

# Policy Committee Agenda: 10/2/2019, 4:45 – 5:45pm, Rm 102 SRHS

## 1. Call to Order; Approval of Agenda

**2. Approval of draft minutes, 9/11/19 meeting:** Called to order at 5:00 PM in SAU17 Conference Room. In attendance Board members Pam Brown, Larry Heath, Pete Broderick and Superintendent Ambrose. Minutes of 6/5/19 meeting were approved without changes. Committee reviewed JJJ: ACCESS TO PROGRAMS BY HOME SCHOOL STUDENTS. An email from Assistant High School Principal Dawson was presented by Mr. Ambrose. It explained the administration's reasons for desiring to preserve wording in the original JJJ draft. The committee agreed to forward the draft without changes back to the Board for the 2<sup>nd</sup> Reading and discussion on Sept. 18. Brown itemized unfinished Policy business from last school year which needed attention this year. She distributed a stack of sample NHSBA policies related to Sanborn's outdated BCA - Code of Ethics to Committee members and suggested this be the main agenda item for next meeting. The following 5 items were tabled: 1) Required (due last Fall): IHBA: Evaluation Requirements for Children with Specific Learning Disabilities (not linked in Manual), IKFA: Early Graduation (required, missing from Manual) , ILBA: High School Graduation Competencies , IMBC: Alternative Credit Options, IMBA: Distance Education. – Mr. Dawson. 2) JBAA: SEXUAL HARASSMENT, JBAA-R: SEXUAL HARASSMENT REPORT FORM, JICK: PUPIL SAFETY AND VIOLENCE PREVENTION (Bullying). – Mr. Dawson. 3) JJF: STUDENT ACTIVITIES FUND MANAGEMENT, and related policies JJF-R, JJF-R E1 through E12. (M Croteau's) – Mr. Angell. 4) DAF: ADMINISTRATION OF FEDERAL GRANT FUNDS & revision to related fiscal policies. - Mr. Angell. 5) Discussion of items on NHSBA's SPRING/SUMMER 2019 POLICY UPDATE.

## 3. Old Business

A. Updating BCA: CODE OF ETHICS.

Sample NHSBA policies for review include BCA: BOARD MEMBER ETHICS, BCA-R: SCHOOL BOARD MEMBER ETHICS - ACKNOWLEDGMENT Form and BCB: BOARD MEMBER CONFLICT OF INTEREST and others. **(shown below, pages 2 to 26)**

## 4. New Business

CBI: SUPERINTENDENT EVALUATION AND GOAL SETTING, CBI-R: EVALUATION OF THE SUPERINTENDENT OF SCHOOLS. **(shown below, pages 27 to 29)**

## 5. Public comment

## 6. Adjourn

**Next Policy Meeting: November 6, 2019 at 4:45 pm in Room 102 of the High School.**

Ethics & Conflict of Interest are housed in “BCA Code of Ethics.” Several pages long.

Addresses a variety of stakeholders not just Board. Section B concerns only Board members.

We need to remove staff (“employees”) parts, place the language elsewhere in Manual.

NHSBA offers several sample policies on Employee Conduct, Ethics, and Conflict of Interest.

Most of the following are not in our Manual, could be added.

1. BCA – Board Member Ethics [we have a BCA; replace ours with NHSBA’s sample]
2. BCA-R – Board Member Ethics, Swearing-in form
3. BCB – Board Member Conflict of Interest
4. GBD – Board-Employee Communications
5. GBE – Staff Rights and Responsibilities [we have this - appr. 3/2/2011, NHSBA revised on 4/2011. Both shown below.]
6. GBEA – Staff Ethics
7. GBEAA (& JRB) – Confidential Student Information
- 7A. **GBEAB – Mandatory Code of Conduct Reporting – All Employees. (sent to policy cte 9/11/19)**
8. GBEB - Staff Conduct
9. GBEBB – Student-Staff Relations. [We have this, 3/18/2011. NHSBA last update: 2009]
10. GBEBBC – Employee Gifts
11. GBEBD – Employee Uses of Social Media [**may see NHSBA revise, in spring 2020**]
12. GBEBE - Employment of Relatives
13. GBI – Staff Political Activities
14. GCA - Professional Staff Positions
15. GCRD – Tutoring for Pay
16. KH – Public Solicitations in Schools
17. KHB – Advertising in Schools

## BCA: CODE OF ETHICS - CURRENT SANBORN document

### Statement of Purpose

The Sanborn Regional School Board believes that all persons employed by the Sanborn Regional School District including members of the School Board and any appointed persons, regardless of their particular job or role, have special legal and ethical obligations ensuing from two distinct disciplines: government service and education. The governmental dimension of these responsibilities imposes duties inherent in public service including the promotion and protection of public trust and confidence, avoidance of conflicts of interest and appearances of impropriety, as well as careful and informed management of the public funds. These duties must at all times guide the conduct of all employees who serve the School District.

The educational responsibilities of each employee require that the educational and developmental interests of students must be of the highest priority. Employees should conduct themselves in a manner that promotes and supports the development of good character by teaching, enforcing, advocating and modeling ethical principles.

### Statement of Policy

## CORE PRINCIPLES

The first and greatest concern of the district shall be to promote the School District's mission to work in partnership with the community to educate all learners in a safe environment. The School District is committed to providing individuals with opportunities to develop the skills necessary to become responsible citizens who are capable of pursuing knowledge independently and making well-informed decisions. Employees are expected to acknowledge and accept responsibilities stated in this Code and interpret and to apply them so as to create an environment that fosters public and collegial trust, personal and institutional integrity, high levels of competence and accountability and a positive atmosphere characterized by integrity, fairness, respect and caring. As such, in carrying out the functions of their position, all employees are expected to:

- a. Be honest;
- b. Treat all persons with respect;
- c. Take responsibility and demonstrate accountability for their actions;
- d. Strive to be fair in all matters;
- e. Pursue excellence;
- f. Obey all laws and regulations;
- g. Avoid conflicts of interest or any appearance of impropriety;
- h. Work in co-operation with others to protect and improve the School District community and advance the well-being of students;
- i. Represent the School District in a manner that engenders public trust in its integrity and competence.

## INTERPERSONAL RELATIONSHIPS

**Honesty and Integrity.** Employees must conduct themselves in a manner that engenders respect and justifies trust in their integrity, competency and devotion to the mission of the School District. Employees shall demonstrate personal trustworthiness by being honest and avoiding any form of falsification, misrepresentation, deception, or cheating.

**Atmosphere of Integrity.** Employees must strive to establish and uphold an atmosphere of integrity that encourages honesty and discourages all forms of dishonesty, deception or academic cheating. Employees shall assure that all official actions affecting students and co-workers, including but not limited to the assignment of grades; conclusions and recommendations incorporated in formal assessments, determinations of eligibility for special programs; accessibility to particular classes, teachers and programs; and inclusion or exclusion from sports or other co-curricular activities, shall reflect adherence to the highest standards of integrity and fairness.

**Fairness.** Employees shall be fair, open-minded and impartial in exercising their authority. They shall strive to assure that all actions promote fairness and equity for all employees, students and others affected.

**Maintaining a Respectful Environment.** The ability to resolve problems and work effectively as team members is often necessary to promote effectiveness. The cornerstone to a good working environment is respect. Employees shall strive to create and sustain a respectful, fair and caring environment by treating all persons including other District employees, students and parents with a high degree of respect by being civil and courteous and avoiding conduct that can reasonably be construed as abusive, rude or inappropriate.

**Exploitative or Abusive Conduct.** Employees shall strive to protect and safeguard the physical and mental well being of all persons in the working environment. Employees shall treat students and other School District employees with respect, never engaging in conduct that could reasonably be construed as exploitative, physically intimidating, discriminatory, harassing (in a sexual nature or otherwise), or abusive. Language that relates to race, ethnicity, religion, national origin, sexual orientation, age, sex, or disability in a profane or joking way shall not be used in any job-related situation.

**Candor Regarding Working Relationships.** Employees shall demonstrate a high degree of accountability by being candid and forthright in giving timely, complete and accurate information to help co-workers and members of the School Board to make informed and intelligent decisions.

## **IMPROPER CONDUCT**

**Avoiding Appearances of Impropriety Regarding Public Power or Resources.** Employees are entrusted with stewardship over the Sanborn Regional public school system. In order to justify and maintain public trust and confidence in the integrity and competency of the School District, employees shall not engage in any conduct that involves misuse of funds, facilities, property, time or other public assets.

**Improper Use of Position.** Employees shall use the authority, discretion, powers and resources arising from their public position only to advance public interests and not to attain personal or private gain or advantage for himself or any other person. In dealing with personal matters, School District employees shall not use official letterhead, title, or badge or otherwise refer to their position with the School District to induce or intimidate persons to resolve disputes more favorably, provide preferential treatment, or give gratuities, discounts, and favors or provide other unwarranted personal or private benefits.

**Unauthorized Use of District Facilities, Equipment, Supplies, and Mailing Lists.** Employees shall not use nor allow others to use for non-District purposes, District equipment, supplies or mailing lists nor engage in or allow conduct resulting in the unauthorized use of any District resource. Except for occasional and limited personal use that does not interfere with the performance of official duties or create an appearance of impropriety, employees shall not use nor allow others to use District facilities, equipment, supplies or mailing lists for personal purposes.

**Misuse of Time.** The time and services of all employees during working hours are assets of the District that should be used only for School District business. Employees shall avoid conducting personal business on District time.

**Misuse of Personnel.** Employees shall not direct, cause, induce or permit another District employee to perform personal services or confer a private benefit on District time.

**Examination of Records.** The School District reserves the right to review records to determine abuse of privileges relating to the use of District-owned telephones (including cellular phones), pagers, computers (including internet access), copy machines, automobiles and/or transportation vehicles.

## **CONFLICTS OF INTEREST**

Employees shall employ independent objective judgment in performing their duties, deciding all matters on the merits, free of partiality or prejudice and unimpeded by conflicts of interest or other improper influences. Employees

shall not engage in conduct that constitutes a Conflict of Interest, which shall be defined as use by an officer or employee of the authority of his or her office or the use of any confidential information received through his or her employment for the private pecuniary benefit of the employee, a member of the employee's immediate family (which includes for the purposes of this Code of Ethics the employee's spouse, domestic partner, parent, sibling and child), or a business with which the employee or a member of the employee's immediate family is associated.

**Financial Interest.** Employees shall not engage, or have any interest, financial or otherwise, direct or indirect, in any business, transaction or professional entity, either as a director, officer, partner, trustee, employee, or manager in that entity which conflicts with or impairs the proper discharge of official duties.

**Contracting Decisions.** Employees shall not recommend, vote or otherwise participate in the decision to make any contract valued at \$1,000 or more between the School District, including Student Activity Funds, and any business or entity in which the employee has a personal or financial conflict of interest.

Employees shall be deemed to have a financial conflict of interest in a decision if it is reasonably foreseeable that the decision will have a material financial effect on:

- a. The employee's immediate family distinguishable from its effect on the public generally;
- b. Any business entity in which the employee or a member of the employee's immediate family has a direct or indirect investment worth \$1,000 or more or in which the employee or a member of the employee's family is a director, officer, partner, trustee, employee, or holds any position of management;
- c. Any real property in which the employee or a member of the employee's immediate family has a direct or indirect interest worth \$1,000 or more;
- d. Any source of income for the employee or the employee's immediate family of \$1,000 or more.

The employee who has a financial conflict of interest because of their relationship with a business must recuse him or herself from any decision concerning that entity including any decision to contract or not to contract with the entity and the administration of the contract.

**Personal Advertisements.** Employees shall not advertise business or professional activities on School District property or use School District work hours, property or services to perform or promote personal or commercial enterprises or to campaign or raise money for any candidates for political office.

**Employee Publications.** Employees shall not participate in the review and approval of publications or materials for School District purchase if the officer or employee is the author/editor of or has any financial interest in the sale of such publications or materials.

**Outside Income.** Employees shall not accept any outside earned income in any situation where a reasonable person in the community could conclude that the receipt of the income would be inconsistent, incompatible or in conflict with their official duties.

**General Limitation On Solicitation.** Employees shall not solicit, directly or indirectly any payments or other benefits under circumstances that would create in the mind of a fair-minded, reasonable person the belief that such payments or benefits were provided with the intent to improperly influence the employee's actions.

**Gifts and Gratuities.** The acceptance of gifts, payments or other benefits from those with whom the School District does business can be improper. A gift is defined as anything of value which is provided to the extent that payment or consideration of equal or greater value is not received in return including but not limited to, tickets to sporting or cultural events, items of food, meals, use of facilities, forgiveness of debts, interests in real property, investments, or merchandise, or a rebate or discount (unless the rebate or discount is normally given to any member of the public). Because the employee may be in the position to make or influence a decision to spend District funds, he or she shall

not solicit or accept any personal gifts, favors or benefits of more than nominal value during a calendar year from any single person or organization that might benefit from the decision. This provision does not apply to:

- a. Meals provided at an event at which the employee participates in a seminar or similar activity;
- b. Travel expenses and meals paid for by a local, state, federal or foreign government agency.

**Conflict of Interest Resolution.** In the event that a question of Conflict of Interest or the appearance of Conflict of Interest arises, the matter shall be referred to and investigated by the School District's legal council, who will report the results of the investigation to the School Board, with a recommendation as to how the conflict situation might best be resolved.

## **PERSONNEL MATTERS**

**Hiring and Promotion Decisions.** The employees who are in a position to make or influence hiring or promotion decisions shall strive to select the person whose jobrelated competency and character most closely matches the need of the work site/district as demonstrated by qualifications, experience and work history and performance in the District's selection processes.

**Voting Affecting a Close Relative.** Employees shall not vote on any expenditure that would result in a direct financial benefit to an immediate family member nor participate in any discussions regarding that expenditure.

## **PROCUREMENT PROTOCOL**

Employees must discharge their duties impartially so as to assure fair competitive access to School District procurement by responsible contractors. They should conduct themselves in such a manner as to foster public confidence in the integrity of the School District's procurement process.

**Procurement Information.** Employees who have access to confidential information relating to contracts, construction, or procurement must maintain the confidentiality of such information and not disclose or use it for any purpose other than in the proper performance of the employee's duties.

**Misrepresentations Prohibited.** Employees shall not have official responsibility for a procurement transaction shall knowingly falsify, conceal, or misrepresent a material fact; knowingly make any false, fictitious or fraudulent statements or representations; or make or use any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry.

**Proscribed Participation in Procurement Transactions.** Employees having official responsibility for a procurement transaction shall not participate in that transaction on behalf of the School District when the employee knows that:

- a. The employee or a member of the employee's immediate family have a financial interest pertaining to the procurement;
- b. A business or organization in which the employee, or a member of the employee's immediate family has a financial interest pertaining to the procurement; or
- c. Any other person, business, or organization with whom the employee or a member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.

**Solicitation or Acceptance of Gifts.** Employees having official responsibility for a procurement transaction shall not solicit, demand, accept, or agree to accept from a bidder, offeror, contractor or subcontractor any payment, loan,

subscription, advance, deposit of money, services or anything of more than nominal or minimal value, present or promised, unless consideration of substantially equal or greater value is exchanged.

**Gifts by bidders, Offerors, Contractors or Subcontractors.** No bidder, offeror, contractor or subcontractor shall confer upon any public employee having official responsibility for a procurement transaction any payment, loan, subscription, advance, deposit or money, services or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value is exchanged.

**Kickbacks Prohibited.** It shall be a breach of ethical standards for any person to offer, give, or agree to give an employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement or a contract or subcontract, or to any solicitation or proposal therefore.

**Contemporaneous Employment Prohibited.** It shall be a breach of ethical standards for the employee who is participating directly or indirectly in the procurement process to become or be, while employed, the employee or agent of any contractor contracting with the School District.

## **IMPROPER CONDUCT REGARDING STUDENTS**

**Improper Influence.** Employees shall not engage in nor cooperate with any conduct intended to improperly influence the actions, grades or assessments of any central, regional or local administrator, teacher, counselor, coach or other employee who makes decisions affecting students. For example, money or personal favors should not be offered in exchange for a decision affecting a student's grades.

**Cheating and Improper Assistance.** Employees shall not engage in nor cooperate with any conduct intended to improperly aid students in their performance on exams or participate in or allow actions designed to alter or falsify tests or grades.

**Avoiding Appearances of Impropriety Regarding Students.** Employees are entrusted with the physical and emotional safety and well being of School District students. To justify and maintain this trust, the employee shall not engage in any conduct that is likely to create in the minds of reasonable, impartial observers the perception that a relationship or interaction with one or more students is abusive, exploitative or otherwise improper. Dating relationships between employees and students are improper and are strictly prohibited.

**Student Records and Personnel Files.** Employees must not use or disclose confidential, private or sensitive information acquired in the course of official duties relating to student performance and records, personnel files or other District records except in the proper performance of the employee's job and in accordance with existing law and school policy.

## **REPORTING IMPROPER CONDUCT**

Employees shall protect students and safeguard the public's trust by resolving any unethical, illegal or dangerous conduct observed or sensed by any employee. This obligation to report misconduct arises whenever the employee has personal knowledge that another employee's conduct constitutes:

- a. a violation of the law;

- b. gross mismanagement;
- c. a significant waste of funds;
- d. an abuse of authority;
- e. a substantial and specific danger to public health or safety;
- f. other conduct that could injure the reputation of the District or subject it to liability.

The employee shall not file frivolous or unsubstantiated complaints regarding misconduct of other employees, nor shall they abuse the process by which misconduct may be reported.

**Reporting Procedures.** In each school building the Principal is the person responsible for receiving oral or written reports of suspected unethical, illegal or dangerous conduct observed or sensed by any employee. Upon receipt of this information the Principal must notify the Superintendent within 48 hours. If the complaint involves the building Principal, the complaint shall be filed directly with the Superintendent of Schools. If the complaint involves the Superintendent, it shall be filed directly with the School Board.

If an employee is more comfortable bringing his or her concerns to a person other than the Principal or Superintendent, the employee should contact any teacher, counselor, or District Administrator with whom he/she is comfortable.

**Prohibition of Retaliation.** Employees shall not use or threaten to use official authority or influence to discourage, restrain or interfere with any other employee from reporting facts believed to constitute improper, unethical or illegal conduct nor shall they harass, punish or retaliate against any employee who has made a good faith complaint.

## **CONFIDENTIALITY**

**Confidential Information.** Employees shall abide by all laws and District policies concerning confidential information. Employees shall not disclose confidential information concerning property, personnel matters, or affairs of the District or its employees, without proper authorization, or use such information to advance the financial or other private interests of the officer, employee or others. Nothing in this provision shall be interpreted as prohibiting the practice of "whistle-blowing."

**Confidentiality of Meetings.** Employees must honor confidentiality agreements and policies concerning the content and source of comments and actions occurring during staff, faculty, parent and School Board meetings.

## **COMPLIANCE**

Employees shall uphold all laws and regulations of the United States and the State of New Hampshire and all other applicable government entities, and the policies, procedures, rules and regulations of the School District, including applicable collective bargaining agreements.

## **ENFORCEMENT**

Violations of this Code of Ethics may result in administrative or disciplinary actions including suspension or dismissal as well as referral to appropriate authorities for civil and/or criminal prosecution. Determinations made with respect to potential violations of the Code of Ethics shall in no way preclude or replace any other any legal action or grievance procedures under any applicable collective bargaining agreement that may be warranted by the conduct.



Original Effective: September 16, 2009

Reaffirmed: August 10, 2010

## **BCA: BOARD MEMBER ETHICS – NHSBA Sample document**

*Category: Recommended. See also Appendix BCA-R [← this form shown below...]*

In order to fulfill its duty under state law to provide education to pupils within the District, the Board adopts the following expectations for each of its members.

AS A MEMBER OF THE SCHOOL BOARD, AND IN ACCORDANCE WITH MY OATH OF OFFICE, I

**WILL STRIVE TO IMPROVE PUBLIC EDUCATION BY STRIVING TO ADHERE TO THE FOLLOWING EXPECTATIONS:**

1. Attend all regularly scheduled Board meetings, insofar as possible, and become informed concerning issues to be considered at those meetings.
2. Understand that the Board, as governing body, does not manage the District, but rather sets the broad goals and standards for the District by way of policies adopted by a quorum of the Board at proper meetings under the Right-to-Know law.
3. Be informed about current educational issues by individual study and through information, such as those sponsored by my state and national school board associations.
4. Make decisions and take votes based upon the available facts, the full deliberation of the Board, and my independent judgment, and refuse to surrender or subordinate that judgement to any individual or special interest group.
5. Work respectfully with other Board members by encouraging the free expression of differing opinions and ideas.
6. Seek opportunities for the Board to establish systematic communication channels with students, staff, and members of the community.
7. Recognize that as a general principle the District and its students benefit when Board decisions, which have been made following consideration of all sides and vote of a quorum, receive the subsequent support of the whole Board, whenever practicable.
8. Respect the confidentiality of information that is privileged under applicable law or is received in confidence or non-public session.
9. Recognize that individual Board members are without authority to act relative to School District business, and that I may not individually commit the Board to any action except as specifically designated to do so by Board action.
10. Understand the chain of command and refer problems or complaints to the proper administrative office per applicable School Board policies.
11. Work with the other Board members to establish effective Board policies, and foster a relationship with the District administration toward the effective implementation of those policies and management of the District operations, personnel and facilities.
12. Communicate to the Superintendent and to the Board (only as consistent with the Right-to-Know law) expressions of public reaction to Board programs, policies and other Board actions.
13. Present personal criticisms concerning District operations, staff, etc. to the Superintendent, not to District staff, the public, or unnecessarily at a Board meeting.
14. Establish policies and protocols for systematic communications with students, staff, and members of the community. Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff.

See also: Appendix BCA-R

**Legal References:**

*189:1-a "Duty to Provide Education"; and RSA 189:1 "Days of School"*

NHSBA Revised: May 2018

NHSBA revision note: May 2018 - This sample policy has been: (a) revised to include language to better reflect that, while school board decisions tend to be more effective and successful when supported by all members (after a majority vote), individual members do not at any time lose their individual right to express dissent; (b) amended to include provisions better identifying the distinction between governance and management; and (c) generally reorganized for better flow.

w/p-update/spring2018/ BCA Board Ethics 2018-5 (f)



**BCA-R: SCHOOL BOARD MEMBER ETHICS, ACKNOWLEDGMENT OF SCHOOL BOARD ETHICS POLICY – NHSBA Sample document. new policy**

I, school board member name, have read school district name  
School Board Policy BCA – School Board Ethics.

I shall, to the best of my ability, adhere to all ethical statements and considerations contained within that policy.

\_\_\_\_\_  
Signature of School Board member

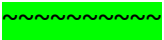
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of School Board Chair

\_\_\_\_\_  
Date

Witness: \_\_\_\_\_

Superintendent



**BCB: BOARD MEMBER CONFLICT OF INTEREST – NHSBA Sample document. new policy**

*Category R*

As elected officials, school board members owe a duty of loyalty to the general public in protecting the school district's interests. Therefore, the Board declares that a conflict of interest is a personal, pecuniary interest that is immediate, definite, demonstrable, and which is or may be in conflict with the public interest.

A board member who has a personal or private interest in a matter proposed or pending before the Board will disclose such interest to the Board, will not deliberate on the matter, will not vote on the matter, and will not attempt to influence other members of the Board regarding the matter. Additionally, Board members should

refrain from engaging in conduct or actions, that give the appearance of a conflict of interest, embarrass the Board, or personally embarrass another Board member.

It is not the intent of this policy to prevent the District from contracting with corporations or businesses with which a Board member is an employee. The policy is designed to prevent placing a Board member in a position where his or her interest in the public schools and his or her interest in his or her place of employment (or other indirect interest) might conflict, and to avoid appearances of conflict of interest even though such conflict may not exist. RSA 95:1 requires that "No person holding a public office, as such, in state or any political subdivision governmental service shall, by contract or otherwise, except by open competitive bidding, buy real estate, sell or buy goods, commodities, or other personal property of a value in excess of \$200 at any one sale to or from the state or political subdivision under which he holds his public office." Through the use of open competitive bidding or recusal of any Board member who has a conflict of interest, the Board will seek to obtain the best value for the district while avoiding impropriety or the appearance of impropriety.

### **Nepotism**

The Board may employ a teacher or other employee if that teacher or other employee is the father, mother, brother, sister, wife, husband, son, daughter, son-in-law, daughter-in-law, sister-in-law, or brother-in-law of the Superintendent or any member of the Board. This paragraph shall also apply to any other person who shares the expenses of daily living with the Superintendent or any member of the Board. Such a relationship will not automatically disqualify a job applicant from employment with the school district.

However, the Board member shall declare his/her relationship with the job applicant and will refrain from debating, discussing, or voting on a nomination or other issue. In the case where the relationship is with the Superintendent, the Superintendent shall disclose the relationship to the Board as early as possible in the recruitment/selection process for the open position or in the case of someone currently employed by the district, before recommending any job related action pertaining to the individual. The Board shall determine whether, were the candidate selected, the supervisor - subordinate relationship between the Superintendent and the prospective employee will be sufficiently indirect, to not disqualify the candidate. If not disqualified, and prior to candidates for the position being screened and a nominee being selected, or the Board approving any job related action, the Superintendent and the Board shall agree on a mechanism to address the conflict of interest. Where practical, the Board may designate another district staff member to fulfill the role of the Superintendent for the selection of a nominee for the position or take appropriate alternative steps. The job applicant is expected to declare his/her relationship with the Board member or Superintendent as well.

This shall not apply to any person within such relationship or relationships who has been regularly employed by the Board prior to the inception of the relationship, the adoption of this policy, or a Board member's election.

### **Legal References:**

*Marsh v. Hanover, 113 NH 667 (1973) and*

*Atherton v. Concord, 109 NH 164 (1968)*

*RSA 95:1, Public Officials Barred From Certain Private Dealings*

NHSBA Revised: May 2017.

NHSBA, Note: This policy is revised to incorporate the restrictions imposed by RSA 95:1. The policy recognizes the potential of a conflict of interest involving the Superintendent, this revision also adds a mechanism for addressing a conflict of interest between the Superintendent and a prospective district employee.

## **GBD: BOARD-EMPLOYEE COMMUNICATIONS – NHSBA Sample document. new policy**

*Category O*

*Also BHC*

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

### Staff Communications to the Board

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

### Board Communications to Staff

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

### Visits to Schools

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

### Social Interaction

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

NHSBA Reviewed: June 2004.

## **GBE: EXPECTATIONS OF STAFF MEMBERS - CURRENT SANBORN document**

### **Statement of Purpose**

This policy sets forth what the board expects of Sanborn Regional School District employees.

### **Statement of Policy**

All staff members shall make themselves familiar with and abide by the laws of the state as these affect their work, the policies of the school board, and the regulations designed to implement them.

All staff members shall carry out their assigned responsibilities with conscientious concern. The first responsibility of the instructional staff is the education of the student. Also essential to the success of ongoing school operations and the instructional program are the following specific responsibilities which shall be required of all personnel:

1. Faithfulness and promptness in attendance at work.
2. Support and enforcement of policies of the school board and the regulations of the school administration in regard to students.
3. Diligence in submitting required reports promptly at the times specified.
4. Care and protection of school property.
5. Concern and attention toward their own and the school board's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times.

In their association with students, all school employees shall set examples that are an important part of the educational process. Their manner, dress, courteousness, industry, and attitudes establish models that affect the development of young people. The board expects its staff to be exemplary role models, as well as provide exemplary instruction.

Effective: September 16, 1981. Revised: October 21, 1998. Reaffirm: March 2, 2011

## **GBE: EMPLOYEE RIGHTS AND RESPONSIBILITIES – NHSBA Sample document**

*Category: Recommended.*

In an effort to maintain successful school district and educational operations, all staff members are expected to fulfill their legal and moral responsibilities. Such responsibilities include, but are not necessarily limited to:

1. Faithfulness and promptness in attendance at work.
2. Adherence, support and enforcement of all School Board policies and administrative regulations.
3. Adherence, support and enforcement of all education related statutes and Department of Education regulations.
4. Care and protection of school property.
5. Fulfill other responsibilities as may, from time to time, be implemented or established by the School Board or administration.

The School Board will respect all employee rights established by law, School Board policy, and collective bargaining agreements, if applicable.

NHSBA Revised: April 2011.

## **GBEA: STAFF ETHICS – NHSBA Sample document. new policy**

*Category: Recommended*

*Related Policies GBEAB, GBEB & GBEBB*

**ADOPTION NOTES –**

***This text box, and all highlights within the policy should be removed prior to adoption.***

- (a) *This policy has been revised to (a) remove the discipline language that is more appropriate to Staff Conduct (see sample policy GBEB (Staff Conduct)), revised July 2019) (Ethics); and (b) incorporate as employment standards the newly enacted (11/18) Code of Ethics for NH Educators.*
- (b) *As with all sample policies, NHSBA recommends that each district carefully review this sample policy prior to adoption to assure suitability with the district’s own specific circumstances, organizational structures, etc., and current policies. Highlighted language or blank, underscored spaces indicate areas which Boards must change/complete to reflect local personnel titles, policy code references, duty assignments etc.*
- (c) **/\*\*** *indicates reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.*
- (d) *Withdrawn and earlier versions of revised policies should be maintained separately as permanent records of the District.*

All employees of the District are expected to maintain high standards in their conduct both on and off duty. District employees are responsible for providing leadership in the school and community. This responsibility requires the employee to maintain standards of exemplary conduct. To these ends, the Board adopts the following statements of standards. District employees will adhere to the standards enunciated in this Policy in the decision-making process involving their interactions with students, the school community, colleagues, parents and the public.

**A. Adoption and Incorporation of Standards of Code of Ethics for New Hampshire Educators.**

The Board incorporates by reference and adopts as independent ethical standards relative to employment in the District, the provisions of the New Hampshire Code of Ethics for New Hampshire Educators (the “NH Code of Ethics”), as the same may be amended by the State from time to time.

**B. Additional Ethical Standards.**

In addition to the ethical standards set forth in the New Hampshire Code of Ethics, and without limiting the application thereof to District employment, employees will:

- Make the wellbeing of students the fundamental value of all decision-making and actions.
- Staff members shall maintain a reasonable standard of care for the supervision, control and protection of students commensurate with their assigned duties and responsibilities.
- Maintain just, courteous, and proper relationships with students, parents, staff members, and others.
- Fulfill their job responsibilities with honesty and integrity.
- Direct any criticism of other staff members toward improving the District. Such constructive criticism is to be made directly to the building administrator.

- Obey all local, state, and national laws.
- Obey and implement the School Board’s policies, administrative rules and regulations.
- Avoid using position for personal gain through political, social, religious, economic, or other influence.
- Maintain the standards and seek to improve the effectiveness of the profession through research and continuing professional development.
- Honor all contracts until fulfillment or release.
- Maintain all privacy and confidentiality standards as required by law.
- Exhibit professional conduct both on and off duty.

**C. Dissemination.**

The content of this policy should be included in every employee/staff member handbook, and/or otherwise provided annually to each employee, designated volunteer, and contracted party.

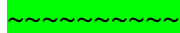
**Legal References:**

*N.H. Dept. of Education Administrative Rule – Ed 303.01*

*N.H. Dept. of Education Administrative Rule – Ed 510.01- 510.05, Code of Conduct for NH Educators*

*N.H. Dept. of Education, Code of Ethics for NH Educators*

NHSBA Revised: July 2019. *Legal References Disclaimer: These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy. When adopting this sample or variation of the same, a district should not include the NHSBA history or NHSBA policy notes. The district should, to the extent possible, include its own adoption/revision history.* NHSBA note, July 2019: NHSBA revised policy GBEA, along with the related policies GBE, GBEB, and GBEBB, for better internal consistency relative to conduct, and to include provisions aligning with the New Hampshire Code of Ethics and Code of Conduct for Educators, passed in November 2018.



**GBEAA (& JRB): CONFIDENTIAL STUDENT INFORMATION – NHSBA Sample. new policy**

*Category: Recommended*

**Intent**

It is policy of the School District to respect the privacy and/or confidentiality of all students and staff within the District. It is the policy District that personally identifiable information should only be viewed or received by District employees who have a legitimate educational or business interest or purpose in viewing or receiving private and/or confidential information.

**Confidential Information**

As part of the job performance of the District, employees may produce and receive information that must be kept confidential. Confidential information includes information obtained during the course of employment relating to the conduct of School District internal affairs. It shall also include information relating to students that is otherwise protected by applicable state and federal privacy laws. School District employees shall not disclose nor transmit such confidential information concerning students or others, or confidential internal information and shall use extreme care to protect against negligent or inadvertent disclosure of such



information.

Upon termination of employment or involvement in such internal affairs, or at any time that the District requests, all memoranda, notes, records, reports, lists and other documents containing, describing or relating to confidential information, together with all copies of the same, obtained by School District employees or entrusted to them during the course of their employment, shall be surrendered to the District at the time of such termination or request.

**Observations:**

During the course of carrying out activities as an employee or volunteer of the District, an individual 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 volunteer receiving information in which they neither have a legitimate educational interest nor a "need to know." To the degree that such observations disclose personally identifiable information, the employee or volunteer in question making such observations must respect the privacy 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 have neither a legitimate educational interest nor a "need to know" is prohibited. Employees and volunteers are not to disclose such information to individuals not affiliated with the School District without specific written authorization from District administrators and the affected student/parent.

Volunteers who violate this policy may have their services terminated. District employees who violate this policy may face discipline up to and including termination, in accordance with applicable law, board policies and/or collective bargaining agreements.

**Legal References:**

20 USC 1232g, Family Educational Rights and Privacy Act (FERPA)

NHSBA New sample policy: April 2015.

**GBEB: STAFF CONDUCT – NHSBA Sample document. new policy**

Category: *Recommended*

Related Policies: *GBEA, GBEAB & GBEBB*

**ADOPTION NOTES –**

***This text box, and all highlights within the policy should be removed prior to adoption.***

- (e) *This policy has been revised to(a) include the discipline language that formerly appeared in sample policy GBEA (Staff Ethics); and (b) incorporate as employment standards the newly enacted (11/18) Code of Conduct for NH Educators, Ed. 510.01-510.05 (without incorporation, the state Code of Conduct would only pertain to credentialing status by the state as opposed to standards which can be enforced by the District).*
- (f) **[\*\*]** *indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.*
- (g) *As with all sample policies, NHSBA recommends that each district carefully review this sample policy prior to adoption to assure suitability with the district’s own specific circumstances, organizational structures, etc., and current policies. Highlighted language or blank, underscored spaces indicate areas which Boards must change/complete to reflect local personnel titles, policy references, duty assignments etc.*
- (h) *Withdrawn and earlier versions of revised policies should be maintained separately as permanent records of the District. Some districts maintain a “Repealed/Revised” section within their manuals.*

**D. General Provisions.**

All employees have the responsibility to make themselves familiar with, and abide by, the laws of the State of New Hampshire as they affect their work, all

policies and decisions of the Board, and the administrative regulations and directives designed to implement them.

All employees shall be expected to carry out their assigned duties, support and enforce Board policies and administrative regulations, submit required reports, protect District property, oversight of students and contribute to the education and development of the District's students.

Employees are advised that failure to abide by this and other school board policies can lead to disciplinary action, up to and including dismissal, and can result in non-renewal. Any action taken regarding an employee's employment with the District will be consistent with all rules, laws, and collective bargaining agreements, if applicable.

#### **E. Adoption and Incorporation of Standards of Code of Conduct for New Hampshire Educators.**

The Board incorporates by reference, and adopts as independent standards of conduct relative to employment in the District, the provisions of the New Hampshire Code of Conduct for New Hampshire Educators (Ed 510.01-510.05) (the "NH Code of Conduct"), as the same may be amended by the State from time to time. The District reserves the right to take employment action against any employee based upon the District's interpretation of the provisions of the NH Code of Conduct and the District's independent assessment of whether an employee has violated said provisions. The District's interpretation, assessment and/or action thereon, are independent of any interpretation by the New Hampshire Department of Education ("DOE") with respect to those standards, and irrespective of any investigation by or action taken by the DOE relative to a District employee's conduct.

#### **F. Dissemination.**

The content or a copy of this policy should be included in every employee/staff member handbook, and/or otherwise provided annually to each employee, designated volunteer, and contracted party.

#### **Legal References:**

*N.H. Dept. of Education Administrative Rule – Ed 303.01*

*N.H. Dept. of Education Administrative Rule – Ed 510.01- 510.05, Code of Conduct for NH Educators  
NH Code of Administrative Rules, Section Ed 511, Denial, Suspension or Revocation of Certified  
Personnel*

*N.H. Dept of Education, Code of Ethics for NH Educators  
RSA 189:13, Dismissal of Teacher*

*RSA 189:14-a, Failure to be Renominated or Reelected*

*RSA 189:14-d, Termination of Employment*

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

*When adopting this sample or variation of the same, a district should not include the NHSBA history or NHSBA policy notes. The district should, to the extent possible, include its own adoption/revision history.*

*NHSBA history: Revised – July 2019 NHSBA note, July 2019: NHSBA revised policy GBEB, along with the related policies GBE, GBEA, and GBEBB, for better internal consistency relative to conduct, and to include provisions aligning with the New Hampshire Code of Ethics and Code of Conduct for Educators, passed in November 2018.*



## **GBEBB: EMPLOYEE-STUDENT RELATIONS - CURRENT SANBORN document**

### Statement of Purpose

The purpose of this policy is to set forth the guidelines for Employee-Student Relations.

### Statement of Policy

Although it is desired that staff members have a sincere interest in students as individuals, partiality and the appearance of impropriety must be avoided. Staff members are expected to use good judgment in their relationships with students both inside and outside of the school context including, but not limited to, the following guidelines. (Not necessarily in order of importance.)

1. Staff members shall not make derogatory comments to students regarding the school and/or its staff.
2. The exchange of purchased gifts between staff members and students is discouraged.
3. Staff members shall not fraternize, written or verbally, with students except on matters that pertain to school-related issues.
4. Staff members shall not associate with students in any situation or activity which could be considered sexually suggestive or involve the presence or use of tobacco, alcohol or drugs.
5. Dating between staff members and students is prohibited.
6. Staff members shall not use insults or sarcasm against students as a method of forcing compliance with requirements or expectations.
7. Staff members shall maintain a reasonable standard of care for the supervision, control and protection of students commensurate with their assigned duties and responsibilities.
8. Staff members shall not send students on personal errands.
9. Staff members shall, pursuant to law and Board policy, immediately report any suspected signs of child abuse or neglect.
10. Staff members shall not attempt to counsel, assess, diagnose or treat a student's personal problem relating to sexual behavior, substance abuse, mental or physical health and/or family relationships but, instead, should refer the student to the appropriate individual or agency for assistance.

11. Staff members shall not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but is not limited to information concerning assessments, ability scores, grades, behavior, mental or physical health and/or family background.
12. Staff members shall not be alone with a student in a windowless room with the door closed, the locked door, or with the lights off.
13. Staff members are strongly discouraged from socializing with students outside of school on social networking websites and email.

Any employee who witnesses or learns of any of the above behaviors shall report it to the building principal or Superintendent immediately.

Adopted: December 20, 2006. Revised: March 18, 2011.



## **GBEBC: EMPLOYEE GIFTS AND SOLICITATIONS – NHSBA Sample. new policy**

*Category O*

*Also KH*

### **Gifts**

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

### **Solicitations**

No organization may solicit funds from staff members within the Schools, nor may anyone distribute flyers or other materials related to fund drives through the Schools, without prior approval of the Superintendent. Staff members will not be made responsible, nor will they assume responsibility for, the collection of any money or distribution of any fund drive within the Schools unless such activity has the Superintendent's approval.

The Board expects such activities to be kept to a minimum. The Superintendent shall seek direction from the Board in instances where prior practice offers no guidance about a particular fund drive.

NHSBA Revised: August 2006

## GBEBD: EMPLOYEE USE OF SOCIAL NETWORKING WEBSITES – NHSBA Sample, new policy

Category: *Recommended*  
See also *GBEBB, JICDAA*

The School Board strongly discourages school district staff from socializing with students outside of school on social networking websites, including but not limited to MySpace and Facebook.

All school district employees, faculty and staff who participate in social networking websites, shall not post any school district data, documents, photographs or other district owned or created information on any website. Further, the posting of any private or confidential school district material on such websites is strictly prohibited.

School district employees are prohibited from engaging in any conduct on social networking websites that violates the law, school board policies, or other standards of conduct. Employees who violate this policy may face discipline and/or termination, in line with other school board policies and/or collective bargaining agreements, if applicable.

Staff members should not use social media website for school/class related purposes. Any use of electronic, internet-based instructional media must be approved by the Superintendent or designee.

Access of social networking websites for individual use during school hours is prohibited.

### Legal References:

*RSA 189:70, Educational Institution Policies on Social Media*

*RSA 275:72, Use of Social Media and Electronic Mail*

*Revised NHSBA Policy: Sept 2015. NHSBA Note, September 2015: Paragraph allowing school district employees to use social media websites for educational purposes has been amended and that allowance has been removed in consideration of RSA 189:70, effective September 2015. RSA 189:70 prohibits school districts from: (1) requiring or requesting that a student provide access to his/her personal social media account; (2) requiring or requesting a student to access a personal social media account in the presence of a school district employee; and (3) compelling a school district to add anyone to his/her list of contacts associated with a personal social media account. As such, school districts staff use of social media websites for educational and school-related purpose likely is in violation of this statute. Change to Legal References to add RSA 189:70.*

*NHSBA Note, September 2014: Only change is an addition of a Legal Reference, RSA 275:72. Content of the policy has not changed. RSA 275:72 prohibits an employer from requesting or requiring that an employee or prospective employee disclose login information for accessing any personal account or service through an electronic communication device. Additionally, RSA 275:72 prohibits an employer from taking or threatening to take disciplinary action against any employee for such employee's refusal to comply with a request or demand by the employer that violates this statute. Employers are still allowed to adopt and enforce lawful workplace policies governing the use of the employer's electronic equipment, including policies regarding Internet use, social networking site use, and electronic mail use.*

## **GBEBE: EMPLOYMENT OF RELATIVES OR PERSONS WITH ROMANTIC PERSONAL RELATIONSHIPS – NHSBA Sample, new policy**

*Category: Optional*

The School Board desires to maximize staff and community confidence in district hiring, promotion, and other employment decisions by promoting practices that are free of conflicts of interest or the appearance of impropriety.

The Board prohibits the appointment or continuing assignment of any person to a position for which his/her relative or a person with whom he/she has an intimate or romantic relationship maintains management, supervisory, evaluation, or promotion responsibilities. The Board further prohibits an employee from participating in any decision that singularly applies to any of his/her relatives or to any person with whom he/she has an intimate or romantic relationship.

In the event that an employee marries or enters into an intimate or romantic relationship with a person in a position for which he/she maintains management, supervisory, evaluation, or promotion responsibilities, the Superintendent or designee shall first attempt to reach a collaborative resolution with the parties involved. If a collaborative resolution cannot be reasonably reached, the Superintendent shall have discretion to reassign one or both of the employees to eliminate any potential conflict of interest.

In the event that one of the employees is the Superintendent, the specific remedies with respect to the Superintendent shall be determined by the School Board after consultation with the Board's attorney.

For purposes of this policy, "relatives" includes the individual's spouse, domestic partner, parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, cousins, and the similar family of the individual's spouse or domestic partner.

For the purposes of this policy, an "intimate or romantic relationship" includes dating, sexual contact of any type, or any other similar private activity that might compromise an employee's ability to evaluate his/her partner effectively or impartially.

In addition, the Superintendent or designee may, on a case-by-case basis, refrain from appointing a person to a position in the same department or facility as an employee with who he/she maintains a personal relationship when that relationship has the potential to create: (1) an adverse impact on supervision, safety, security, or morale of other district employees; or (2) a conflict of interest for the individuals involved which is greater because of the their relationship than it would be for another person.

An employee shall notify his/her supervisor within 30 days of any change in his/her circumstances that may constitute a violation of this policy.

*New Sample Policy: April 2015.*

## **GBI: STAFF PARTICIPATION IN POLITICAL ACTIVITIES – NHSBA Sample, new**

*Category: Optional*

The School Board recognizes that employees of the School District have certain civic rights. Employees, as citizens, have a right to engage in political activities and to speak as a citizen on matters of public concern. Nevertheless, this right to engage in political activities and to speak as a citizen on matters of public concern may be reasonably conditioned by the School Board as an employer when the employee is engaged in his or her

work as an employee and is speaking pursuant to the employee's official duties. This policy defines the types of conduct that are not permitted. The US Supreme Court has held that when public employees make statements pursuant to their official duties, they are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline.

Employees will not advocate their personal political views or engage in political activities as defined in this policy when speaking pursuant to the employee's official duties during hours of official employment. Employees will not exploit students in any way to promote the employee's personal political views. Employees will not misrepresent their political views as those of the School District. Examples of activities that are not permitted include:

1. Representing personal political views as those of the School District; employees should always take adequate precautions to distinguish between their personal political views and those of the School District;
2. Interfering with colleague's exercise of political rights, citizenship rights, and responsibilities; and
3. Using School District privileges, School District resources, including but not limited to the District e-mail system or working time to promote political candidates, for partisan political activities, or to influence the vote of a voter on any question or office.

It is the intent of this policy that political activities be narrowly defined to mean only "partisan political activities" and influencing the vote of a voter on any question or office. Partisan political activities would include the posting of political circulars or petitions, collection and/or solicitation of campaign funds, solicitations for campaign workers and other activities of a clearly partisan nature, including those activities relating to local, state, or federal elections.

New Hampshire law, RSA 659:44-a Electioneering by Public Employees provides that no public employee, as defined in RSA 273-A:1, IX, shall electioneer while in the performance of his or her official duties. No public employee shall use government property or equipment, including, but not limited to, e-mail systems, telephones, facsimile machines, vehicles, and computers, for electioneering. For the purposes of this law, "electioneer" means to act in any way specifically designed to influence the vote of a voter on any question or office. A person violating this law may be guilty of a misdemeanor. A "public employee," with limited exceptions including those in a confidential relationship with the School Board, means any person employed by the District. This is a criminal offense. Allegations of violations of this law may be investigated and prosecuted by the Attorney General and law enforcement.

Nothing in this policy is to be construed as precluding discussion of current events or conducting mock elections, debates, conventions or similar simulated political activities, where the activity is primarily intended as an educational experience.

District employees as public employees have a full right to publicly discuss and give opinions as an individual on their own time on all matters concerning any government entity and its policies. This policy recognizes public employee freedom of expression as set forth in RSA Chapter 98-E and other law and is intended to address only employee speech when the employee is engaged in his or her work as an employee and is speaking in furtherance of the employee's official duties.

**Legal Reference:**

*Garcetti et al v. Ceballos, 547 U.S. 410 (2006)*  
*Snelling v. City of Claremont, 155 N.H. 674 (2007)*  
*RSA 659:44-a, Electioneering by Public Employees*  
*RSA Chapter 98-E, Public Employee Freedom of Expression*

*NHSBA Revised: September 2017. NHSBA note, September 2017: This policy is updated, in light of*



*recent enforcement activity by the New Hampshire Attorney General's Office, to incorporate reference to statutory prohibitions on electioneering by most public employees. The update also adds references to RSA Chapter 98-E, Public Employee Freedom of Expression.*

## **GCA: PROFESSIONAL STAFF POSITIONS – NHSBA Sample, new**

### *Category R*

#### Responsibilities and Duties of Teachers

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

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

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

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

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

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

*Subject to Collective Bargaining Provisions and individual teaching contracts.  
NHSBA Reviewed: June 2004.*

## **GCRD: TUTORING FOR PAY – NHSBA Sample, new**

### *Category O*

No teacher may receive pay for tutoring one of his/her own pupils. A teacher should also avoid tutoring any



child from his/her building. All questions regarding tutoring should be referred to the teacher's building principal.

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

*NHSBA Reviewed: June 2004*



## **KH: PUBLIC SOLICITATIONS IN THE SCHOOLS – NHSBA Sample, new**

*Category R*  
*Also GBEC*

As a general policy, there will be no solicitation within the schools for any purpose whatsoever. No commercial enterprise may be represented in the schools and there will be no sale of goods or services on the premises.

Any request for the exception to this rule must be submitted in writing to the School Board or its agents (Superintendent and/or Principal) at least 30 days prior to the implementation of the requested activity.

The School Board reserves the right to grant exceptions.

*NHSBA Reviewed: October, 2004*



## **KHB: ADVERTISING IN THE SCHOOLS – NHSBA Sample, new**

*Category R*

Neither the facilities, the name, the staff, nor the children of the schools, school system, nor any part thereof shall be employed in any manner for advertising or otherwise promoting the interests of any commercial or other non-school agency or organization except that;

The school may cooperate in furthering the work of any nonprofit, community-wide social service agency, provided that such cooperation does not restrict or impair the educational program of the schools.

The schools may use films or other educational materials bearing only simple mention of the producing or sponsoring firm.

The schools may participate in radio or television programs under acceptable commercial sponsorship when such participation is supplementary or beneficial to the program of the schools.

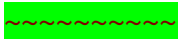
The Superintendent may, at his/her or discretion, announce or authorize to be announced any lecture or other community activity of particular educational merit.

The schools may, upon approval of the Superintendent, cooperate with any governmental agency in promoting activities in the general public interest which are nonpartisan and non-controversial and which promote the education or other best interests of the pupils.

School publications may accept and publish paid advertising under established procedures.

Promotional literature will not be distributed through the schools except for recognized educational and youth-oriented organizations.

*NHSBA Reviewed: October, 2004.*



## Regarding CBI & CBI-R - Superintendent Evaluation and Goal Setting

The Superintendent's Evaluation form is an (unpublished) addendum to Policy CBI-R.

CBI states nature of the evaluation. CBI-R states the procedure for the evaluation.

2 issues:

In fairness, the Evaluation form should be approved tonight for next fall - not this fall. The written criteria should be presented the year prior to the eval cycle, not during the fall **concluding** the evaluation period.

Second: CBI and CBI-R require by Ed. code 303.01(k) that "written criteria" be established by the Board. While the Superintendent is encouraged to SUGGEST goals to the board, the administration (as the board's employee) not have independent goal setting power. **The only "written criteria" we have annually are our Board Goals.** Whether bonuses are provided for completion of any written goals is a separate issue.

=====

### Board Goals for 2018-2019:

1. Review the New England School Development Council (NESDEC) study information and come up with a recommendation for the best use of Sanborn Resources to support student success.
2. Complete a comprehensive review and update of policies to meet the standards of New Hampshire Law.

3. Set measures to evaluate where the district performance is with regard to meeting academic goals, per the new definition of Student Success and to map outcome goals into program resource allocations, and to adjust program resource allocations based on the outcomes.

**Board Goals for 2019-2020:**

1. Reconfigure Grades Pre-K, K, 1, 2, 3, 4, 5, 6 and move Grades 7, 8 to the High School.
2. Formulate a task force for facilities to expedite the elimination of unwanted excess properties and buildings, specifically the Middle School and old High School campus.
3. Complete the 2018-19 Goal #3 (Mapping Outcomes) and explore Report Card options.

**Tom's two Goals (for 2018-19):**

1. Create a plan for the move of the middle school to the high school facility.
2. Update 80% (about 150) or more of the Board policies sent from NHSBA.

*Sept 18, 2019 Board meeting P Brown.*

**CBI: SUPERINTENDENT EVALUATION AND GOAL SETTING**

The Superintendent of Schools shall be evaluated annually by the school board and recommendations regarding his/her employment and salary status determined by the full school board prior to April 15<sup>th</sup>.

~~The Board will evaluate the Superintendent based on written criteria as established by the Board. Co-extensive with the Superintendent evaluation, the Board and Superintendent will jointly establish annual goals and objectives. The Board believes that establishing annual goals and objectives will serve as a benchmark and criteria for the Superintendent's annual evaluation.~~

The Superintendent is responsible for the services described in applicable statute and Department of Education rules. In addition to and related to those responsibilities, the following areas are representative of those in which objectives may be set and performance appraised:

1. Fiscal management
2. Curriculum
3. Pupil achievement and assessment
4. Delivery of instruction
5. Relationship with the school board

6. Administration of educational services
7. Administration of school facilities
8. Governance of pupils
9. Hiring and supervision of school district staff
10. Overall leadership on educational issues

The board may choose not to annually evaluate and review every area listed above.

The Board will evaluate the Superintendent based on written criteria established by the Board. The annual Superintendent Evaluation Form, approved prior to the beginning of the Superintendent's evaluation cycle, will establish the performance criteria to be used. In addition, the Board may approve annual goals and objectives for the Superintendent prior to the start of the evaluation cycle. Should specific executive goals be desired the Board, it will encourage the Superintendent's input in the goal setting process. The Board believes establishing annual Superintendent goals and objectives, when desired, will further clarify the criteria for the annual evaluation.

The Board desires that the annual Superintendent evaluation and goal setting will clarify the Superintendent's role within the school community, identify areas for the Superintendent to prioritize and improve, and address areas for which the Superintendent should be commended. Related: CBI-R

Legal References:

*N.H. Code of Administrative Rules, Section Ed 303.01(k), Substantive Duties of School Boards, Superintendent Evaluation*

Effective: June 8, 1983. Revised: December 3, 1986. Revised: December 2, 1992 Revised: March 2000. Revised: February 20, 2002. Reaffirmed: January 20, 2010. Revised: September 19, 2018.

## **CBI-R: EVALUATION OF THE SUPERINTENDENT OF SCHOOLS**

Statement of Purpose

This procedure defines the process by which the Superintendent of Schools will be evaluated by the Sanborn Regional School Board.

Statement of Procedure

Evaluation of the Superintendent shall be conducted in such manner as to:

1. Provide positive and constructive feedback to the Superintendent that will support and promote the Superintendent's professional growth and development;
2. Help the Board evaluate its work in planning the educational program in this community; and
3. Strengthen the working relationship between the Board and the Superintendent by providing a comprehensive vehicle of communication.
4. Identify strengths and weaknesses of the Superintendent and make appropriate recommendations.

The SAU Board shall conduct a minimum of one (1) annual formal evaluation of the Superintendent.

Members of the Board will first evaluate the Superintendent independently, using a written form, ~~7.~~ ~~The Superintendent Evaluation Form,~~ ~~will be~~ adopted by the Board **prior to the beginning of the annual evaluation period** for this purpose. The Board's Personnel Subcommittee will review and update the Form for Board approval, prior to

the beginning of the Superintendent's evaluation cycle. Should a list of annual goals be selected by the Board for the Superintendent to complete, the question of bonus compensation for goal completion shall be determined in a non-public session of the same Board meeting.

The Superintendent will complete the same Form for his or her self-evaluation. The Board may annually also request the Personnel Subcommittee produce separate evaluation instruments for district employees and community members to complete when deemed useful to the process.

The Board will then convene in non-public to discuss the assessments and to prepare a composite evaluation. The composite evaluation will be discussed by the full Board and the Superintendent. The Board and the Superintendent will each retain a copy of the written evaluation report.

The Superintendent of Schools will have an opportunity to respond in writing or orally to the evaluation.

A copy of the written evaluation report will be submitted to the Superintendent of Schools and a copy, in a sealed envelope, will be placed in his/her personnel file. Under ordinary circumstances, only the Superintendent of Schools and Chairperson of the School Board will have access to this envelope. If, because of prolonged illness or absence, the Chairperson is unable to respond to a request for information requiring the use of material on the composite written evaluation report, the Vice-Chairperson of the School Board will be empowered to have access to materials in the Superintendent of Schools' file.

*See Superintendent Evaluation Form*

Related: CBI.

Effective: December 2, 1992. Revised: April 1, 1998. Revised: February 20, 2002. Revised: December 17, 2014.  
Revised: September 19, 2018.