

Policy subcommittee Agenda 8/15/18, 5:00 PM

1. Call to Order

2. Approve minutes of 5/30/18 meeting. Draft: Meeting called to order at 4:30 PM. In attendance: Larry Heath, Pam Brown, Tammy Mahoney, Superintendent Ambrose, and visitor Dawn Dutton. 5/2/18 minutes approved. JICD reviewed for correction to Mr. Turmelle's title and goes to Board for 2nd read on June 6, 2018. GCEB revision extensively discussed and 1st draft prepared for review by Board at June 6 meeting. Related policy BBA revised with small change for 1st Read 6/6/18. JICJ (Cell phones policy) briefly discussed, no revisions proposed. Other items tabled. Adjourned 5:49 PM.

3. Old Business

3.1 CCA (Organizational Chart)

3.2 JJF, JJF-R-E1, JJF-R-E2 to R12 (Student Activities Fund)

4. New Business

4.1 JCA, JCB, JCC , JCC-R → shown below.

4.2 BE, BEA, BEB (School Board meetings)

4.3 Subcommittee goals

5. Other Business/future agenda items

6. Adjournment

Changes (in red)**CHANGE OF SCHOOL OR ASSIGNMENT**Statement of Purpose

It is the purpose of this policy to prescribe the manner in which students shall be assigned to a school.

Statement of Policy

~~As a matter of school district policy, each elementary school-age student shall attend the elementary school that exists within his/her town of residence.~~

In circumstances where the best interests of a pupil warrant a change of school or assignment, the Superintendent is authorized to reassign a pupil from the public school to which he/she is currently assigned to another public school, or to approve a request from another Superintendent to accept a transfer of a pupil from a school district that is not part of the SAU, under the following conditions and procedures.

Conditions and Procedures for Reassignment

1. Either the parent/legal guardian or the Superintendent of a different SAU may make a written request to the Superintendent for a change of school assignment. In the request, the parent/guardian should state why the best interests of the pupil warrant a reassignment.
2. The Superintendent will fully consider this written request, will meet with the parent/ guardian, if necessary, and will make a ~~decision~~ **determination** concerning the reassignment request.
3. The Superintendent's decision will be based on the best interests of the pupil, as determined by the Superintendent. The Superintendent may develop administrative regulations concerning the factors that will be considered in making such a determination.

OR replace Para. 3 above with A. and B. below, retained from our repealed JCC-R:

A. The parent or legal guardian has the burden of demonstrating that the reassignment is in the student's best interest.

B. "Best interest" does not mean that a parent has the right to select whichever public school the parent prefers or that a student has the right to attend a school that the parent or student believes is better suited to allow the student to reach his/her full potential. Rather, best interest means that the student's education will be adversely affected if the student continues to attend the public school to which the student is assigned. The adverse effect must arise from:

- (1) Problems the student has in accessing the assigned school; or
- (2) The physical or mental condition of the student; or
- (3) The availability at the school to which a reassignment is sought of academic courses which the student has an obvious educational need to access in order to benefit from education. General conditions or circumstances that affect or could affect numerous children attending the assigned school do not meet this requirement. For example, the availability of extra-curricular activities/athletics or certain advanced placement courses in other schools cannot be the basis of a change of school assignment.

4. If the Superintendent determines that the best interests of the pupil warrant a reassignment, he/she

will present the matter to the school board. The board must vote to approve the re-assignment before the reassignment can occur. Upon school board approval, the Superintendent may ~~approve reassignment~~ **reassign** the pupil to: (a) another school within the same school district; (b) another school district within the same SAU; or (c) a school district in another SAU, subject to the pupil meeting the admission requirements of such school, and subject to the agreement of the Superintendent of the receiving SAU. **and approval of the school boards of both the sending and receiving school districts.**

5. The Superintendent will issue a written decision to the parent/guardian.

6. The total reassignments or transfer made under this policy in any one school year will not exceed one (1) percent of the average daily membership in residence of a school district, or five (5) percent of the average daily membership in residence of any single school, whichever is greater, **unless the school board votes to exceed this limit.**

7. Reassignments made under this policy that exceed the percentages provided in Paragraph #6 must have the prior written approval of the School Board.

Count of Reassigned Pupils, Tuition Payment and Rate, and Transportation

Pupils reassigned under this policy will be counted in the average daily membership in residence of a given pupil's resident school district. Said pupil's resident district will forward any tuition payment due to the District to which the pupil was assigned.

The Superintendents involved in the reassignment of a pupil will jointly establish a tuition rate for each such pupil. Some or all of the tuition may be waived by the Superintendent of the receiving district for good cause shown or pursuant to any applicable policies of the receiving district, presuming said action is not contrary to law.

The cost of transportation for any pupil reassigned under this policy will be the sole responsibility of the parent/guardian.

Role of the Department of Education

The Superintendent of the pupil's resident SAU will notify the Department of Education within thirty (30) days of any reassignment made under this policy.

Manifest Educational Hardship Change of Assignment

When a parent/guardian believes that an initial assignment has been made which will result in a manifest educational hardship to the pupil, the parent/guardian may seek a change of assignment in accordance with applicable provisions of RSA 193:3 and Board Policy JEC – Manifest Educational Hardship.

Special Education Placements

A placement made relative to a student's special education needs and services shall not be deemed a change of school assignment for purposes of this section.

Legal References:

RSA 193:3, III, Change of School Assignment

RSA 193:3, I, II, Manifest Educational Hardship

RSA 193:14-a, Change of School Assignment; Duties of State Board of Education

Related Policy: JEC & JFAB

Original Effective: March 1, 1989
Revised: November 3, 1997
Revised: November 2, 2011

NHSBA Note, September 2016: Minor amendment made as a result of SB 316, which amends RSA 193:3 to clarify that the placement or change of school assignment made pursuant to a student's special education needs and services does not constitute a change of placement for purposes of RSA 193:3.

NHSBA Note, September 2015: Changes are made to paragraphs #4, #5 and #6 under "Conditions and Procedures for Reassignment" section. Changes are necessitated due to legislative changes to RSA 193:3.

SRSD File: JCB

Change (in red)

CHANGE OF ASSIGNMENT/MANIFEST EDUCATIONAL HARDSHIP

Statement of Purpose

It is the purpose of this policy to comply with RSA 193:3 and 193:3 II and prescribe the manner in which the district shall handle requests for re-assignment due to manifest educational hardship.

Statement of Policy

Students will ordinarily be assigned to schools based upon SRSD Policy JCA.

As a matter of policy, in cases where manifest educational hardship is shown, the district, upon the recommendation of the Superintendent of Schools, may assign students to another public school in the Sanborn Regional School District, or in another school district. In all cases, assignment within the Sanborn Regional School District shall be preferred.

Legal References:

NHSBA Code reference JEC

Effective: July 29, 1998

REPEAL - language included in revised JCA

CHANGE OF ASSIGNMENT/BEST INTEREST

Statement of Purpose

It is the purpose of this policy to comply with RSA 193:3III and to prescribe the manner in which the district shall handle requests for reassignment due to the best interest of the student.

Statement of Policy

Students will ordinarily be assigned to schools based upon SRSD Policy JCA, and in cases of manifest educational hardship, upon SRSD Policy JCB and Regulation JCB-R.

As a matter of policy in cases where a claim of best interest for the student is shown, the Superintendent may assign students to another public school in the Sanborn Regional School District or in another school district. In all cases, assignment with the Sanborn Regional School District shall be preferred and the decision of the Superintendent shall be final.

Effective: March 20, 2002

REPEAL – NHSBA says new JCA covers this, no longer needed

CHANGE OF ASSIGNMENT/BEST INTEREST

Statement of Purpose

This regulation describes the procedures to be used when a parent(s), guardian(s), or emancipated student wishes a re-assignment based upon the best interest of that student.

Statement of Regulation

The following conditions and procedures will be utilized when a parent(s), guardian(s), or emancipated student seeks a change of assignment within the district or a school in another district based upon the best interest standard.

I. Reassignment of Resident Students

A. The Superintendent has discretion to reassign a student from the public school to which the student is currently assigned to another public school in New Hampshire under RSA 193:3, III only if all the following conditions are met:

- (1) The student's parent or legal guardian petitions the Superintendent for a change of school assignment or consents to the Superintendent's recommendation for such a change; and
- (2) The Superintendent determines that such a change would be in the student's best interest as defined below; and
- (3) The total reassignments or transfers in any one school year shall not exceed one percent of the average daily membership in residence of the school district or exceed 5 percent of the average daily membership in residence of any single school, whichever is greater.

B. The parent or legal guardian has the burden of demonstrating that the reassignment is in the student's best interest.

C. "Best interest" does not mean that a parent has the right to select whichever public school the parent prefers or that a student has the right to attend a school that the parent or student believes is better suited to allow the student to reach his/her full potential. Rather, best interest means that the student's education will be adversely affected if the student continues to attend the public school to which the student is assigned.

The adverse effect must arise from:

- (1) Problems the student has in accessing the assigned school; or
- (2) The physical or mental condition of the student; or
- (3) The availability at the school to which a reassignment is sought of academic courses which the student has an obvious educational need to access in order to benefit from education.

General conditions or circumstances that affect or could affect numerous children attending the assigned school do not meet this requirement. For example, the availability of extra-curricular activities/athletics or certain advanced placement courses in other schools cannot be the basis of a change of school assignment.

D. The Superintendent's decision is final and conclusive and is not appealable. If the parent or legal guardian disagrees with the Superintendent's decision, the parent or legal guardian can file a request for a change of school assignment to the local School Board under RSA 193:3, I, and policy JCB/R on the basis of a manifest educational hardship.

E. The Superintendent shall notify the New Hampshire Department of Education within 30 days of any reassignment of a resident student.

II. Requests to Assign Students from Other Public School Districts (Non-Resident Students)

A. The Superintendent has discretion to approve a request from another Superintendent to accept a transfer of a student from another school district if:

1. The conditions in Section I(A) are met;
2. Space is available within the School; and
3. The student meets the school's admission requirements.

B. The Superintendent is not required to accept the findings of the sending district's Superintendent concerning a student's best interest, and will make an independent decision on the reassignment request. The Superintendent's decision is final, conclusive, and is not appealable.

C. Any student accepted under this Section will be permitted to attend our schools for only so long as that student abides by the reasonable rules of the school, failing which the student's right to attend our schools will be terminated.

III. General Requirements for Resident and Non-Resident Students

A. The parent or legal guardian of any student reassigned or accepted under this policy shall sign an acknowledgment that he/she has received a copy of this policy, understands it and agrees to be bound by its terms.

B. All reassignments shall be limited to the current school year.

C. The parent or legal guardian is responsible for the student's transportation.

D. The Superintendents involved in the reassignment of a student shall jointly establish a tuition rate for each such student. Some or all of the tuition may be waived by the Superintendent of the receiving district for the good cause shown or pursuant to school board policy of the receiving district.

E. Notwithstanding anything else to the contrary contained herein, the educational placement of disabled students shall be determined in accordance with the IDEA, RSA 186-C and Section 504. Any student reassigned under this policy whom the receiving district suspects has a disability will be referred to the student's district of residence for evaluation and possible identification.

F. When a reassignment exceeds the percentage limitations set forth in Section I(A)(3), the School Board must approve the reassignment.

Effective: March 20, 2002

REPEAL -- replace with new BEA and BEB, below

SCHOOL BOARD MEETINGS

Statement of Purpose

This policy delineates the days, times and places for meetings of the school board.

Statement of Policy

The school board shall meet on the first and third Wednesdays of every month at 7:00 p. m. until 10:00 p.m. If it appears that the meeting will extend past 10:00 p.m., the school board chairperson will poll the board to see if the majority wish to continue.

The location of the meeting to be held will be in the School Board Room at the Sanborn Regional High School, 17 Danville Road, Kingston, unless decided by prior arrangement at an open meeting.

In July, meetings will be scheduled at the discretion of the school board chairperson.

All meetings of the school board shall be open to the public in accordance with RSA 91-A.

Related Policies: BDA, BDC, BEDG

Effective: February 3, 1971

Revised: December 19, 1973

Revised: December 7, 1977

Revised: June 17, 1981

Revised: December 3, 1986

Revised: March 1, 1989

Revised: October 21, 1992

Revised: April 17, 1996

Revised: May 5, 2010

NEW POLICY

REGULAR BOARD MEETINGS

The Board shall meet at least once every two months. Regularly scheduled Board meetings will be held in the School Board Room at the Sanborn Regional High School, 17 Danville Road, Kingston, unless decided by prior arrangement at an open meeting.

Notice of all board meetings will be posted in accordance with the provisions of RSA 91-A. The Superintendent is authorized to post notice of the meeting on the District website. Minutes of all meetings will be taken and provided in accordance with the provisions of RSA 91-A.

All meetings shall be open to the public in accordance with RSA 91-A. Agendas will be established per Board Policy BEDB. The Board reserves the right to amend the agenda during the meeting, upon majority vote. Public comments will be allowed per Board Policy BEDH.

Additional meetings may be scheduled at the call of the Chair. Emergency meetings may be called in accordance with the provisions of RSA 91-A:2 and Board Policy BEB.

A majority of the Board shall constitute a quorum. Provisions for meeting a quorum are established in Board Policy BEDC.

The School Board recognizes that the consistent attendance of Board Members at Board Meetings is essential for the efficient, effective operation of the Board's duties as well as fulfilling our individual obligations as elected officials.

Legal References:

RSA 91-A, Access to Public Records and Meetings

N.H. Code of Administrative Rules, Section Ed. 303.01(f), Substantive Duties of School Boards

NEW POLICY

EMERGENCY BOARD MEETINGS

Emergency meetings may be called by the Chairperson or by action of a majority of the Board. For the purposes of this policy, an emergency is defined as a situation where immediate undelayed action is deemed to be imperative by the Chairperson [or a majority of Board members?]. In the event of an emergency meeting, the Board will post notice of time and place of the emergency meeting as soon as possible and will also use other reasonable means to inform the public that an emergency meeting is to be held. Minutes of an emergency meeting will clearly state the need and purpose for the emergency meeting.

Legal Reference:

RSA 91-A:2, II, Meetings Open to the Public