Records**

The Londonderry School District sends student education records to a school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled, if the school, school system, or institution or postsecondary education

has requested the records, so long as the disclosure is for purposes related to the student's enrollment or transfer. Such records include, but are not limited to, grades and report cards, disciplinary records, attendance records, special education records and health records.

~~**NOTE: Local Boards that want to be able to disclose student education records to school resource officers or their local police district should include the following paragraph in this policy. We also recommend that local Boards adopt a policy on relationships with law enforcement or, if the school unit has SROs, a policy on relationships with SROs and law enforcement.**~~

#### **E. Designation of Law Enforcement Unit**

The Board hereby designates the Londonderry Police Department as the Londonderry School District's law enforcement unit.

#### **F. Violations by Employees, School Board Members, and Volunteers**

**All employees, school board members, and volunteers must comply with this policy and corresponding procedures. Failure to do so may result in discipline and/or exclusion from continuing participation in volunteer activities. Such discipline may include, but not be limited to, termination.**

#### **G. Administrative Procedures and Notices**

The Superintendent is responsible for developing and implementing any administrative procedures and parent notices necessary to comply with the applicable laws and regulations concerning student education records and information. Notices shall be distributed annually to parents and eligible students concerning their rights under these laws and regulations. A copy of this policy shall be posted in each school.

Legal Reference: 20 U.S.C. § 1232g; 34 C.F.R. Part 99, as amended  
20 U.S.C. § 7908  
RSA 189:1-e, RSA 189:66, IV, 193-D:8, 194:31-a  
N.H. Code of Administrative Rules Ed 1119

Cross Reference: JRA-E – Annual Notice of Student Education Records and Information Rights  
JRA-R – Student Education Records and Information Administrative Procedure  
EDDA – Internet Log/email/Voice Mail Retention Policy

#### **LONDONDERRY SCHOOL BOARD**

1<sup>st</sup> Reading: June 20, 2017

2<sup>nd</sup> Reading: July 11, 2017

3<sup>rd</sup> Reading: August 8, 2017

## **STUDENT EDUCATION RECORDS AND INFORMATION – ADMINISTRATIVE PROCEDURE**

This administrative procedure is intended to assist administrators and school staff in complying with the requirements of federal and state statutes and regulations concerning student education records and information, including special education requirements.

### **A. Definitions**

The following definitions apply to terms used in this procedure.

1. "Act" means the federal Family Educational Rights and Privacy Act ("FERPA") (20 U.S.C. §1232g).
2. "Directory information" means the following information contained in an education record of a student: name, participation and grade level of students in officially recognized activities and sports, height and weight of student athletes, dates of attendance in the District, honors and awards received, and photographs and videos relating to student participation in school activities open to the public.

Directory information may be published in student yearbooks, School District websites, athletic publications, radio programs, television broadcasts, performing group graduation programs, and in the publication of achievement awards and honors for individual students. This information may also be disseminated to local newspapers in accordance with school sponsored sporting activities and/or programs.

3. "Eligible student" means a student who has attained 18 years of age or who is attending an institution of postsecondary education. Generally, once a student becomes an eligible student, all rights accorded to parents concerning education records transfer to the eligible student, except that the District may continue to disclose education records to a parent without prior written consent if the student qualifies as a dependent under the Internal Revenue Code.
4. "Parent" means parent, regardless of divorce or separation, a legal guardian, or individual acting as a parent or guardian. There shall be a presumption that a parent has the authority to exercise the rights inherent in the Act, unless the District has been provided with evidence that there is a court order, statute, or legally binding document relating to such matters as divorce, separation or custody that specifically revokes such rights.
5. "Record" means information recorded in any way, including but not limited to handwriting, print, e-mail or other computer media, video or audio tape, or microfilm and microfiche.
6. "Education record" means records, files, documents and other materials that contain information or data that directly relates to a student and is maintained by the school district. Records of instructional, supervisory and administrative personnel and

personnel who support these individuals, which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a temporary substitute for the person who made the record are excluded from this definition, as are grades on peer-graded papers before they are collected and recorded by a teacher.

7. "Student" includes any individual who has been in attendance at the District and regarding whom the District maintains education records.

## **B. Annual Notification of Rights**

Parents and eligible students shall be provided with notice of their rights under FERPA and other applicable federal and state laws and regulations concerning education records at the beginning of each school year or upon enrollment if a student enrolls after the start of the school year. The District may provide notice through any of the following means:

1. Distribution to students to take home;
2. Publication in a newspaper of general circulation within the District.

## **C. Access to Policy and Administrative Procedure**

The District's policy on Student Education Records and Information shall be posted in each school. In addition, school administrators shall provide copies of this administrative procedure to parents/eligible students upon request or when a request to inspect or amend records is made. Policy JRA can be found on the school district website.

## **D. Inspection and Review of Education Records**

Parents/eligible students may review and inspect their education records by the following procedure:

1. The parent/eligible student must make a written request to the Superintendent or building administrator to review the records.
2. The Superintendent or building administrator will comply with the request without unnecessary delay and in a reasonable period of time, and in all cases, within 14 days after the day the request was received. If the student qualifies as a child with a disability, the Superintendent or building administrator will comply before any IEP Team meeting regarding an Individualized Education Program or any due process hearing or resolution session under the special education laws.
3. The Superintendent or building administrator may deny a request for access to or copies of the student's education records if there is reasonable doubt as to the legality of the parent-child relationship. Access will be withheld until a determination of legal right to access can be established.
4. All records shall be reviewed in the presence of a school official.

Parents of special education students may also review upon request the following:

1. The District's list of types and locations of education records and titles of officials responsible for the records.
2. The District's record of disclosures of personally identifiable information (see Section G).

#### **E. Requests to Amend Education Records**

Parents/eligible students may ask the District to amend education records they believe are inaccurate, misleading or in violation of the student's privacy rights as follows:

1. The parent/eligible student must make a written request to the Superintendent or building administrator to amend the education record. The request must clearly identify the part of the record they want changed, specify how they want it changed, and specify why it is inaccurate or misleading.
2. The Superintendent or building administrator shall, within a reasonable period of time after receipt of the request, either amend the record in accordance with the request or inform the parent/eligible student of the District's refusal to amend the record and inform the parent/eligible student of their right to request a hearing.
3. If the parent/eligible student requests a hearing, it shall be held within a reasonable period of time from the District's receipt of the written request. The parent/eligible student shall be given advance notice of the date, place and time of the hearing. The Superintendent shall designate an individual to conduct the hearing. This individual may be an employee of the District so long as he/she does not have a direct interest in the outcome of the hearing. The parent/eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of his/her choice at his/her own expense, including an attorney.
4. The District shall make its decision in writing within a reasonable period of time. The decision of the school must be based solely on the evidence presented at the hearing, and shall include a summary of the evidence and the reasons for the decision.
5. If, as a result of the hearing, the District decides that the information is inaccurate, misleading or otherwise in violation of the privacy rights of the student, it shall amend the education records of the student accordingly and so inform the parent/eligible student in writing.
6. If, as a result of the hearing, the District decides that the information is not inaccurate, misleading or otherwise in violation of the privacy rights of the student, it shall inform the parent/eligible student of their right to include a statement in the student's education record about the contested information and/or setting forth any reasons for disagreeing with the decision of the District.



7. Any statement placed in the student's education record under the preceding paragraph shall be maintained with the contested part of the record for as long as the record is maintained by the District. If the District discloses the contested portion of the record to any party, it shall also disclose the statement.

## **F. Disclosure of Education Records**

All disclosures of education records will be made in compliance with federal and state statutes and regulations. The District will not disclose any personally identifiable information from the education records of a student without the prior written consent of the parent/eligible student unless such disclosure is otherwise allowed by federal and/or state statutes or regulations. The written consent shall include a specification of the records which may be disclosed, the purpose(s) of the disclosure(s), and the identity of the party or class of parties to whom the disclosure(s) may be made.

There are several exceptions to the requirement to obtain prior written consent before disclosing education records as follows:

1. **Directory Information.** The District may make directory information (as described in Section A) public at its discretion unless a parent/eligible student has notified the Superintendent in writing by September 15<sup>th</sup> or within thirty (30) days of enrollment, whichever is later, that the parent/eligible student refuses to let the District designate as directory information any or all of those types of information. This opt-out shall remain in effect until the following school year, unless the parent or eligible student rescinds it earlier, or unless the student no longer attends the District, in which case the opt out will remain in effect unless it is rescinded. Absent an opt-out, the District may disclose directory information about former students without the consent of the parent/eligible student.
2. **Military Recruiters/Institutions of Higher Education.** Military recruiters and institutions of higher education are entitled to receive the names, addresses and telephone numbers of secondary students and the District must comply with any such request, provided that parents have been notified of their right to request that this information not be released without their prior written consent. Parents and secondary school students who do not want the District to disclose this information must notify the Superintendent in writing by September 15<sup>th</sup> or within thirty (30) days of enrollment, whichever is later.
3. **School Officials with Legitimate Educational Interests.** Education records (and personally identifiable information from an education record) may be disclosed to school officials with a "legitimate educational interest." A school official has a legitimate educational interest if he/she needs to review an education record (or to receive personally identifiable information from an education record) in order to fulfill his/her professional responsibility. School officials include persons employed by the District as an administrator, supervisor, instructor or support staff member (such as guidance, health or medical staff and the District's designated law enforcement personnel, if any); members of the School Board; persons or companies with whom the District or school administrative unit has contracted to provide specific services

(such as attorneys, auditors, medical consultants, evaluators, experts, or therapists); companies providing online educational services; and volunteers who are under the direct control of the District with regard to education records.

4. **Other Schools.** The District sends student education records to schools, school systems, or institutions of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled, if the school, school system, or institution of secondary education has requested the records and so long as the disclosure is for purposes related to the student's enrollment or transfer. Such records shall include, but are not limited to, grades, report cards, disciplinary records, attendance records, special education records and health records.
5. **Health or Safety Emergency.** In accordance with federal regulations, the District may disclose education records in a health or safety emergency without prior written consent to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.
6. **Other Entities/Individuals.** Education records may be disclosed to other governmental entities and individuals as specifically permitted by FERPA and the accompanying regulations.

**G. Request/Disclosure Record**

1. The District will maintain a record of requests for and disclosures of personally identifiable information from the education records of a student.
2. Such records do not include: (a) disclosures to the parents/eligible student; (b) disclosures made pursuant to written consent of the parents/eligible student; (c) disclosures to school officials with legitimate educational interests in the record; (d) disclosures of directory information; (e) disclosures to the person who provided or created the record; (f) disclosures pursuant to a subpoena in certain law enforcement proceedings as described 34 C.F.R. § 99.31(a)(9)(ii)(A) and (B) if the court or agency issuing the subpoena ordered that the existence or contents of the request for disclosure remain confidential; or (g) disclosures pursuant to ex parte orders obtained by the U.S. Attorney General (or certain designees) concerning investigations or prosecutions of offenses listed in 18 U.S.C. § 2332(g)(5)(B) or acts of domestic or international terrorism as defined in 18 U.S.C. § 2332.
3. The record will include the party requesting the information and the "legitimate interest" the party has in the information. In the case of state and local educational authorities, and federal officials and agencies identified in the FERPA regulations, the record must specify that the records may be subject to further disclosure by these authorities, officials and agencies without consent.
4. When disclosures are made under the exception for health or safety emergencies, the record must include the "articulable and significant threat to the health or safety of a student or other individuals that formed the basis of the disclosure" and the parties to whom the information was disclosed.

## **H. Waiver of Confidentiality Rights**

A parent/eligible student may waive any of his/her rights regarding confidentiality of education records, but any such a waiver must be in writing and signed by the parent/eligible student. The school may not require that a parent/eligible student waive his or her rights. Any waiver may be revoked, but such revocation shall not apply to any actions taken by the District prior to the revocation being received. If a parent executes a waiver, that waiver may be revoked by the student any time after he/she becomes an eligible student.

## **I. Fees for Copying Records**

There shall be no charge to search for or retrieve education records of a student. The District shall provide copies of education records to parents/eligible students upon request, subject to reasonable limitations. The cost of producing copies of the record to parents/eligible student will be \$0.50. Parents/eligible students who are unable to pay such fees will not be denied access to education records.

## **J. Maintenance and Destruction of Education Records**

The District shall maintain education records as required by federal and state statutes and regulations.

1. Records shall be maintained in paper and/or electronic form by personnel who are knowledgeable about the applicable confidentiality and record retention requirements. All records shall be safeguarded from unauthorized access.
2. Permanent records will be maintained in either paper or electronic form. ~~for a minimum of fifty (50) years.~~ At least one of these copies shall be kept in a fireproof file. Permanent records shall include the following:
  - a. Academic transcripts.
  - b. Attendance records.
  - c. Progress reports.
  - d. Standardized test scores.
  - e. Significant incident reports.
3. Non-permanent records shall be maintained no less than one year after program completion/graduation. Non-permanent records include:
  - a. Examples of student work product.
  - b. Early release forms.
  - c. Parental permission slips.
  - d. Health and physical/immunization records.
4. The District shall not destroy any education record if there is any outstanding request to inspect or review such records.
5. Records of access to education records shall be retained as long as the records themselves.

6. The District shall inform parents of students who have received special education services when education records are no longer needed to provide educational services to the student or to demonstrate that the school has provided the student with a free appropriate public education as required by law. At that point, the records may be turned over to parents/eligible student upon their request, or destroyed in accordance with the parent/eligible student's written request. If the parent or eligible student does not consent to the destruction of the student's special education records, the District shall maintain the student's special education records until the student's 25th birthday, and shall maintain a copy of the student's last IEP until the student's 60<sup>th</sup> birthday.

## **K. Complaints**

The United States Department of Education maintains an office that handles complaints about alleged violations of FERPA by local school districts. Complaints regarding violations of rights accorded parents/eligible students may be submitted in writing to:

Family Policy Compliance Office  
Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-5901

Legal Reference: 20 U.S.C. § 1232g; 34 C.F.R. Part 99 (as amended)  
20 U.S.C. § 7908  
RSA 189:1-e, 193-D:8, 194:31-a  
RSA 189:66, IV.  
N.H. Code of Administrative Rules Ed 1119

LONDONDERRY SCHOOL BOARD

1<sup>st</sup> Reading: June 20, 2017

2<sup>nd</sup> Reading: July 11, 2017

3<sup>rd</sup> Reading: August 8, 2017

## **ANNUAL NOTICE OF STUDENT EDUCATION RECORDS AND INFORMATION RIGHTS**

The Family Educational Rights and Privacy Act (“FERPA”) provides certain rights to parents and eligible students with respect to the student’s education records.

### **A. Definitions.**

1. “Parent” means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

2. “Eligible student” means a student who has reached 18 years of age or who is attending an institution of postsecondary education. Generally, once a student becomes an eligible student, rights under FERPA transfer from the parents to the eligible student. The School District may, however, continue to disclose education records to a parent without prior written consent if the student qualifies as a dependent under the Internal Revenue Code.

### **B. Inspection of Records**

Parents/eligible students may inspect and review the student’s education records within 14 days of making a request, or before an IEP Team meeting or due process hearing. Such requests must be submitted to the Superintendent or building administrator in writing and must identify the record(s) to be inspected. The Superintendent or building administrator will notify the parent/eligible student of the time and place where the record(s) may be inspected in the presence of school staff. Parents/eligible students may obtain copies of education records at a cost of \$0.50 per page, subject to reasonable limitations.

### **C. Amendment of Records**

Parents/eligible students may ask the School District to amend education records they believe are inaccurate, misleading or in violation of the student’s right to privacy. Such requests must be submitted to the Superintendent or building administrator in writing, clearly identify the part of the record they want changed and how they want it changed, and specify why it is inaccurate or misleading or in violation of the student’s right of privacy. If the Superintendent or building administrator decides not to amend the record as requested, the parent/eligible student will be notified of the decision, their right to request a hearing and information about the hearing process.

### **D. Disclosure of Records**

The School District must obtain a parent/eligible student’s written consent prior to disclosure of personally identifiable information in education records except in circumstances permitted by law or regulations as summarized below.

## **1. Directory Information**

The School District designates the following student information as directory information that may be made public at its discretion: name, participation and grade level of students in officially recognized activities and sports, height and weight of student athletes, dates of attendance in the school district, honors and awards received, and photographs and videos relating to student participation in school activities open to the public.

Directory information may be published in student yearbooks, school district websites, athletic publications, radio programs, television broadcasts, performing group graduation programs, and in the publication of achievement awards and honors for individual students. This information may also be disseminated to local newspapers in accordance with school sponsored sporting activities and/or programs.

Parents/eligible students who do not want the School District to disclose directory information must notify the Superintendent in writing by September 15<sup>th</sup> of the school year or within thirty (30) days of enrollment, whichever is later. This opt-out shall remain in effect until the following school year, unless the parent or eligible student rescinds it earlier, or unless the student no longer attends the School District, in which case the opt out will remain in effect unless it is rescinded.

Absent an opt out, the School District may disclose directory information about former students without the consent of the parent/eligible student.

## **2. Military Recruiters/Institutions of Higher Education**

Military recruiters and institutions of higher education are entitled to receive the names, addresses and telephone numbers of secondary students and the School District must comply with any such request, provided that parents have been notified that they and secondary school students have the right to request that this information not be released without their prior written consent. Parents/students who do not want the School District to disclose this information without their prior written consent must notify the Superintendent in writing by September 15<sup>th</sup> or within thirty (30) days of enrollment, whichever is later.

## **3. School Officials with Legitimate Educational Interests**

Education records (and personally identifiable information from an education record) may be disclosed to school officials with a “legitimate educational interest.” A school official has a legitimate educational interest if he/she needs to review an education record (or to receive personally identifiable information from an education record) in order to fulfill his/her professional responsibility. School officials include persons employed by the School District (or the School District’s school administrative unit) as an administrator, supervisor, instructor or support staff member (such as guidance, health or medical staff and the district’s law enforcement personnel, if any); members of the School Board; persons or companies with whom the School District or school administrative unit has contracted to provide specific services (such

as attorneys, auditors, medical consultants, evaluators, experts, or therapists); and volunteers who are under the direct control of the School District with regard to education records.

#### **4. Health or Safety Emergencies**

In accordance with federal regulations, the School District may disclose education records in a health or safety emergency to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals without prior written consent.

#### **5. Other Schools**

The School District sends student education records to schools, school systems, or institutions of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled, if the school, school system, or institution of postsecondary education has requested the records and so long as the disclosure is for purposes related to the student's enrollment or transfer. Such records shall include, but are not limited to, grades, report cards, disciplinary records, attendance records, special education records and health records.

#### **6. Other Entities/Individuals**

Education records may be disclosed to other entities and individuals as specifically permitted by law. Parents/eligible students may obtain information about other exceptions to the written consent requirement by request to the Superintendent or building administrator.

#### **E. Complaints Regarding School District Compliance with FERPA**

Parents/eligible students who believe that the School District has not complied with the requirements of FERPA have the right to file a complaint with the U.S. Department of Education. The office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

LONDONDERRY SCHOOL BOARD

1<sup>st</sup> Reading: June 20, 2017

2<sup>nd</sup> Reading: July 11, 2017

3<sup>rd</sup> Reading: August 8, 2017



LONDONDERRY SCHOOL DISTRICT

**PENDING NURSING POLICIES**

**READING SCHEDULE**

1 <sup>st</sup> Reading	July 11, 2017
2 <sup>nd</sup> Reading	August 8, 2017
3 <sup>rd</sup> Reading	August 29, 2017





# Londonderry School District

Kimberly Carpinone, Director of Pupil Services

## Memo

To: Scott Laliberte  
CC: School Board  
From: Kimberly Carpinone  
Date: July 6, 2017  
Re: Nursing Policies

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In consultation with our attorney at Drummond Woodsum, I am recommending the following changes to the current School Board policies:

### **Amend (yellow):**

- **JHCD** current (2008) policy does not reflect current regulations related to delegation of medication. Specific medication is references instead of a generic methodology (Albuterol vs inhaler). Further, our current policy does not address the needs of our students with diabetes and their needs during the school day. Draft policy cites updated legal references. An additional change will be to allow nurses to dispense over the counter medication with annual written permission from parents. Currently we require doctor's orders which is not best practice.

### **Adopt new policy (green):**

- **JHCD – E** Parental Permission for Over the Counter Medication

## **ADMINISTERING MEDICATIONS TO STUDENTS**

The Londonderry School Board acknowledges that it may be necessary for a student to have medication administered to him/her during the school day. The Board discourages the administration of medication on school premises where other options exist. Whenever possible, it is recommended that the first dose of a newly-prescribed medication be given at home. For the purpose of this policy “school day” means any time during the day, afternoon, or evening when a child is attending school or any school sponsored activity.

### **1. Requests to Administer Medication Pursuant to a Health Care Provider Order**

The following procedures must be followed for any prescription or over the counter medication that is to be administered pursuant to a health care provider’s order.

The medication must be prescribed by a licensed physician, advanced registered nurse practitioner, or licensed physician’s assistant, or dentist.

- a. The school nurse shall ensure that a written authorization from the licensed prescriber, containing the following, be on file in the student’s health record:

- Student’s name;
- Name and signature of the licensed prescriber and business and emergency numbers;
- Name, route and dosage of medication;
- Frequency and time of medication administration or assistance;
- The date of the order;
- Diagnosis and any other medical conditions requiring medications, if not a violation of confidentiality or if not contrary to the request of the parent or guardian to keep confidential;
- Specific recommendations for administration;
- Any special side effects, contraindications and adverse reactions to be observed.

If the school nurse has any questions or concerns about the information provided, he/she will contact the parent/legal guardian and/or health care provider, as appropriate, for more information. Medication orders must be renewed annually.

- b. The school nurse shall ensure that written authorization by the parent or guardian to administer all medications is obtained, and request the following:
- Parent or guardian’s printed name and signature, and a home and emergency phone number;
  - A list of all medications the student is currently receiving, if not a violation of confidentiality or contrary to the request of the parent, guardian or student that such medication be documented;
  - Approval to have the school nurse or designee administer the medication, the student to possess and self-administer and/or the principal or his designee assist the student with taking the medication; and
  - Persons to be notified in case of a medication emergency, in addition to the parent or guardian and licensed prescriber.

- c. A parent, guardian, or parent/guardian-designated responsible adult shall deliver all prescription medication to be administered by school personnel to the school nurse or other responsible person designated by the school nurse as follows:
- The prescription medication shall be in a pharmacy or manufacturer labeled container.
  - The school nurse or other responsible person receiving the prescription medication shall document the quantity of the prescription medication delivered.
  - The prescription medication may be delivered by other person(s) designated by the parent/guardian, provided the nurse is notified in advance who is delivering the specific medication.
  - No more than a 30-school day supply of the prescription medication for a student shall be stored at the school.
  - Medication no longer required (or remaining at the end of the school year) must be removed by the parent/legal guardian. The school nurse will contact the parent/guardian regarding any unused medication. Such medication shall be picked up by the parent/guardian within 10 days after its use is discontinued. If the medication is not picked up within 10 days, the school nurse may dispose of the unused medication and record as such in the student's health record.
  - A single dose of medication may be transferred from the original pharmacy or manufacturer labeled container to a newly labeled container for the purposed of field trips or other school sponsored activities.
- d. The Londonderry School Board disclaims any and all responsibility for the diagnosis, prescription of treatment, and administration of medication for any student.

## **2. Self Administration of Medications**

Asthma Inhalers, Epinephrine Auto-Injectors, Diabetic Testing Supplies

### **a. Asthma Inhalers**

Students may carry and self-administer their asthma inhalers (e.g., Albuterol inhalers), if the student meets the requirements of this paragraph. The student's parent or guardian must submit written verification from a licensed provider confirming that the pupil has the knowledge and skills to safely possess and use an asthma inhaler in a school setting. The written verification shall also include the information listed in 1(a) above. In addition, the parent must provide written approval agreeing to allow the student to possess and use an asthma inhaler in a school setting. There will be a contract signed by the parent or guardian, the physician and the school nurse agreeing to the conditions of self-administration. (See Exhibit #1-A). Parents are strongly encouraged to provide a second inhaler to be kept in the health office in the event that the student does not have the inhaler with him or her.

### **b. Epinephrine Auto-Injectors**

A student with severe, potentially life-threatening allergies may possess and self-administer an epinephrine auto-injector (e.g., Epi-Pen), if the student meets the requirements of this paragraph. The student's parent or guardian must submit written verification from the

licensed provider confirming that the pupil has the knowledge and skills to safely possess and use an epinephrine auto-injector in a school setting. This written verification shall also include the information listed in 1(a) above. In addition, the parent must provide written approval agreeing to allow the student to possess and self administer an epinephrine auto injector. There shall be a contract signed by the parent or guardian, the physician, and the school nurse agreeing to the conditions of self-administration. (See Exhibit #1). If a student uses an epinephrine auto-injector at school, the student must immediately report to the nurse's office or principal's office for follow up care.

**c. Diabetic Testing Supplies**

Students may carry and use blood sugar testing supplies (e.g., glucose monitors, lancets, etc.), if the student meets the requirements of this paragraph. The student's parent or guardian must submit written verification from the licensed provider confirming that the pupil has the knowledge and skills to safely possess and use the diabetic testing supplies. This written verification shall also include the information listed in 1(a) above. In addition, the parent must provide written approval agreeing to allow the student to possess and use the diabetic testing supplies. There shall be a contract signed by the parent or guardian, the physician, and the school nurse agreeing to the conditions of possession and use. If a student requires an injection, the student must immediately report to the nurse's office or principal's office for the injection.

**3. Dispensation of Over the Counter Medications**

With prior annual written permission from a parent/legal guardian, students may receive certain over the counter medications at school: i.e., acetaminophen (generic Tylenol, ibuprofen (generic Advil), anti-itch creams and lotions, cough drops/chloroseptic spray. Antibiotic ointments for minor cuts and scrapes, oragel and/or antacids. See JHCD-E

**4. Personnel Authorized to Administer/Dispense Medication**

Medications may be administered by the school nurse, or designee. This duty may be delegated to a Registered Nurse or Licensed Practical Nurse under the direction of the school nurse, or to others pursuant to RSA 326-B Nurse Practice Act and Nur 404, and as described below.

If the school nurse is not available to administer prescription medication, the building principal or designee may assist students in taking required medications by making such medications available to the student as needed, and by observing the student as he/she takes or does not take his/her medication, and recording whether the student did or did not take his/her medication.

All prescribed injectable medications shall be administered by a registered nurse or others who are qualified under the Chapter 326-B Nurse Practice Act.

The school nurse or designee will document the following information regarding medication taken by each student: name of medication prescribed, date and time of administration, signature or initials of adult present. If the student refuses or spills medication, or medication is lost or has run out this shall be recorded. The school nurse or designee shall document any significant observations relating to the prescribed medication's effectiveness and adverse reactions or other harmful effects, and shall communicate those observations to the parent/guardian and/or the licensed prescriber. All medications to be administered by the

school nurse or designee shall be kept in a securely locked cabinet used exclusively for medications, which is kept locked except when opened to obtain medications. The cabinet shall be substantially constructed and anchored securely to a solid surface. Medications requiring refrigeration shall be stored in a locked box in a refrigerator maintained at temperatures of 38 degrees to 42 degrees. Emergency medications may be secured in other locations readily accessible only to those with authorization.

Physician's written orders, the written authorization of the parent/guardian, and the record of medication administration shall be filed with the student's cumulative health records and kept for a period of time as determined by the New Hampshire Department of Education's Records Retention Schedule. Health records concerning students who receive special education services shall be retained in accordance with the special education records retention requirements.

The Londonderry School Board, with the advice of the school medical health advisor and school nurse, shall establish policy and procedures to give protection and controls to the matter of medications in schools.

**Legal References:**

RSA 200:42-:47; RSA 326-B.

Ed 311.02.

Nur 404.

**LONDONDERRY SCHOOL BOARD**

Adopted: June 20, 1977

Amended: November 14, 2000,

Amended: August 12, 2008

1<sup>st</sup> Reading to Amend: July 11, 2017

2<sup>nd</sup> Reading to Amend: August 8, 2017

268C Mammoth Rd, Londonderry, NH 03053

School Year \_\_\_\_\_

**PARENTAL PERMISSION FOR OVER THE COUNTER MEDICATION**

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Last Name First Name Date of Birth Phone # Grade Home Room

The school nurse has a limited supply of over the counter medication that may be dispensed with written parental permission. Students requesting medication must be evaluated by the school nurse and may receive medication for minor muscle aches and pains or discomfort due to the common cold, headache, toothache, and menstrual cramps. The school nurse may contact you to discuss the frequency of your child's request for medication, or to recommend follow up care with your health care provider. This form must be completed in full each school year by a parent or guardian. All other over the counter medications must be approved by the nurse and supplied by the parent or guardian.

Check off each medicine that you give permission for your child to receive, and CROSS OUT any that should not be given.

- ☐ Acetaminophen (generic Tylenol) per label directions
- ☐ Ibuprofen (generic Advil) per label directions
- ☐ Anti-itch creams and lotions (hydrocortisone/ generic calamine)
- ☐ Cough drops/ chloroseptic spray
- ☐ Antibiotic ointments for minor cuts and scrapes
- ☐ Oragel/ Ambesol
- ☐ Antacids (Tums, Pepto Bismol)

I give permission for the school nurse, a substitute nurse, or any other member of the school staff designated by the principal, to administer the medications that are checked off above. By signing this form, I agree to hold harmless and indemnify the Londonderry School District and any staff member for any and all losses that may be occasioned as a result of taking this medication, including adverse reactions. The first dose of over the counter medication will not be given prior to 10:00AM without parent verification that an earlier dose was not given at home. **I understand that the use of ibuprofen or acetaminophen is limited to three doses in one month and a doctor's evaluation and medication order will be required if my child needs to take analgesics more frequently.**

Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Signature \_\_\_\_\_

LONDONDERRY SCHOOL BOARD

1<sup>st</sup> Reading: July 11, 20172<sup>nd</sup> Reading: August 8, 2017



## Londonderry School District Business Office

***"Giving Wings to  
Children's Dreams"***

# Memo

**To:** Scott Laliberte  
**From:** Peter Curro  
**CC:**  
**Date:** July 24, 2017  
**Re:** Dining Services Bad Debt

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As we began closing the fiscal year, we came across an issue with the Dining Service Program. The amount of unpaid debt for school lunch and breakfast is just over \$15,000. Currently, the Londonderry School District does not have a policy regarding student charging for school meals. The District provides every student with the option to choose whatever menu items are offered regardless of their outstanding / unpaid debt. In previous years, the unpaid debt was around \$2,500 to \$5,000 at year-end. Federal law requires all unpaid debt to be covered by the School District's operating budget at year-end. Currently, we only write-off bad debt for outgoing seniors or students who have transferred to another school district.

The United States Department of Agriculture gives Districts control over its charging policy. However, it does mandate that we have an approved charging policy. Whatever policy the District sets, the general fund is then accountable for any "bad debt" which results.

Londonderry School District does not have a ceiling for school lunch account charging. We have defined "bad debt" as negative balances which remain uncollected from graduating seniors. Each year, the district cuts a check to Dining Services for that sum. For FY17, \$450.25 was compensated for the graduating senior class. As mentioned above, the total debt for the year was over \$15,000. Dining Service will keep building administrators abreast in regard to students in debt. Every year, the collection of this debt consumes an enormous amount of administrative time, mostly during the last few months of the school year. Dining Services is in constant communication with parents when their student's account becomes a negative balance.

Most school Districts elect to set a limit that students may charge in the cafeteria. This is either set at a dollar amount (ie. \$20.00 at Hillsboro Deering School District) or at a meal number (ie. 2 meals at Pelham School District). After a student reaches the limit, he or she would then be offered an alternate meal called an auxiliary meal. This supports the mentality that no student goes hungry and also the financial responsibility to dining services is a low cost meal option. This meal is most commonly a Sunbutter and Jelly Sandwich, a milk and a fruit. This means that he or she who owes \$20.00 to the cafeteria may not have pizza on Friday; he or she can only have the auxiliary meal until his or her parent/guardian fulfills their financial responsibility.

Recently the legislature passed what is commonly known as the School Lunch Shaming law. This states that school Districts cannot offer an auxiliary meal at the elementary level. At the middle and high school level, you can mandate that after a certain negative balance. The student is only allowed a specific meal option. However, this option must be made available to all students so as not to overtly identify a student as having a negative balance. Most schools are now offering the previously denoted auxiliary meal to all students and to those that have a running debt. FYI, there is pending legislature to classify a student's balance information in the cafeteria as confidential information.

We understand this is not an easy or enjoyable topic. However, we feel the word is getting out that you “don’t have to pay for lunch” and the school district will provide a full lunch no matter what the student balance is. The recommendation from staff is to initiate a policy whereby all students, completing their 8th grade and 12th grade of studies, must have all debts, fees, etc. paid in full, or be pardoned by an administrator in order to participate in any of the end-of-year activities including graduation.

By going this path, we avoid any student embarrassment in the presence of other students. However, we can expect some uncomfortable discussions when parents realize their student is being withheld from the end-of-year activities. The alternatives would be the alternate meal or simply allow the bad debt to reach whatever level and receive funds from the operating budget at year-end.