

OYSTER RIVER COOPERATIVE SCHOOL DISTRICT

Policy Committee Meeting

January 9, 2019 3:30 – 5:00

Central Office

Agenda

- I. Call to Order
 - JICD – Student Discipline and Due Process
 - JICD-R – Procedure
 - TBD – Allowable Use of Funds & Adherence to Uniform Grant Guidance
 - IJ – Guidance Program for Deletion

Next Meeting: February 5, 2019

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JICD
Draft to Policy Committee: May 9, 2011 Date to School Board for First Read: May 25, 2011 School Board Second Read/Adoption: July 20, 2011 Policy Committee Review: 11/7/18 & 12/12/18 & 1/9/19	Page 1 of 2 Category: Required

STUDENT CONDUCT, DISCIPLINE AND DUE PROCESS – Safe School Zone

Inappropriate student conduct that causes material and substantial disruption to the school environment interferes with the rights of others or presents a threat to the health and safety of others will not be tolerated. Students are expected to exhibit appropriate classroom behavior that allows teachers to communicate and educate effectively.

Students will conduct themselves in a manner fitting to their age level and maturity and with respect and consideration for the rights of others while on school district property or property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district. Consequences for the misconduct will be fair and developmentally appropriate in light of the circumstances.

Students who fail to abide by this policy and the administrative regulations supporting it may be disciplined for conduct which disrupts or interferes with the education program; conduct which disrupts the orderly and efficient operation of the school district or school activity; conduct which disrupts the rights of other students to participate in or obtain their education; conduct that is violent or destructive; or conduct which interrupts the maintenance of a disciplined atmosphere. Disciplinary measures include, but are not limited to, removal from the classroom, detention, suspension, probation, and expulsion.

Suspension means an in-school suspension, an out-of-school suspension, a restriction from activities or loss of eligibility. An in-school suspension means the student will attend school but will be temporarily isolated from one or more classes while under supervision. An in-school suspension will not exceed ten consecutive school days. An out-of-school suspension means the student is removed from the school environment, which includes school classes and activities. An out-of-school suspension will not exceed ten days. A restriction from school activities means a student will attend school and classes ~~and practice~~ but will not participate in [any non-academic](#) school activities.

Probation means a student is given a conditional suspension of a penalty for a definite period of time in addition to being reprimanded. The conditional suspension will mean the student must meet the conditions and terms for the suspension of the penalty. Failure of the student to meet these conditions and terms will result in immediate reinstatement of the penalty.

Expulsion means an action by the Board to remove a student from the school environment, which includes, but is not limited to, classes and activities, for a period of time set by the Board.

Due process in accordance with all applicable laws will be afforded to any student involved in a proceeding that may result in suspension, exclusion, or expulsion. Students expelled from school may be reinstated by the Board under the provisions of RSA 193:13.

The Superintendent may modify expulsion requirements as provided in RSA 193:14, IV.

Students receiving special education services will be disciplined in accordance with [the all district policies and state laws with consideration of a student's IEP, and all applicable provisions of the Individual with Disabilities Education Act \(IDEA\)](#).

At all times, students are required to conduct themselves in accordance with behavioral standards set forth in [Policy JIC](#) and all other applicable Board policies.

Students and parents will be notified annually of this policy.

Legal References:

- RSA 193:13, Suspension & Expulsion of Pupils
- NH Code of Administrative Rules, Section Ed 306.04(a)(3), Student Discipline
- NH Code of Administrative Rules, Section Ed 306.04(f), Student Discipline
- NH Code of Administrative Rules, Section Ed 317.04(b), Disciplinary Procedures.

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STUDENT DISCIPLINE AND DUE PROCESS - PROCEDURE

Definitions

- 1.—Disciplinary measures include, but are not limited to, removal from the classroom, detention, in-school suspension, out-of-school suspension, restriction from activities, probation, and expulsion.
21. Removal from the classroom means a student is sent to the building principal's office. It is within the discretion of the person in charge of the classroom to remove the student.
32. Detention means the student's presence is required during non-school hours for disciplinary purposes. The building principal is authorized to establish guidelines or protocol for when detention shall be served (either before school or after school.) Whether a student will serve detention, and the length of the detention, is within the discretion of the licensed employee disciplining the student or the building principal.
43. An in-school suspension means the student will attend school but will be temporarily isolated from one or more classes while under supervision. An in-school suspension will not exceed ten consecutive school days.
54. An out-of-school suspension means the temporary denial of a student's attendance at school for a specific period of time for gross misconduct or for neglect or refusal to conform to school rules or policies.
 - a. "Short-term suspension" means a suspension of ten (10) school days or less. Ed 317.04(a)(1).
 - b. "Long-term suspension" means the continuation of a short-term suspension under RSA 193:13, I (b)-(c), and also means a suspension in excess of ten (10) school days under Ed 317.04(a)(2).
65. A restriction from school activities means a student will attend school and classes ~~and practice~~ but will not participate in any non-academic school extra-curricular activities.
76. Probation means a student is given a conditional suspension of a penalty for a definite period of time in addition to being reprimanded. The conditional suspension will mean the student must meet the conditions and terms for the suspension of the penalty. Failure of the student to meet these conditions and terms will result in immediate reinstatement of the penalty.
87. Expulsion means the permanent denial of a pupil's attendance at school for any of the reasons listed in RSA 193:13, II and III.

Standards for Removal from Classroom and Detention

Students may be removed from the classroom at the classroom teacher's discretion if the student refuses to obey the teacher's directives, becomes disruptive, fails to abide by school rules or policies, or otherwise impedes the educational purpose of the class.

Likewise, classroom teachers may assign students to detention for similar conduct.

The building principal may assign students to detention under the same standard.

Standards for In-School Suspension, Restriction of Activities, and Probation

The building principal is authorized to issue in-school suspensions, restrictions of activities, or place a student on behavior probation for any conduct that causes material or substantial disruption to the school environment, interferes with the rights of others, presents a threat to the health and safety of students, employees, and visitors, violates other Board policies or is otherwise inappropriate ~~or~~ is prohibited by law.

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[Restriction of activities may also be issued pursuant to rules or policies pertaining to specific clubs or teams.](#)

Process for Out-of-School Suspension:

The power of suspension is authorized as follows:

1. The building principal is authorized to suspend a student for 10 school days or less for gross misconduct or for neglect or refusal to conform to school district policies or rules. The principal shall consult with the Superintendent prior to issuing any suspension.
 - A. Pursuant to Ed 317.04([af](#))(1), a suspension of 10 school days or less shall be considered a "short-term suspension" and may be issued for gross misconduct or for neglect or refusal to conform to the reasonable rules of the school under RSA 193:13, I.
2. The Superintendent is authorized to continue the suspension of a pupil for a period in excess of 10 school days. Prior to this extended suspension, the Superintendent will provide an informal hearing on the matter. The informal hearing need not rise to the level and protocol of an official hearing before the School Board.
 - A. Pursuant to Ed 317.04([af](#))(2), a suspension in excess of 10 school days shall be considered a "long-term suspension" and may be issued for an act of theft, destruction, or violence as defined in RSA 193-D, or for possession of a pellet paint ball gun or BB gun or rifle under RSA 193:13,II.
3. Any suspension in excess of 10 school days, as described in Paragraph 2 of this Section, is appealable to the School Board, provided the Superintendent receives the appeal in writing within 10 days after the issuance of the Superintendent's decision described in Paragraph 2. Any suspension in excess of 10 school days shall remain in effect while this appeal is pending.
4. Due process standards for short-term suspensions (10 days or less) will adhere to the requirements of Ed 317.04([df](#))(1).
5. Due process standards for long-term suspensions (more than 10 days) will adhere to the requirements of Ed 317.04([df](#))(2).

Process for Expulsion

1. Any pupil may be expelled by the School Board for gross misconduct, or for neglect or refusal to conform to District rules or policies, or for an act of theft, destruction, or violence, as defined in RSA 193-D:~~1~~([b](#)), or for the possession of a pellet or BB gun, rifle, or paint ball gun.
2. Additionally, any pupil may be expelled by the School Board for bringing or possessing a firearm as defined in Section 921 U.S.C. Title 18 in a safe school zone, as defined in RSA 193-D:1, unless such pupil has written authorization from the Superintendent. Any expulsion under this provision shall be for a period of not less than 12 months.
3. The District will ensure that the due process standards set forth in Ed 317.04([df](#))(3) are followed.
- 3.4 [Any decision by the Board to expel a student may be appealed to the State Board of Education.](#)
- 4.5 The Superintendent is authorized to modify the expulsion requirements of any student on a case-by-case basis.

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[Disciplinary Removal of Students with Disabilities](#)

[If a student is disabled under the Individuals with Disabilities Act \(IDEA\), the New Hampshire RSA 186-C, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, or any other law providing special rights to disabled students, those laws shall govern and shall supersede these local policies to the extent these local policies are inconsistent with those laws. Accordingly, any suspension or expulsion of a child with a disability as defined in Ed 1102.01\(t\) shall be in accordance with Ed 1124.01](#)

Cross Reference:

JICD – Student Discipline and Due Process

Legal References:

[RSA 189:15, Regulations](#)

RSA 193:13, Suspension & Expulsion of Pupils

[RSA Chapter 193-D, Safe Schools Zones](#)

NH Code of Administrative Rules, Section Ed 306.04(a)(3), Student Discipline

NH Code of Administrative Rules, Section Ed 306.04(f), Student Discipline

NH Code of Administrative Rules, Section Ed 317.04, Standards and Procedures For Suspension and Expulsion of Pupils Assuring Due Process

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ALLOWABLE USE OF FUNDS AND ADHERENCE TO UNIFORM GRANT GUIDANCE

The Oyster River Cooperative School District shall adhere to all applicable cost principles governing the use of federal and non-federal grants and contracts. This policy addresses the importance of properly classifying costs, both direct and indirect, charged to grant funded projects and that proposed and actual expenditures are consistent with the grant agreement and all applicable federal rules embodied in the Uniform Grant Guidance at 2 CFR 200 (UGG). District personnel who are responsible for administering, expending or monitoring grant funded programs should be well versed with the categories of costs that are generally allowable and unallowable.

A portion of financial support for the School District comes from the federal government. This funding is in the form of direct support for District programs and often includes reimbursement for indirect costs. The federal Uniform Grant Guidance identifies the criteria that must be met in order to properly charge these costs to federally funded projects. Individual non-federal awards may also include special terms and conditions that must be met before costs can be charged or reimbursed, which must also be considered before allocating certain costs to the award.

Policy Requirements

All costs expended using federal funds must meet the following general criteria laid forth in the UGG at 2 CFR 200, Subpart E:

- Be necessary and reasonable for the proper and efficient performance and administration of the grant program.
- Be allocable to federal awards under the provisions of the federal circular.
- Be authorized and not prohibited under state or local laws or regulations.
- Conform to any limitations or exclusions set forth in the principles, federal laws, terms and conditions of the federal award, or other governing regulations as to types or amounts of cost items.
- Be consistent with policies, regulations, and procedures that apply uniformly to both federal awards and other activities of the District.
- Be accorded consistent treatment. A cost may not be assigned to a federal award as a direct cost and also be charged to a federal award as an indirect cost.
- Except as otherwise provided for in the federal circular, be determined in accordance with generally accepted accounting principles.
- Not included as a cost or used to meet cost sharing or matching requirements of any other federal award in either the current or a prior period.
- Be net of all applicable credits.
- Be adequately documented.

The cost guidelines of the UGG must be considered any time federal award funds are to be expended. The District may apply federal UGG requirements to non-federal projects as well.

Federal regulations also require that any other District policies related to specific types of expenditures must also be followed, for example student incentives, travel, meals or equipment.

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Direct and indirect costs

Allowable and allocable costs must be appropriately classified as direct or indirect. In general, direct costs are those that can be identified specifically with a particular cost objective while indirect costs are those (a) incurred for a common or joint purpose benefiting more than one cost objective, and (b) not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. It is essential that each item of cost be treated consistently in like circumstances either as a direct or an indirect cost.

If an indirect cost rate is going to be utilized for charging indirect rates, the rate must first be approved by the applicable approving authority.

Definitions

Direct costs are expenses that are specifically associated with a particular grant program that can be directly assigned to such activities relatively easily with a high degree of accuracy. Common examples of direct costs include the GPM's salary and fringe benefits, equipment and supplies for the program, subcontracted service provider, or other materials consumed or expended in the performance of the grant.

Indirect costs are incurred for common or joint objectives and, therefore, cannot be readily and specifically identified with a particular program. They are expenses that benefit more than one grant. Common examples of indirect costs include utilities, local telephone charges, shared office supplies, administrative or secretarial salaries.

Cost transfers

Any costs charged to a federal or non-federal award that do not meet the allowable cost criteria must be removed from the award account and charged to an account that does not require adherence to federal UGG or other applicable guidelines. Cost transfers must be performed in accordance with the District's policy.

Failure to adequately follow this policy and related procedures could result in questioned costs, audit findings, potential repayment of disallowed costs and discontinuance of funding. Grant Program Managers (GPM), school personnel and any other individuals responsible for expending grant funds are held responsible for compliance with UGG and must understand that severe penalties and funding disallowances could result from instances of non-compliance.

Responsibilities

Central Office Fiscal personnel are responsible for creating encumbering and purchasing documents using grant funds at the request of a GPM or Principal. They should be familiar with the general cost principals embodied in the federal UGG and summarized above, and the cost principles applicable to the specific program funds they expend. Personnel must notify the Grant Program Manager or Principal if they recognize a request is for an unallowable cost.

Central Office Fiscal personnel monitor, review and approve (or disapprove) grant expenditures at the school and program office levels as the first level of " Approver" in Advantage for non-personnel expenditures to ensure that applicable cost principles, regulations and policies are followed. Effective July 1, 2013 the Central Office Fiscal

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Personnel will have prior approval authority for federal non-full-time salary (supplemental pay) prior to their entry into the payroll system for payment to ensure allowability and documentation requirements have been met. They are also responsible for providing training and guidance to designated Program Office personnel, and any other District staff seeking clarification of cost allowability requirements.

Central Office Fiscal personnel are responsible for preparing financial reports and reviewing grant transactions. They should be familiar with the cost principles applicable to the program funds they oversee and should notify the GPM or Principal if they recognize a transaction for an unallowable cost. Grant Analysts have responsibility for processing journal vouchers needed to transfer unallowable costs between grant awards.

Grant Project Managers must ensure that any costs charged to their award are aligned with applicable cost principals, are computed correctly, and would not create a compliance violation. They should collect, maintain and where applicable, submit copies of adequate documentation to support the expenditures.

Cross Reference:

- DA – Fiscal Management
- DB – Annual District Budget
- DBD – Budget Planning
- DBI – Budget Implementation
- DBJ – Transfer of Appropriation
- DFA – Investment
- DFE – Gate Receipts and Admissions
- DGD – School District Credit Cards, Procurement Cards, or Other Purchasing Cards
- DH – Bonded Employees
- DIA – Fund Balance
- DID – Fixed Asset Policy
- DJ & R, R1 – Purchasing
- DJC & R – Petty Cash Accounts
- DJGA – Sales Calls and Demonstrations
- DK & R – Payment Manifest
- DKA – Payroll Process
- DKC – Expense Reimbursement
- DM – Cash in School Buildings

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~~GUIDANCE PROGRAM~~

~~The focus of the counseling and guidance program in the district is on the developmental needs of all students at the elementary and secondary levels. See language in policy IA, Instructional Goals, referencing individualized learning and heterogeneous grouping.~~

~~Counselors shall demonstrate respect for the dignity and worth of each individual and shall encourage each student to develop individual responsibility and decision-making skills. Guidance counselors are prepared to help students who may have questions or need assistance with such areas as personal problems, selections, grades, program selection, career planning, testing or college selection. The guidance person acts as a counselor, consultant, and coordinator in assisting the teacher and the parent as they provide for the needs of the child. The counselor shall also provide individual testing of learning strengths, learning weaknesses, achievement, intelligence and developmental readiness upon request of the teacher. Counselors shall coordinate the school guidance program and involve all staff members in designing and implementing plans to meet three major goals:~~

- ~~1. Educational Development — Students will participate in planning their educational experiences so that their education is consistent with educational requirements and career aspirations.~~
- ~~2. Personal/Social Development — Students will develop appropriate behaviors for a variety of social settings. Students will develop awareness of self and confidence in their own abilities in order to enhance their career and development.~~
- ~~3. Career Development — Students will develop career options consistent with their interests, abilities, and values. Career development includes focus on the four areas of vocation, avocation, family life, and citizenship.~~

~~Within the framework of the counseling and guidance goals, specific students and curricular objectives are developed.~~

~~Within the areas of counseling and guidance responsibility, the counselor enters into professional relationships with three segments of the school community: students, school personnel, and parents and guardians.~~