

**Rochester School Board
Policy Committee Minutes
Chamberlain Street School
October 16, 2014
6:00 PM**

DRAFT

Members Present:

Dr. Anthony Pastelis, Chair
Mr. Robert Watson
Mrs. Jennifer Bryant
Mrs. Susan O'Connor
Mr. Thomas O'Connor

Members Absent:

Others Present:

Mr. Michael Hopkins
Mrs. Mary Moriarty
Mr. Daniel Harkinson
Mrs. Kathy Dunton
Mr. Raymond Turner
Public

The meeting was called to order at 6:00 p.m. with a quorum present. The meeting began with the pledge of allegiance.

Mrs. O'Connor moved, second by Mrs. Bryant, to approve the minutes of the September 18, 2014 meeting; amending them to reflect Mrs. Kathy Dunton under "Others Present". The motion passed unanimously.

Policies for Second Reading

Mrs. O'Connor moved, second by Mrs. Bryant, to recommend to the Board for second reading and approval policy EEACB, Use of Surveillance Cameras on School Buses, as amended. The motion carried by majority vote.

Mrs. O'Connor moved, second by Mrs. Bryant, to recommend to the Board for second reading and approval policy GBCD, Criminal History and Background Checks.

Mr. Watson moved, second by Mrs. O'Connor, to amend policy GBCD, section B. 4 change;" Regular volunteers" to "Any volunteers". The motion carried unanimously.

The motion on the floor as amended carried unanimously.

Mr. Watson moved, second by Mrs. Bryant, to recommend to the Board for second reading and adoption policy KBE, School-Related Organizations as amended.

Mr. Watson moved, second by Mrs. O'Connor, to further amend policy KBE, 1. add "or have records reviewed by the Business Administrator". The motion carried unanimously.

The motion on the floor as amended carried unanimously.

Tabled Policies

Mrs. Bryant moved, second by Mr. Watson, to take policy JEB, Age of Entrance of the table. The motion carried unanimously.

Lengthy discussion ensued regarding establishing an absolute cut-off date; student testing scores; and the designation of an age of entrance appeal to be a final decision made by the Superintendent.

Mrs. O'Connor moved, second by Mrs. Bryant, to table policy JEB, Age of Entrance for further review at the November meeting. The motion carried unanimously.

First Reading /Review

Mrs. O'Connor moved, second by Mrs. Bryant, to recommend to the Board for first reading policy KBF, Use of Students in the Public Information Program as amended. The motion carried unanimously.

Mrs. O'Connor moved, second by Mrs. Bryant, to table policy KD, Public Participation at Board Meetings (also BDDH). The motion carried unanimously.

Mr. Watson moved, second by Mrs. O'Connor, to recommend to the Board for first reading policy KGF, Policy and Procedure for Naming Properties and Facilities. The motion carried unanimously.

Other

None

Public Comment

None

Adjournment

Mrs. O'Connor moved, second by Mr. Watson, to adjourn the meeting at 6:31 p.m. The motion passed unanimously.

Respectfully submitted,

Dr. Anthony Pastelis, Chair

EEACB

USE OF SURVEILLANCE CAMERAS ON SCHOOL BUSES

The Rochester School Board views students and student safety to be the most important aspects of its transportation program. A key factor in the safe operation of school buses is maintaining student discipline. In order to promote the desired student behavior and to permit the driver to concentrate on the safe operation of the bus, video camera may be installed on school buses for surveillance of passengers.

Video cameras may be used on school buses to monitor student behavior. Audio recordings in conjunction with video recordings may also be captured on school buses, in accordance with the provisions of RSA 570-A:2.

In the event a recording is used as part of a student discipline proceeding, such video may become part of a student's education record. The Superintendent is authorized to contact the District's attorney for a full legal opinion in the event of such an occurrence.

Video-camera recording is considered a valuable resource for school officials in administering fair and appropriate discipline. The use of video camera shall be governed by the following principles:

1. The use of video cameras is intended as a deterrent to unruly behavior and to provide assistance to school officials and the school bus service provider in documenting behavior problems. It is not intended to reduce the drivers' responsibility to maintain discipline through traditional means. School bus driver(s) shall not delay appropriate disciplinary action, particularly when a student's behavior threatens the safety of others.
2. Placement and scheduling of video cameras shall be determined by school administration in cooperation with the school bus service provider. All video footage will be the property of the Rochester School Department and will be considered confidential. Viewing of video footage by school administration will be on an "as needed" basis.
3. School administration, at its discretion, may permit viewing by parents and representatives of the school bus service provider.
4. Any video footage not necessary for subsequent disciplinary measures may be erased or recycled within five working days of being taken.

Adopted:	July 17, 1997
Board Review/Approved:	December 11, 2008
Amended:	December 9, 2010
Policy Committee Review:	September 18, 2014; October 16, 2014

GBCD

CRIMINAL HISTORY AND BACKGROUND CHECKS

A fundamental belief of the Rochester School Board is that the School Department and its officials have a duty to provide a safe learning environment for students (see Policy AE). In order to carry out the safety function with regard to staff members and others who provide services to students, and in compliance with RSA 189:13(a), the Rochester School Department will conduct a background investigation, including a criminal history records check, on every selected applicant for employment in any position in the school district prior to a final offer of employment.

As part of the application process, each applicant for a position shall be asked whether they have ever been convicted of any crime, and whether there are any criminal charges pending against them at the time of application. The falsification or omission of any information on a job application or in a job interview, including, but not limited to, information concerning criminal convictions or pending criminal charges, shall be grounds for disqualification from consideration for employment or immediate discharge from employment.

A. Definitions

1. *Annual basic compensation:* The annualized gross amount paid to a School Department employee in wages or salary for his or her regular duties, exclusive of benefits, overtime, extra-curricular contracts, or other bonuses.
2. *Background investigation:* An investigation into the past employment and/or other background information for an applicant for employment, for a contractor, or for a volunteer in the Rochester School Department, with the intent of determining: (1) whether the applicant is qualified for, and likely to be successful in, the position for which he or she has applied, and (2) whether the individual is guilty of any actions listed under RSA 189:13(a), Paragraph V that would make him or her ineligible for employment in a New Hampshire school district. Said investigation shall include written and/or verbal testimony from individuals having personal knowledge of the applicant, including the immediate past supervisor for an applicant seeking employment.
3. *Casual employee:* An individual whose employment with the Rochester School Department depends on a day by day invitation to work, such as a substitute teacher, and for whom continued employment is not guaranteed without specific action to terminate.
4. *Casual volunteer:* A volunteer who provides service to the Rochester School Department, its staff and students, fewer than four times in a single year. For example, a parent who accompanies a class on a field trip.
5. *Contractor:* (1) An individual, corporation, partnership, or other entity that provides goods or services through a professional service contract or other contract, except for an employment contract. (2) The officials, agents, and employees of said entity who provide direct services to the Rochester School Department.
6. *Criminal history records check:* A check of state and federal criminal records as defined in the New Hampshire Revised Statutes, Annotated. The criminal history records check shall include submission of fingerprints for the selected applicant, employee, contractor or volunteer.
7. *Entry level teacher salary (ELTS):* The basic salary amount paid to a teacher with a Bachelors Degree and no previous teaching experience as shown in the "BA + 0" step on the salary scale shown in the Master Agreement between the Rochester School Board and the

- Rochester Federation of Teachers for the year in which a background investigation and criminal history records check are conducted.
8. *Exempt contractor:* A contractor who does not provide direct services to or have direct contact with students.
 9. *Exempt volunteer:* A casual or regular volunteer who does not provide direct services to, or have direct contact with, students. For example, a volunteer who maintains athletic fields during summer months.
 10. *Regular employee:* An employee who is (a) under an employment contract with the Rochester School Board for a specific period of time, or (b) in a position not requiring a contract, but for which continued employment is expected unless specific action is taken by the Superintendent or Board to terminate said employment.
 11. *Regular volunteer:* A volunteer who provides service to the Rochester School Department, its staff and students more than three times in a single year.
 12. *Selected applicant:* The final applicant for a position in the Rochester School Department who has been, or will be, recommended by the Superintendent of Schools to the School Board for employment.
 13. *Supervised contact:* Contact with a student or students by an adult employee, contractor or volunteer in the presence of a teacher, administrator, or other professional educator employed by the Rochester School Department. For purposes of this policy, “teacher” shall include any employee covered under the Master Agreement between the Rochester School Board and the Rochester Federation of Teachers. The individual subject to supervision may be unaccompanied by the supervising professional employee for periods of up to two hours, but is not to be left alone with fewer than three students (e.g. a chaperone on a field trip should “check in” at least every two hours.)
 14. *Unsupervised contact:* Contact with a student or students by an adult employee, contractor, or volunteer with no teacher, administrator, or other professional educator employed by the Rochester School Department present.
- B. Individuals who are subject to the background investigation and criminal history records check:
1. The selected applicant for any regular full-time or part-time position.
 2. Regular employees in full-time or part-time positions prior to August 2, 1997, will not be subject to a background check under this policy unless the employee’s employment with the Rochester School Department is severed, then reinstated. For purposes of this policy, an individual’s employment with the School Department will not be considered to have been severed if the employee’s contract is temporarily non-renewed (1) because of a reduction in force, (2) pending completion of the state certification renewal process, providing that the process is completed prior to expiration of the old certification, or (3) because of another similar reason, so long as no work days are lost as a result of said temporary non-renewal caused by the above named circumstances.
 3. Casual employees such as substitute teachers, substitutes for non-teaching positions, and other individuals employed on a day-to-day basis,
 4. ~~Regular~~ Any volunteers who provide direct service to students and/or have unsupervised contact,
 5. Contractors who provide direct service to students and/or have unsupervised contact.

C. Individuals who are not subject to the background investigation and criminal history records check:

1. Casual volunteers, but said volunteers are to have supervised contact only.
2. Exempt volunteers.
3. Exempt contractors.

D. Responsibility for payment of criminal history records check

1. Any selected applicant for a regular position (full- or part-time) or any current employee in such a position who is subject to the criminal history records check, whose annual basic compensation is greater than or equal to seventy-five percent of the entry level teacher salary (ELTS), shall pay one hundred percent of the cost of the criminal history records check, including fingerprinting and processing costs.
2. All contractors, except for exempt contractors, shall pay one hundred percent of the cost of the criminal history records check, including fingerprinting and processing costs.
3. Any selected applicant for a regular position (full- or part-time) or any current employee in such a position who is subject to the criminal history records check, whose annual basic compensation is less than seventy-five percent of the entry level teacher salary, shall pay a pro rated portion of the criminal history records check as follows:

Percent of ELTS	Employee Cost	Board Cost
50% to 74%	75%	25%
35% to 49%	50%	50%
25% to 34%	25%	75%
Less than 25%	0%	100%

4. Rochester School Department will pay the full cost of the criminal history records check, including fingerprinting and processing costs, for all volunteers subject to said check.
5. There will be no fee charged by the Rochester School Department for fingerprinting or in-district processing when the procedure is conducted by School Department personnel.

E. Conditional Employment – People who have been selected for employment may be hired on a conditional basis, pending a successful completion of the State and FBI Criminal Records Check.

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

All employees are offered conditional employment; until satisfactory completion of a Criminal Records Check.

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

- F. Final Offer of Employment – A person who has been extended a conditional offer of employment may be extended a final offer of employment upon the completion of a Criminal Records Check which is satisfactory to the Board.

No person with a conditional offer of employment shall be extended a final offer of employment if such person has been convicted of the following offenses, as referenced in RSA 189:13-a V: (1) murder, or (2) child pornography, or (3) aggravated felonious sexual assault, (4) felonious sexual assault, (5) kidnapping, (6) manufacturing, selling, administering, dispensing or distributing any controlled substance(s) on school property, or (7) sexual misconduct within an education setting in this state; or where such person has been convicted of the same conduct in another state, territory, or possession of the United States, or where such person has been convicted of the same conduct in a foreign country.

In addition to the felonies listed above, a person may be denied a final offer of employment if he/she has been convicted of ANY felony. Such determination will be made by the Board, on a case by case basis.

When the District received a notification of a felony conviction from the State Police on a particular person which it finds unsatisfactory, the Superintendent shall dismiss said person within twenty-four (24) hours of the receipt of such report, excluding Saturdays, Sundays, or legally recognized holidays.

- G. If any provision of this policy is found to be contrary to law, the remainder shall remain in effect.

Legal Reference:

RSA 189:13-a

Adopted: May 12, 1994
Amended: October 9, 1997
Amended: May 14, 2009
Amended: February 10, 2011
Policy Committee Review: September 18, 2014; October 16, 2014

KBE

SCHOOL-RELATED ORGANIZATIONS

The School Board recognizes cooperative activities with outside school-related organizations such as PTA, PTO, booster groups, and other organizations. These organizations are encouraged, appreciated and important to the work of the District.

The Board recognizes an obligation to support these groups and to ensure that District personnel participating in these organizations limit the District's liability for collection and disbursement of the organization's funds.

The following procedures shall be followed by any outside school-related organization.

1. An annual audit will be completed *or have records reviewed by the Business Administrator* and on file with the Building Principal.
2. Standard accounting practices will be followed.
3. Regular financial statements will be provided to the membership.
4. It is strongly recommended that any checks issued by the organization require two signatures.
5. Deposits of cash should be reviewed and completed by more than one individual. Procedures should be developed to deposit cash as soon as possible.
6. 50/50 raffles should not be conducted by students.

The Business Administrators Role:

1. *The financial records will be reviewed on a yearly basis to ensure sound accounting practices are being followed.*

The Superintendent or designee can waive the requirement for the annual audit for any small outside school-related organization. The Business Administrator is available to provide any organization information on standard business practices.

Adopted: September 14, 2006

Policy Committee Review: September 18, 2014; *October 16, 2014*

JEB

AGE OF ENTRANCE

Every child between six and eighteen years of age shall attend the public school within the district or a public school outside the district to which he/she is assigned, or an approved private school, during all the time the public schools are in session, unless he/she has been excused from attending on the ground that his/her physical or mental condition is such as to prevent his/her attendance or to make it undesirable, provided that if a child reaches his/her sixth birthday after September 30 he/she will not be required to attend school under these provisions until the following school year.

| A ~~pupil~~*student* may enter kindergarten if his/her chronological age will be five before September 30 of the year of entering school.

If parents feel a child is academically and socially ready and the birthday falls after September 30 and before December 1, the parent/guardian may request consideration for early admission. The written request and any supporting documentation will be reviewed by the school district administration. The administration shall require additional testing or other evaluation, using test instruments approved by the Rochester School Department, to determine the child's readiness level. This testing or evaluation shall be conducted by a School Psychologist licensed to practice in the state of New Hampshire and acceptable to the Rochester School Department. The cost of said testing or evaluation shall be borne by the parent(s). The administration will then formalize a recommendation as to the readiness of this child for early admission. *The administration will not typically recommend a student who scores below the 90th percentile for early entrance.* The administrative recommendation will be presented to the Instruction Committee for its consideration at a hearing set up for the parents/guardians. A further appeal may be heard by the full School Board.

The testing or evaluation may be conducted by School Psychologists on the Rochester School Department staff, but must be conducted outside of their regular working hours. They shall determine their own fee structure. Administration may make parents aware of this policy provision, but shall take care not to pressure parents to use School Department staff for this testing or evaluation.

If a child's birthday falls beyond November 30, he/she will not be considered for early admission. Incoming transfer students in kindergarten or first grade will be initially placed in accordance with the data forwarded by the sending district. Such placement is tentative and subject to reassignment by the Superintendent of Schools or his/her designee.

Adoption Date: July 9, 1992

Amended: May 8, 1997

Amended: December 8, 2011

| Policy Committee Review: September 18, 2014 (*tabled*); *October 16, 2014 (tabled)*

KBF

USE OF STUDENTS IN THE PUBLIC INFORMATION PROGRAM

| The participation of ~~pupils~~-*students* in interpreting the educational program of the schools to the community shall be encouraged, with the understanding that:

| 1. ~~Pupils~~-*Students* shall not be exploited for the benefit of any individual or group.

| 2. ~~Pupils~~-*Students* shall participate only in appropriate situations.

| 3. The use of ~~pupils~~*students* shall always be evaluated in terms of the effect on the child.

| 4. The best possible community relations grow from a superior teaching job in the classroom.

| Enthusiastic ~~pupils~~-*students* with serious intentions, well directed by sympathetic and capable teachers, are certain to communicate with the parents and the community. The School Board believes this is the cornerstone of good community relations.

Adoption Date: April 8, 1993

Policy Committee Review: October 16, 2014

KD (also BDDH)

PUBLIC PARTICIPATION AT BOARD MEETINGS

The Board desires citizens of the district to attend its sessions so that they may become better acquainted with the operation and programs of the schools and that the Board may have opportunity to hear the wishes and ideas of the public. All official meetings of the Board shall be opened to the press and public. However, the Board reserves the right to meet and to adjourn or recess a meeting at any time to discuss such matters as are properly considered in non-public session in accordance with RSA 91-A:3.

In order to assure that persons who wish to appear before the Board may be heard and, at the same time, conduct its meetings properly and efficiently, the Board adopts as policy the following procedures and rules pertaining to public participation at Board meetings.

1. Anyone wishing to speak before the Board, either as an individual or as a member of a group, should inform the Superintendent of the desire to do so and of the topic to be discussed prior to the meeting.
2. Any individual desiring to speak shall give his or her name, address, and the group, if any, that is represented.
3. The presentation should be as brief possible. Written remarks are encouraged. In no event should more than 30 minutes be set aside for public participation. The Board may motion to extend the Public Participation beyond 30 minutes.
4. Speakers are requested to limit their comments to 5 minutes; they may offer such objective criticisms of school operations and programs as concern them. But in a public session, the Board will not hear personal complaints of school personnel nor against any person connected with the school system. Other channels are provided for Board consideration and disposition of legitimate complaints involving individuals.
5. At Committee meetings the public may be recognized by the Committee Chair to comment or ask questions about an agenda item.

The Board vests in its Chair or other presiding officer authority to terminate the remarks of any individual, when he/she does not adhere to the rules established above as to content or time limitation.

Persons appearing before the Board are reminded, as a point of information, that members of the Board are without authority to act independently as individuals in official matters. Thus, questions may be directed to individual Board members, but answers may be deferred.

Adopted: April 8, 1993

Amended: July 10, 2008

Policy Committee Review: October 16, 2014 (tabled)

KGF

POLICY AND PROCEDURE FOR NAMING PROPERTIES AND FACILITIES

The Rochester School Board has a long-standing tradition of naming properties and facilities in honor of persons or entities that have made important contributions to the District. All naming in recognition of an honoree must be consistent with the District's role as a public trust. Accordingly, all such proposals shall be reviewed and approved in accordance with this policy, and with related Board policies and guidelines. The following guidelines shall govern any naming decision.

The Board takes the naming of any public building, field, room or facility seriously. The need for public input and a procedure for the Board to consider request is evident. The procedure listed below is for the Board to follow before choosing the name of any public facility.

Programs, and Facilities:

No commitment regarding naming shall be made to prior to approval of the related proposal for naming. Each proposal shall be made in writing in accordance with these guidelines.

Each proposal for naming shall be considered on its merits. In this regard, all due attention shall be given to both the long-term and short-term appropriateness of a naming. No commitment for naming shall be made prior to approval of the proposed name.

When a facility or area is named in recognition of a person that name will generally be effective for the useful life of the facility or the designated use of the area. If a facility must be replaced or substantially renovated, or the use of an area is changed, it may be re-named.

A proposed honoree shall have achieved distinction in one or more of the following ways: while serving the Board in an academic or administrative capacity; the individual has rendered distinguished service which warrants recognition of the individual's exceptional contributions.

Any recommendation for naming shall occur two years after retirement or other separation from the District or from elected or appointed office; or one year after the person's death.

Procedure:

The Superintendent or Board Chair shall initiate a request for a name change, or to name a new facility. Any request from the public shall be submitted to the Board from the Superintendent or Board Chair.

The Building Committee, in non-public or public session shall first consider the request. If the Committee supports the public process for naming or renaming a facility, it shall make a recommendation to the Board of the request. The Building Committee's recommendation shall be placed on the Board agenda, allowing public input into the naming of the facility.

The Board shall have two readings of the recommendation, prior to approving any request.

Adopted: June 12, 2008

Policy Committee Review: October 16, 2014