

OYSTER RIVER COOPERATIVE SCHOOL DISTRICT

Policy Committee Meeting

September 9, 2015 3:30 – 5:00

Central Office

Agenda

- I. Call to Order
- II. Policy Changes for Review from Requested Feedback
 - BBAA – School Board Member Authority
 - BDF – Advisory Committees to the Board
 - IHB – Establishing Criteria for Special Education Evaluations
 - IHBAA – Evaluation Requirements for Children with Specific Learning Disabilities
 - JKAA & R – Use of Child Restraint and Seclusion Policy & Procedure
 - EEAA – Video and Audio Surveillance on School Property
- III. Questions/Discussion

Next Meeting: October 14, 2015

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: BBAA
Review First Read School Board: September 5, 2012 Second Read/Adoption School Board: September 19, 2012 School Board/Superintendent Revisions: January 13, 2014 Policy Committee Review: May 13, 2015 School Board First Read: May 20, 2015 Policy Committee Review: June 10, 2015 School Board June 17, 2015 - Request for Public Hearing School Board (Public Hearing): August 19, 2015 Policy Review: September 9, 2015	Page 1 of 2 Category: Recommended

SCHOOL BOARD MEMBER AUTHORITY

The authority of individual Oyster River Cooperative School Board members is limited to participating in actions taken by the School Board as a whole when legally in session. School Board members shall not assume responsibilities of administrators or other staff members. The School Board or staff shall not be bound in any way by any action taken or statement made by any individual School Board member or group of School Board members except when such statement or action is pursuant to specific instructions and official action taken by the School Board consistent with policies BDB and BDF.

Delegation

A Board member may be delegated authority by the Board to take action outside a proper Board meeting only as one of the following: 1) an officer of the Board, 2) a member of a Board subcommittee, 3) a member of an advisory committee. 4) a Board Liaison to another committee or organization, or 5) for a specific task. Except for officers, all other delegations shall be appointed by the Chairperson of the Board and approved by proper vote of the Board.

Subcommittees:

The Board may form subcommittees from its own membership to facilitate the work of the Board. Subcommittees may be standing committees that serve continuously for a specific topic, or they may be special or ad hoc committees that serve for a specific task and are then dissolved. Such subcommittees will be comprised of up to three Board members. All Board subcommittees are subservient to the Board as a whole and only will have study and review functions as assigned to them by proper motion of the Board. ~~Subcommittees will report their findings and recommendations to the full Board which will take action as a whole. Subcommittees may also take action that have been previously authorized by the full Board or are inherent in their Board approved charge. Subcommittees will report their findings and recommendations to the full Board which will take action as a whole.~~ The Board retains the right to dissolve a subcommittee at any time.

All Board subcommittees are themselves public bodies under the Right-to-Know law and must comply fully with that law and all related policies equally as the Board itself.

Liaison

Board members may occasionally serve as Board liaison to other committees or organizations, both school and community based, for the purpose of reciprocal communication and reporting back to the Board. No more than two Board members may be delegated as liaison to the same committee or organization. Public access to the meetings and records of such committees or organizations is determined by how the Right-to-Know law applies to that committee or organization.

Communications and reports involving the liaison with the Board shall be consistent with the Right-to-Know law and all related policies.

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: BBAA
Review First Read School Board: September 5, 2012 Second Read/Adoption School Board: September 19, 2012 School Board/Superintendent Revisions: January 13, 2014 Policy Committee Review: May 13, 2015 School Board First Read: May 20, 2015 Policy Committee Review: June 10, 2015 School Board June 17, 2015 Request for Public Hearing School Board (Public Hearing): August 19, 2015 Policy Review: September 9, 2015	Page 2 of 2 Category: Recommended

Specific Task

An individual Board member may occasionally be delegated by the Board to perform a specific task. The motion to delegate a task to a Board member must include detailed instructions and be for a specific and limited time so that administrators, staff, other Board members and the public are fully aware of when a Board member is performing a task. If an original timeline is not met no new motion will be required but the Board member so tasked must keep the Board informed. All communications or actions related to the delegated task involving any other Board member must be at a proper Board meeting. A delegated task must not be used to circumvent the spirit of the Right-to-Know law.

This policy affects public access to the Board and the public's Right to Know. To protect that right, this policy requires a public hearing before it may be revised. Further, this policy may not be suspended except by a two-thirds vote at a public meeting. The Board must always fully comply with the letter and spirit of the Right-to-Know law that may not be suspended. This policy will be reviewed by the Board ~~and all standing advisory committees~~ annually, ~~before the end of April to ensure full awareness and compliance.~~

Legal references:

RSA 91-A:2, Meetings Open to Public
RSA 91-A:2-a, Communication Outside Meetings
N.H. Code of Administrative Rules-Section Ed. 303.01, Substantive Duties of School Boards

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: BDF
School Board/Superintendent Revisions: January 13, 2014 Policy Committee Review: May 13, 2015 School Board First Read: May 20, 2015 Policy Committee Review: June 10, 2015 School Board June 17, 2015 - Request for Public Hearing School Board (Public Hearing): August 19, 2015 Policy Committee: September 9, 2015	Page 1 of 2 Category: Optional

ADVISORY COMMITTEES TO THE BOARD

The Oyster River Cooperative School Board may rely on advisory committees to counsel it as a means of discerning the needs and desires of the School District and its residents. The central purpose of all advisory committees is to contribute to the educational program by conducting studies, identifying problems, and developing recommendations that enhance the effectiveness of the decision-making process. It is not the intent of any sub-committee/advisory committee to ever have the authority to work outside or instead of the authority of the full Board.

Any advisory committee shall have only those duties and powers as the Board determines. The ultimate authority to make decisions will continue to reside with the Board. No advisory committee's recommendations shall have any limiting effect on appropriations, unless all the procedures of RSA 32 have been followed.

~~Specific topics for study or activity shall be assigned in writing to each committee.~~ Upon completing its assignment, each committee shall either be given new problems or be dissolved. Advisory committees shall not be allowed to continue for prolonged periods without a definite assignment. Each committee shall be instructed as to the length of time each member is being asked to serve, the service the Board wishes it to render, the resources the Board intends to provide, the approximate dates on which the Board wishes it to submit reports, and the approximate date on which the Board wishes to dissolve the committee. The committee shall be instructed as to the relationship it has to the Board, to individual Board members, to the Board member(s) assigned to provide liaison, to the public, to the Superintendent, the committee assistant, and the remainder of the professional staff.

The Board shall have sole power to dissolve any of its advisory committees and shall reserve the right to exercise this power at any time during the life of any committee.

The Board may seek the advice of the Superintendent before establishing or dissolving any advisory committee.

The Board shall make all appointments of citizens to advisory committees unless delegated to the superintendent. The Superintendent shall make all appointments of staff members, ~~to citizens advisory committees after approval of the Board.~~

The School Board shall see that the public is made aware of the services rendered by such committees ~~of citizens as it may appoint~~ and shall see that the public is informed of the major conclusions and recommendations made by such committees. All public announcements concerning the organization, membership, operation, recommendations and dissolution of such committees shall be made at such time and in such manner as the Board may choose.

~~Regardless of how it is formed, any~~ Any advisory committee that reports to the Board or informs a decision ultimately to be made by the Board is a public body fully subject to the Right-to-Know law and related policies equally as the Board itself. This does not include advisory committees that only report to or inform a decision ultimately made by the Superintendent or his or her designee. For example, an advisory committee to recommend candidates to be nominated by the Superintendent is not a public body even though the Board votes to elect the single nominated candidate.

As each new advisory committee that is a public body is being organized, its members will review the Right-to-Know law and related policies to ensure full awareness and compliance.

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: BDF
School Board/Superintendent Revisions: January 13, 2014 Policy Committee Review: May 13, 2015 School Board First Read: May 20, 2015 Policy Committee Review: June 10, 2015 School Board June 17, 2015 Request for Public Hearing School Board (Public Hearing): August 19, 2015 Policy Committee: September 9, 2015	Page 2 of 2 Category: Optional

This policy affects public access to the Board and the public's Right to Know. To protect that right, this policy requires a public hearing before it may be revised. Further, this policy may not be suspended except by a two-thirds vote at a public meeting. The Board must always fully comply with the letter and spirit of the Right-to-Know law that may not be suspended. This policy will be reviewed by the Board and all standing advisory committees annually, ~~before the end of April to ensure full awareness and compliance.~~

Cross Reference:

- BBAA – School Board Member Authority
- BDB – Board Officers/Board Organization Meeting
- EFA: Availability and Distribution of Healthy Foods

Legal References:

- RSA 32:24, Other Committees
- RSA 91-A: Access to Public Records and Meetings

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: IHB
To Policy Committee: July 10, 2013 School Board First Read: July 17, 2013 School Board Second Read/Adoption: August 14, 2013 Policy Committee: September 9, 2015	Page 1 of 2

SCHOOL BOARD POLICY

ESTABLISHING CRITERIA FOR SPECIAL EDUCATION EVALUATIONS IN THE OYSTER RIVER COOPERATIVE SCHOOL DISTRICT

The State and Federal special education laws require that the Oyster River Cooperative School District evaluate children with disabilities who are in need of special education and related services. The district evaluates children upon referral for special education and reevaluates educationally disabled children at least once every three years or when conditions warrant a re-evaluation.

The district is committed to ensuring that each child's IEP team bases its decision on high quality, reliable and educationally sound special education evaluations.

The district has established the following criteria for all special education evaluations. These criteria consequently apply to all evaluations conducted by school district personnel, all evaluations the district asks outside contractors to conduct, and all independent evaluations parents expect the school district to review, consider, and/or fund.

Unique circumstances may justify deviation from these criteria. If a parent or district staff member is aware of such unique circumstances, it is expected that they inform the student's case manager or the district's special education director immediately.

1. The evaluation must comply with the relevant provisions of the State and Federal special education laws, including 34 C.F.R. §§ 300.301–300.311, and N.H. Code of Administrative Rules Ed 1107.

2. The evaluation must be conducted in New Hampshire, by an evaluator whose principal office is located in New Hampshire, unless there is no qualified evaluator in New Hampshire.

3. The evaluator must hold a valid license from the State of New Hampshire in the field related to the known or suspected disability. The evaluator must have extensive training and experience in evaluation in the area(s) of concern and be able to interpret the instructional implications of the evaluation results. In instances where no "applicable license" exists, the district must be satisfied that the evaluator has extensive training and experience related to the known or suspected disability.

4. The cost of the evaluation shall not exceed the usual and customary rate for such evaluations.

5. The school district will not pay for the evaluation until it receives the evaluator's report.

6. The evaluator must review relevant educational records.

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: IHB
To Policy Committee: July 10, 2013 School Board First Read: July 17, 2013 School Board Second Read Adoption: August 14, 2013 Policy Committee: September 9, 2015	Page 2 of 2

7. Unless otherwise determined by the members of the child's IEP team, the evaluator must either: a) observe the child in one or more educational settings; or b) make at least one contact with the child's general education teacher for the purpose of determining how the student is progressing in the general curriculum. In addition, evaluators are encouraged to make additional contacts with other involved general and special education teachers and related service providers.

8. The evaluator must be permitted to directly communicate and share information with members of the IEP team, the district's special education director, and the director's designees. The evaluator must also release the assessments and results, including any parent and teacher questionnaires, to members of the IEP team, the district's special education director, and the director's designees.

9. The district shall be entitled to inspect and obtain copies of the evaluator's records, including any records created by third parties. However, for purposes of the federal Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g(a)(4)(B)(i), records will not be deemed accessible to any school district personnel other than the evaluator, unless and until the district exercises its right to inspect or obtain copies of those records from the evaluator.

Cross Reference:

- ACE – New Hampshire Special Education Procedural Safeguards Handbook
- New Hampshire Rules for the Education of Children with Disabilities

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: IHBAA
Policy Committee Review: July 14, 2009 Previously: IHBAE School Board Adopted: September 2, 2009 Title/Code Change Adopted School Board: May 2, 2012 Policy Committee Review: September 9, 2015	Page 1 of 1

Evaluation Requirements for Children with Specific Learning Disabilities

In making determinations regarding whether a student has a specific learning disability under state and federal special education rules, the Oyster River School District shall evaluate students suspected of having a specific learning disability in a manner consistent with the procedures and standards included in IHBAE-R LD eligibility checklist, reflecting requirements set forth in NH Ed 1107.01 and .02 and 34 C.F.R. § 300.301 to .311 (as applicable).

Cross Reference: IHBAA-R Determining a Specific Learning Disability

Legal References: NH Ed 1107.01, .02 (2008); 34 C.F.R. § 300.307, .309 (2006).

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JKAA
Second Read/Adoption to School Board: June 15, 2011 Policy Committee Review: September 9, 2015	Page 1 of 2 Category: Required

USE OF CHILD RESTRAINT AND SECLUSION

[The Oyster River Cooperative School District](#) hereby authorizes school officials to use restraint to ensure the immediate physical safety of persons when there is a substantial and imminent risk of serious bodily harm to the child or others, and then only when other interventions have failed or have been deemed inappropriate, and in a manner consistent with state law and regulations.

The Superintendent of Schools shall develop procedures for the use of child restraint and seclusion.

For purpose of this policy and any accompanying procedures, the term "restraint" means any bodily physical restriction, mechanical devices, or any device that immobilizes a person or restricts the freedom of movement of the torso, head, arms, or legs. It includes mechanical restraints, physical restraints, and medication restraint used to control behavior in an emergency or any involuntary medication.

Restraint shall not include the following:

- (1) A brief touching or holding to calm, comfort, encourage, or guide a child, so long as there is no limitation on the child's freedom of movement.
- (2) The temporary holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a child to stand, if necessary, and then walk to a safe location, so long as the child is in an upright position and moving toward a safe location.
- (3) Physical devices, such as orthopedically prescribed appliances, surgical dressings and bandages and supportive body bands, or other physical holding when necessary for routine medical treatment purposes, or when used to provide support for the achievement of functional body position or proper balance or to protect a person from falling out of bed, or to permit a child to participate in activities without the risk of physical harm.
- (4) The use of seat belts, safety belts, or similar passenger restraints during transportation of a child in a motor vehicle.
- (5) The use of force by a person to defend himself or herself or a third person from what the actor reasonably believes to be the imminent use of unlawful force by a child, when the actor uses a degree of such force which he or she reasonably believes to be necessary for such purpose and the actor does not immobilize a child or restrict the freedom of movement of the torso, head, arms, or legs of any child.

School staff shall not use physical restraint except to ensure the immediate physical safety of person when there is a substantial and imminent risk of serious bodily harm to the child or others.

For purpose of this policy and any accompanying procedures, the term "seclusion" means the involuntary placement of a child alone in a place where no other person is present and from which the particular child is unable to exit, either due to physical manipulation by a person, lock, or other mechanical device or barrier.

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JKAA
Second Read/Adoption to School Board: June 15, 2011 Policy Committee Review: September 9, 2015	Page 2 of 2 Category: Required

Seclusion shall not include:

- (1) The voluntary separation of a child from a stressful environment for the purpose of allowing the child to regain self-control, when such separation is to an area which a child is able to leave.
- (2) Circumstances in which there is no physical barrier between the child and any other person or the child is physically able to leave the place.

School staff shall not use seclusion except when a child's behavior poses a substantial and imminent risk of physical harm.

School officials shall not use or threaten to use any dangerous restraint techniques or containment, any inappropriate aversive behavioral interventions, any medication restraints, or any mechanical restraints except as permitted for transporting students.

Physical restraint or seclusion shall be used only by trained personnel and only after other approaches to the control of behavior have been attempted and been unsuccessful or are reasonably believed to be unlikely to succeed based on the student's past history.

In the event of a physical restraint, seclusion, or intentional physical contact with students who are actively combative, assaultive, or self-injurious, school officials shall comply with all state-mandated notification and record keeping requirements.

Legal Reference: RSA 126-U:1 to 13 (2014).

Cross Reference: JKAA-R – Procedures on Use of Child Restraint and Seclusion

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JKAA
DRAFT to Policy Committee: May 9, 2011 Date to School Board for First Read: May 25, 2011 Second Read/Adoption to School Board: June 15, 2011	Page 1 of 1

USE OF CHILD RESTRAINT

The Oyster River Cooperative School District hereby authorizes school officials to use restraints to ensure the immediate physical safety of persons when there is a substantial and imminent risk of serious bodily harm to the child or others, and then only when other interventions have failed or have been deemed inappropriate, and in a manner consistent with state law and regulations.

The Superintendent of Schools shall develop procedures for the use of child restraint.

For purpose of this policy and any accompanying procedures, the term "restraint" means any bodily physical restriction, mechanical devices, or any device that unreasonably limits freedom of movement. It includes mechanical restraints, physical restraints, and medication restraint used to control behavior in an emergency or any involuntary medication.

Restraint shall not include the following:

1. Holding a child to calm or comfort, holding a child's hand or arm to escort the child safely from one area to another, or intervening in an ongoing assault or fight;
2. Brief periods of physical restriction by person-to-person contact without the aid of medication or mechanical restraints, accomplished with minimal force and designed either to prevent a child from completing an act that potentially would result in physical harm to himself or herself or to another person, or to remove a disruptive child who is unwilling to leave an area voluntarily;
3. Physical devices or other physical holding when necessary for routine physical examinations or when used to provide support for the achievement of functional body position or proper balance or to protect a person from falling, or to permit a child to participate in activities without the risk of physical harm;
4. The use of seat belts, safety belts, or similar passenger restraints during transportation of a child in a motor vehicle;
5. The use of force by a person to defend himself or herself or a third person from what the actor reasonably believes to be the imminent use of unlawful force by a child, when the actor uses a degree of force that he or she reasonably believes to be necessary for such purpose.

School staff **shall not use** or threaten to use any dangerous restraint techniques, any inappropriate aversive behavioral interventions, any medication restraints, or any mechanical restraints except as permitted for transporting students.

Legal References:

RSA 126-U:1 to 13 (2010); Ed 1113.04 to .07 (2008)

REVISED

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JKAA-R
Second Read/Adoption School Board: September 9, 2015 Policy Committee Review: September 9, 2015	Page 1 of 7

USE OF CHILD RESTRAINT AND SECLUSION PROCEDURES

The [Oyster River Cooperative School District](#) hereby establishes the following procedures to describe how and in what circumstances restraint or seclusion is used in this District. The procedures are adopted for the purpose of meeting the District's obligations under state law governing the use of restraints and seclusion. The procedures shall be interpreted in a manner consistent with state law and regulations.

I. Definitions.

Restraint. Any bodily physical restriction, mechanical devices, or any device that immobilizes a person or restricts the freedom of movement of the torso, head, arms, or legs. It includes mechanical restraints, physical restraints, and medication restraint used to control behavior in an emergency or any involuntary medication..

Restraint shall not include the following:

- (1) A brief touching or holding to calm, comfort, encourage, or guide a child, so long as there is no limitation on the child's freedom of movement.
- (2) The temporary holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a child to stand, if necessary, and then walk to a safe location, so long as the child is in an upright position and moving toward a safe location.
- (3) Physical devices, such as orthopedically prescribed appliances, surgical dressings and bandages and supportive body bands, or other physical holding when necessary for routine medical treatment purposes, or when used to provide support for the achievement of functional body position or proper balance or to protect a person from falling out of bed, or to permit a child to participate in activities without the risk of physical harm.
- (4) The use of seat belts, safety belts, or similar passenger restraints during transportation of a child in a motor vehicle.
- (5) The use of force by a person to defend himself or herself or a third person from what the actor reasonably believes to be the imminent use of unlawful force by a child, when the actor uses a degree of such force which he or she reasonably believes to be necessary for such purpose and the actor does not immobilize a child or restrict the freedom of movement of the torso, head, arms, or legs of any child.

The five interventions listed immediately above are not considered "restraint" under these procedures, are not barred or restricted by these procedures, and are not subject to the training or notification requirements that otherwise apply to permissible restraints addressed herein.

Medication Restraint. When a child is given medication involuntarily for the purpose of immediate control of the child's behavior.

Mechanical Restraint. When a physical device or devices are used to restrict the movement of a child or the movement or normal function of a portion of his or her body.

Physical restraint. When a manual method is used to restrict a child's freedom of movement or normal access to his or her body.

Dangerous Restraint Techniques.

- a. Any technique that:
 - (1) Obstructs a child's respiratory airway or impairs the child's breathing or respiratory capacity or restricts the movement required for normal breathing;
 - (2) Places pressure or weight on, or causes the compression of, the chest, lungs, sternum, diaphragm, back or abdomen of a child;
 - (3) Obstructs the circulation of blood;
 - (4) Involves pushing on or into the child's mouth, nose, eyes, or any part of the face or involves covering the face, or body with anything, including soft objects such as pillows, blankets, or wash clothes, or
 - (5) Endangers a child's life or significantly exacerbates a child's medical condition.
- b. Intentional infliction of pain, including the use of pain inducement to obtain compliance.
- c. The intentional release of noxious, toxic, caustic, or otherwise unpleasant substances near the child for the purpose of controlling or modifying the behavior of or punishing the child.
- d. Any technique that subjects the child to ridicule, humiliation, or emotional trauma.

Seclusion. The involuntary placement of a child alone in a place where no other person is present and from which the particular child is unable to exit, either due to physical manipulation by a person, lock, or other mechanical device or barrier.

Seclusion does not include:

- (1) the voluntary separation of a child from a stressful environment for the purpose of allowing the child to regain self-control, when such separation is to an area which a child is able to leave;
- (2) Circumstances in which there is no physical barrier between the child and any other person or the child is physically able to leave the place.

II. Use of Restraint

1. Restraint as defined in these procedures shall be used only to ensure the immediate physical safety of persons when there is a substantial and imminent risk of serious bodily harm to others.

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JKAA-R
Second Read/Adoption School Board: September 9, 2015 Policy Committee Review: September 9, 2015	Page 3 of 7

2. Restraint as defined in these procedures shall only be used by trained personnel and with extreme caution. It should be used only after all other interventions have failed or appear unlikely to succeed based on the student's past history.
3. Use of restraint as defined in these procedures shall be limited to physical restraint. School officials shall not use or threaten to use any dangerous restraint techniques, any inappropriate aversive behavioral interventions, any medication restraints, or any mechanical restraints except as permitted for transporting students.

III. Use of Seclusion

1. Seclusion may only be used when a child's behavior poses a substantial and imminent risk of physical harm to the child or to others, and may only continue until that danger has dissipated.
2. Seclusion shall only be used by trained personnel after other approaches to the control of behavior have been attempted and been unsuccessful, or are reasonably concluded to be unlikely to succeed based on the history of actual attempts to control the behavior of a particular child.
3. Each use of seclusion shall be directly and continuously visually and auditorially monitored by a person trained in the safe use of seclusion.

IV. Prohibited Use of Restraint or Seclusion

1. School officials shall not use or threaten to use restraint or seclusion as punishment or discipline for the behavior of child.
2. School officials shall not use or threaten to use medication restraint.
3. School officials shall not use or threaten to use mechanical restraint, except its use is permitted in the transportation of children, as outlined under these procedures.
4. School officials shall not use or threaten to use dangerous restraint techniques, as defined in these procedures.
5. Seclusion shall only be used by trained personnel after other approaches to the control of behavior have been attempted and been unsuccessful, or are reasonably concluded to be unlikely to succeed based on the history of actual attempts to control the behavior of a particular child.
6. Seclusion shall not be used in a manner that that unnecessarily subjects the child to the risk of ridicule, humiliation, or emotional or physical harm.

V. Authorization and Monitoring of Extended Restraint & Length of Restraint

When restraint may permissibly be used on a child, school officials must comply with the following procedures:

1. Restraint shall not be imposed for longer than is necessary to protect the child or others from the substantial and imminent risk of serious bodily harm;
2. Children in restraint shall be continuously and directly observed by personnel trained in the safe use of restraint;

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JKAA-R
Second Read/Adoption School Board: September 9, 2015 Policy Committee Review: September 9, 2015	Page 4 of 7

3. No period of restraint shall exceed 15 minutes. If restraint is to exceed this time, approval of the Principal or supervisory employee designated by the Principal to provide such approval is required.
4. No period of restraint shall exceed 30 minutes unless a face-to-face assessment of the mental, emotional and physical well-being of the child is conducted by the Principal or supervisory employee designated by the Principal who is trained to conduct such assessments. The assessment must include a determination of whether the restraint is being conducted safely and for a proper purpose. These assessments must be repeated at least every 30 minutes during the period of restraint and documented in writing pursuant to the notification requirements set forth below.

VI. Restriction of Use of Mechanical Restraints during Transport of Children.

1. Mechanical restraints during the transportation of children are prohibited unless the child's circumstances dictate the use of such methods. In any event when a child is transported using mechanical restraints, the Principal shall document in writing the reasons for the use of mechanical restraint. This documentation shall be treated as notification of restraint as discussed in paragraph VI, below.
2. Whenever a child is transported to a location outside a school, the Principal shall ensure that all reasonable measures consistent with public safety are taken to transport and/or escort the child. Such measures should:
 - a. Prevent physical and psychological trauma,
 - b. Respect the child's privacy, and
 - c. Represent the least restrictive means necessary for the safety of the child.

VII. Room Conditions for a Seclusion Area

When permitted by this chapter, seclusion may only be imposed in rooms which:

- (a) Are of a size which is appropriate for the chronological and developmental age, size, and behavior of the children placed in them.
- (b) Have a ceiling height that is comparable to the ceiling height of the other rooms in the building in which they are located.
- (c) Are equipped with heating, cooling, ventilation, and lighting systems that are comparable to the systems that are in use in the other rooms of the building in which they are located.
- (d) Are free of any object that poses a danger to the children being placed in the rooms.
- (e) Have doors which are either not equipped with locks, or are equipped with devices that automatically disengage the lock in case of an emergency. For the purposes of this subparagraph, an "emergency" includes, but is not limited to:
 - (1) The need to provide direct and immediate medical attention to a child;
 - (2) Fire;

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JKAA-R
Second Read/Adoption School Board: September 9, 2015 Policy Committee Review: September 9, 2015	Page 5 of 7

- (3) The need to remove a child to a safe location during a building lockdown; or
 - (4) Other critical situations that may require immediate removal of a child from seclusion to a safe location.
- (f) Are equipped with unbreakable observation windows or equivalent devices to allow the safe, direct, and uninterrupted observation of every part of the room.

VIII. Notice and Record Keeping Requirements

1. Unless prohibited by a court order, a school official shall verbally notify the parent or guardian and guardian ad litem of a restraint or seclusion no later than the time of the return of the child to the parent or guardian on that same day, or the end of the business day, whichever is earlier. Notice shall be made in a manner calculated to provide actual notice of the incident at the earliest practicable time.
2. A school employee who uses restraint or seclusion shall submit a written report to the building principal or the principal's designee within 5 business days after that intervention. If the school employee is not available to submit such a report, the employee's supervisor shall submit such a report within the same time frame. If the principal uses restraint or seclusion, he/or she shall submit a written report to the Superintendent, or his/her designee, within 5 business days. Any report addressed in this section shall contain the following information:
 - a. The date, time and duration of the restraint or seclusion;
 - b. A description of the actions of the child before, during, and after the occurrence; a description of any other relevant events preceding the use of restraint or seclusion, including the justification for initiating the restraint or seclusion;
 - c. The names of the persons involved in the occurrence;
 - d. A description of the actions of the school employees involved before, during, and after the occurrence;
 - e. A description of any interventions used prior to the restraint or seclusion;
 - f. A description of the seclusion or restraint used, including any hold used and the reason the hold was necessary;
 - g. A description of any injuries sustained by, and any medical care administered to, the child, employees, or others before, during, or after the use of restraint or seclusion;
 - h. A description of any property damage associated with the occurrence;
 - i. A description of actions taken to address the emotional needs of the child during and following the incident;
 - j. A description of future actions to be taken to control the child's problem behaviors;
 - k. The name and position of the employee completing the notification; and
 - l. The anticipated date of the final report.

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JKAA-R
Second Read/Adoption School Board: September 9, 2015 Policy Committee Review: September 9, 2015	Page 6 of 7

3. Unless prohibited by court order, the Principal or other designee shall, within 2 business days of receipt of the written report described above, send or transmit by first class mail or electronic transmission to the child's parent or guardian and guardian ad litem the information contained in that written report. **[Optional but recommended: Within the same time frame, the Principal shall also forward any such report to the Superintendent for retention in that office.]**
4. Each written report referenced in this section shall be retained by the school and shall be made available for periodic, regular review consistent with any rules that may be adopted by the state board of education for that purpose.

IX. Serious Injury or Death during Incidents of Restraint or Seclusion.

1. In cases involving serious injury or death to a child subject to restraint or seclusion, the school district shall, in addition to the notification requirements above, notify the commissioner of the department of education, the attorney general, and the state's federally designated protection and advocacy agency for individuals with disabilities. Such notice shall include a copy of the written report referenced in Section VIII above.
2. "Serious injury" means any harm to the body which requires hospitalization or results in the fracture of any bone, non-superficial lacerations, injury to any internal organ, second or third-degree burns, or any severe, permanent, or protracted loss of or impairment to the health or function of any part of the body.

X. Team Meeting Requirements

1. After the first incident of restraint or seclusion in a school year for students identified under special education or Section 504, the District shall hold an IEP or 504 meeting to review the student's IEP or 504 plan and make such adjustments as are indicated to eliminate or reduce the future use of restraint or seclusion.
2. Parents may request a 504 or IEP team meeting after any restraint or seclusion incident and that request must be granted "if there have been multiple instances of restraint or seclusion since the last review."

XI. Notice and Records of Intentional Physical Contact

1. If a school employee has intentional physical contact with a child which is in response to a child's aggression, misconduct, or disruptive behavior, a school representative shall make reasonable efforts to promptly notify the child's parent or guardian.
2. Such notification shall be no later than the time of the child's return to the parent or guardian on that same day, or the end of the business day, whichever is earlier. Notification shall be made in a manner to give the parent or guardian actual notice of the incident at the earliest practicable time.
3. Within 5 business days of the incident of "intentional physical contact with a child which is in response to a child's aggression, misconduct, or disruptive behavior," the school shall prepare a written description of the incident. This description shall include:

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JKAA-R
Second Read/Adoption School Board: September 9, 2015 Policy Committee Review: September 9, 2015	Page 7 of 7

- a) Date and time of the incident;
 - b) Brief description of the actions of the child before, during and after the occurrence;
 - c) Names of the persons involved in the occurrence;
 - d) Brief description of the actions of the school employees involved before, during and after the occurrence; and
 - e) A description of any injuries sustained by, and any medical care administered to, the child, employees, or others before, during or after the incident.
4. If an incident of intentional physical contact amounts to a physical restraint as set forth earlier in these procedures, the school shall meet the notification and record requirements that apply to physical restraint, rather than the requirements that apply to incidents of "intentional physical contact."
 5. The notification and record-keeping duties for an incident of intentional physical contact do not apply in the following circumstances:
 - a) When a child is escorted from an area by way of holding of the hand, wrist, arm, shoulder, or back to induce the child to walk to a safe location -- unless the child
 - b) is actively combative, assaultive, or self-injurious while being escorted, and then these requirements do apply.
 - c) When actions are taken such as separating children from each other, or inducing a child to stand, or otherwise physically preparing a child to be escorted.
 - d) When the contact with the child is incidental or minor, such as for the purpose of gaining a misbehaving child's attention -- except that blocking of a blow, forcible release from a grasp, or other significant and intentional physical contact with a disruptive or assaultive child shall be subject to the requirement.

XII. Department of Education Review

1. A parent may file a complaint with the New Hampshire Department of Education regarding the improper use of restraint or seclusion. Resolution of any such complaint should occur within 30 days, with extensions only for good cause.
2. Investigation of any such complaint shall include appropriate remedial measures to address physical and other injuries, protect against retaliation, and reduce the incidence of violations of state standards on restraint and seclusion.

XIII. Civil or Criminal Liability

Nothing in the District's Policy or Procedures on the Use of Child Restraint should be understood in any way to undercut the protections from civil and criminal liability provided to school officials for the use of force against a minor, consistent with state law found at RSA 627:1, 4, and 6.

[Cross Reference: JKAA - Use of Child Restraint and Seclusion](#)

Legal Reference: RSA 126-U:1 to 13 (2014); RSA 627:1, 4, 6.

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JKAA-R
DRAFT to Policy Committee: May 9, 2011 Date to School Board for First Read: May 25, 2011 School Board Second Read/Adoption: June 15, 2011	Page 1 of 10

**OYSTER RIVER COOPERATIVE SCHOOL DISTRICT
PROCEDURES ON USE OF CHILD RESTRAINT
This is an appendix to and is an integral part of JKAA.**

The Oyster River Cooperative School District hereby establishes the following procedures to describe how and in what circumstances restraint is used in this District. The procedures are adopted for the purpose of meeting the District's obligations under state law governing the use of restraints. The procedures shall be interpreted in a manner consistent with state law and regulations.

I. Definitions.

Restraint: bodily restriction, mechanical devices, or any device that unreasonably limits freedom of movement. It includes mechanical restraints, physical restraints, and medication restraint used to control behavior in an emergency or any involuntary medication.

Restraint shall not include the following:

1. Holding a child to calm or comfort, holding a child's hand or arm to escort the child safely from one area to another, or intervening in an ongoing assault or fight;
2. Brief periods of physical restriction by person-to-person contact without the aid of medication or mechanical restraints, accomplished with minimal force and designed either to prevent a child from completing an act that potentially would result in physical harm to himself or herself or to another person, or to remove a disruptive child who is unwilling to leave an area voluntarily;
3. Physical devices or other physical holding when necessary for routine physical examinations, or when used to provide support for the achievement of functional body position or proper balance or to protect a person from falling, or to permit a child to participate in activities without the risk of physical harm;
4. The use of seat belts, safety belts, or similar passenger restraints during transportation of a child in a motor vehicle;
5. The use of force by a person to defend himself or herself or a third person from what the actor reasonably believes to be the imminent use of unlawful force by a child, when the actor uses a degree of force which he or she reasonably believes to be necessary for such purpose.

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JKAA-R
DRAFT to Policy Committee: May 9, 2011 Date to School Board for First Read: May 25, 2011 School Board Second Read/Adoption: June 15, 2011	Page 2 of 10

The five interventions listed immediately above are not considered "restraint" under these procedures, are not barred or restricted by these procedures, and are not subject to the training or notification requirements that otherwise apply to permissible restraints addressed herein.

Medication Restraint: When a child is given medication involuntarily for the purpose of immediate control of the child's behavior.

Mechanical Restraint: When a physical device or devices are used to restrict the movement of a child or the movement or normal function of a portion of his or her body.

Physical Restraint: When a manual method is used to restrict a child's freedom of movement or normal access to his or her body.

Dangerous Restraint Techniques.

- a. Any technique that:
 1. Obstructs a child's respiratory airway or impairs the child's breathing or respiratory capacity or restricts the movement required for normal breathing;
 2. Places pressure or weight on, or causes the compression of, the chest, lungs, sternum, diaphragm, back or abdomen of a child;
 3. Obstructs the circulation of blood;
 4. Involves pushing on or into the child's mouth, nose, eyes, or any part of the face or involves covering the face, or body with anything, including soft objects such as pillows, blankets, or wash clothes, or
 5. Endangers a child's life or significantly exacerbates a child's medical condition.
- b. Intentional infliction of pain, including the use of pain inducement to obtain compliance.
- c. The intentional release of noxious, toxic, caustic, or otherwise unpleasant substances near the child for the purpose of controlling or modifying the behavior of or punishing the child.
- d. Any technique that subjects the child to ridicule, humiliation, or emotional trauma.

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JKAA-R
DRAFT to Policy Committee: May 9, 2011 Date to School Board for First Read: May 25, 2011 School Board Second Read/Adoption: June 15, 2011	Page 3 of 10

II. Use of Restraint:

1. Restraint as defined in these procedures shall be used only to ensure the immediate physical safety of persons when there is a substantial and imminent risk of serious bodily harm to others.
2. Restraint as defined in these procedures shall only be used by trained personnel and with extreme caution. It should be used only after all other interventions have failed or been deemed inappropriate.
3. Use of restraint as defined in these procedures shall be limited to physical restraint. School officials shall not use or threaten to use any dangerous restraint techniques, any inappropriate aversion behavioral interventions, any medication restraints, or any mechanical restraints except as permitted for transporting students.
4. For students with disabilities, school officials may use physical restraint in situations other than those addressed in this section only if authorized in writing by the child's physician and approved by the child's IEP team. In those circumstances, the use of physical restraint must also meet all the requirements of state special education rule ED 1113.06(b) (2008). In no event, however, shall school officials use dangerous restraint techniques, as defined above, with any child.

III. Prohibited Use of Restraint.

1. School officials shall not use or threaten to use restraint as punishment for the behavior of child.
2. School officials shall not use or threaten to use medication restraint.
3. School officials shall not use or threaten to use mechanical restraints, except its use is permitted in the transportation of children, as outlined under these procedures.
4. School officials shall not use or threaten to use dangerous restraint techniques, as defined in these procedures.

IV. Authorization and Monitoring of Extended Restraint & Length of Restraint

When restraint may permissibly be used on a child, school officials must comply with the following procedures:

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JKAA-R
DRAFT to Policy Committee: May 9, 2011 Date to School Board for First Read: May 25, 2011 School Board Second Read/Adoption: June 15, 2011	Page 4 of 10

1. Restraint shall not be imposed for longer than is necessary to protect the child or others from the substantial and imminent risk of serious bodily harm;
2. Children in restraint shall be continuously and directly observed by personnel trained in the safe use of restraint;
3. No period of restraint shall exceed 15 minutes. If restraint is to exceed this time, approval of the Principal or supervisory employee designated by the Principal to provide such approval is required.
4. No period of restraint shall exceed 30 minutes unless face-to-face assessment of the mental, emotional and physical well-being of the child is conducted by the Principal or supervisory employee designated by the Principal who is trained to conduct such assessments. The assessment must include a determination of whether the restraint is being conducted safely and for a proper purpose. These assessments must be repeated at least every 30 minutes during the period of restraint and documented in writing pursuant to the notification requirements set forth below.

V. Restriction of Use of Mechanical Restraints During Transport of Children.

1. Mechanical restraints during the transportation of children are prohibited unless the child's circumstances dictate the use of such methods. In any event where a child is transported using mechanical restraints, the Principal shall document in writing the reasons for the use of mechanical restraint. This documentation shall be treated as notification of restraint as discussed in paragraph VI, below.
2. Whenever a child is transported to a location outside a school, the Principal shall ensure that all reasonable measures consistent with public safety are taken to transport and/or escort the child. Such measures should:
 - a. Prevent physical and psychological trauma,
 - b. Respect the child's privacy, and
 - c. Represent the least restrictive means necessary for the safety of the child.

VI. Notice and Record Keeping Requirements.

1. Unless prohibited by a court order, within 24 hours of whenever restraint is used on a child, the school; shall make reasonable efforts to verbally notify the child's parent or guardian and guardian ad litem.
2. A school employee who uses restraint shall submit a written report to the building principal or the principal designee within 5 business days after the

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JKAA-R
DRAFT to Policy Committee: May 9, 2011 Date to School Board for First Read: May 25, 2011 School Board Second Read/Adoption: June 15, 2011	Page 5 of 10

restraint. If the school employee is not available to submit such a report, the employee's supervisor shall submit such a report within the same time frame. If the principal uses restraint, he or she shall submit a written report to the Superintendent, or his/her designee, within 5 business days. Any report addressed in this section shall contain the following information:

- a. The date, time, and duration of the use of restraint;
 - b. A description of the actions of the child before, during and after the occurrence; a description of any other relevant events preceding the use of restraint, including the justification for initiating the restraint;
 - c. The names of the persons involved in the occurrence;
 - d. A description of the actions of the facility or school employees involved before, during and after the occurrence;
 - e. A description of any interventions used prior to the restraint;
 - f. A description of the restraint used, including any hold used and the reason the hold was necessary;
 - g. A description of any injuries sustained by, and any medical care administered to, the child, employees, or others before, during or after the use of restraint;
 - h. A description of any property damage associated with the occurrence;
 - i. A description of actions taken to address the emotional needs of the child during and following the restraint;
 - j. A description of future actions to be taken to control the child's problem behaviors;
 - k. The name and position of the employee completing the notification; and
 - l. The anticipated date of the final report.
3. Use prohibited by court order, the Principal or other designee shall, within 2 business days of receipt of the written report described above, send or transmit by first class mail or electronic transmission to the child's parent or guardian and guardian ad litem the information contained in that written report. Within the same time frame, the Principal shall also forward any such report to the Superintendent for retention in that office.
 4. Each written report referenced in this section shall be retained by the school and shall be made available for periodic, regular review consistent with any rules that may be adopted by the state board of education for that purpose.

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JKAA-R
DRAFT to Policy Committee: May 9, 2011 Date to School Board for First Read: May 25, 2011 School Board Second Read/Adoption: June 15, 2011	Page 6 of 10

VII. Serious Injury or Death During Incidents of Restraint.

1. In cases involving serious injury or death to a child subject to restraint, the school district shall, in addition to the notification requirements above, notify the commissioner of the department of education, the attorney general, and the state's federally designated protection and advocacy agency for individuals with disabilities. Such notice shall include a copy of the written report referenced in Section VI above.
2. "Serious Injury" means any harm to the body, which requires hospitalization or results in the fracture of any bone, non-superficial lacerations, injury to any internal organ, second or third-degree burns, or any severe, permanent, or protracted loss of or impairment to the health or function of any part of the body.

VIII. Civil or Criminal Liability.

Nothing in the District's Policy of Procedure on the Use of Child Restraint should be understood in any way to undercut the protections from civil and criminal liability provided to school officials for the use of force against a minor, consistent with state law found at RSA 627:1, 4, and 6

References: RSA 126-U: 1 to 13 (2010); Ed 1113.04 to .07 (2008); RSA 627:1, 4, 6.

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JKAA-R
DRAFT to Policy Committee: May 9, 2011 Date to School Board for First Read: May 25, 2011 School Board Second Read/Adoption: June 15, 2011	Page 7 of 10

OYSTER RIVER COOPERATIVE SCHOOL DISTRICT
Staff Processing of Restraint Incident

Student: _____ **School Program:** _____
Date of Incident: _____ **Date of Processing Session:** _____

Staff Attending Processing Session:

Name/Role: _____ **Name/Role:** _____
Name/Role: _____ **Name/Role:** _____
Name/Role: _____ **Name/Role:** _____

The following are important elements of the processing and should be checked off as discussed.

- Staff discussed what lead up to incident. (Check each area discussed.)
 - Each staff member discussed the incident from his/her own perspective without interruption from others. (Not everyone will perceive the incident in the same way.)
 - Staff discussed the triggers that initiated the escalation of behavior, including student, staff and environmental triggers.

- Staff talked about their own feelings and reactions regarding the restraint incident. (Check each area discussed.)
 - What aspects of the restraint went well? What were the strengths in de-escalating the incident?
 - Was there anything staff could have done differently that might have decreased or eliminated the need for restraint?
 - How did staff feel about how the restraint situation was handled and how it turned out?
 - Was the restraint necessary to maintain the safety of staff and student(s)? Were there other options?
 - What was the staff attitude prior, during, and after the restraint? How did it escalate or de-escalate the student?
 - Was the appropriate number of staff involved in the restraint? Too many? Too few? How did it impact the restraint in terms of intensity and duration?

- Staff discussed what to do next. (Check each area discussed.)
 - Was the event processed with the student? What was the result?
 - Overall, what were the issues that must be addressed by student/staff?
 - What resources will staff need to assist in working more effectively with the student in the future?

A staff processing session is a time to review the facts, to acknowledge staff feelings regarding the crisis, and to give and receive support and encouragement from others.

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JKAA-R
DRAFT to Policy Committee: May 9, 2011 Date to School Board for First Read: May 25, 2011 School Board Second Read/Adoption: June 15, 2011	Page 8 of 10

OYSTER RIVER COOPERATIVE SCHOOL DISTRICT
Written Notification of Restraint Incident

Student: _____ Date of Incident: _____
School/Program: _____ Grade/Class: _____
Person Completing Report/Role: _____
Signature of Person Completing Report: _____ Date: _____

Staff Involved in Restraint:

Name/Role: _____ Name/Role: _____
Name/Role: _____ Name/Role: _____

Beginning Time of Restraint: _____ Ending Time of Restraint: _____

Description of incident and resulting restraint:

Please note location, others involved/witnesses and possible motivators of behavior. Describe type of restraint used, including holds used, and why the holds were necessary. Note any injuries to students, staff or property. Attach any relevant injury reports. Have the school nurse examine student and staff.

Description of student's behavior before, during and after the restraint.

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JKAA-R
DRAFT to Policy Committee: May 9, 2011 Date to School Board for First Read: May 25, 2011 School Board Second Read/Adoption: June 15, 2011	Page 9 of 10

Student: _____

Date of Incident: _____

Describe staff interventions utilized prior to restraint and student's response to de-escalating actions:

Describe any other relevant events preceding the use of restraint, including the justification for initiating the use of restraint:

Describe actions taken to address the emotional needs of the child during and following the restraint incident:

Follow-up actions:

Student behavior plan amended to address potential future incidents: NO YES (check and explain)

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JKAA-R
DRAFT to Policy Committee: May 9, 2011 Date to School Board for First Read: May 25, 2011 School Board Second Read/Adoption: June 15, 2011	Page 10 of 10

Student: _____

Date of Incident: _____

Potential environmental change: _____

Change in staff behavior: _____

Change in student behavior: _____

Other: _____

Need to complete FBA: _____

Need to refer to IEP/504/Child Team for Decision Making: _____

Notifications:

Building Principal/Assistant Principal

____ Building Principal/Assistant Principal **Date:** _____

____ Preschool Coordinator/Special Education Facilitator **Date:** _____

____ Case Manager **Date:** _____

____ Parents **Date:** _____

____ Other: _____ **Date:** _____

____ Other: _____ **Date:** _____

Date of Processing Reviews:

Staff (attach completed Staff Processing of Restraint Incident Form): _____

Student: _____

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: EEAA
Policy Committee Review: September 9, 2015	Page 1 of 1 Category: Recommended

[VIDEO AND AUDIO SURVEILLANCE ON SCHOOL PROPERTY](#)

The [Oyster River Cooperative School](#) Board authorizes the use of video and/or audio devices on District property to ensure the health, welfare, and safety of all students, staff and visitors to District property and to safeguard District buildings, grounds, and equipment. The Superintendent will approve appropriate locations for surveillance devices. Placement of the video cameras will be based on the presumption and belief that students, staff and visitors have no reasonable expectation of privacy in areas or at events that occur in plain view. However, such devices are not to be placed in bathrooms or locker rooms.

Recording equipment will be placed in classrooms only after school board approval following a public hearing. The administration must receive written permission and consent from the classroom teacher and the parent/guardian of all students within the classroom prior to the use of recording equipment within a classroom.

Signs will be posted on school buildings to notify students, staff and visitors that video cameras may be in use. At the Superintendent's discretion, parents and students may also be notified through the student handbook. Students will be responsible for any violations of school rules caught on tape by cameras.

The district will retain copies of video recordings until they are erased, which may be accomplished by either deletion or copying over with a new recording. The Superintendent will consult with the necessary personnel to determine how and when such recordings should be deleted.

Videos containing evidence of a violation of student conduct rules and/or state or federal law will be retained until the issue of the misconduct is no longer subject to review or appeal as determined by board policy or applicable law. Any release or viewing of the video will be in accordance with the law.

In the event an audio or video recording is used as part of a student discipline proceeding, such video may become part of a student's education record. If an audio or video recording does become part of a student's education record, the provisions of Policy JRA shall apply.

The Superintendent is authorized to contact the District's attorney for a full legal opinion relative in the event of such an occurrence.

[Cross Reference:](#)

[JRA & R - Student Education Records and Information](#)

Legal References:

RSA 189:65, Definitions

RSA 189:68, Student Privacy

RSA 570-A:2

20 U.S.C. §1232g, Family Educational Rights and Privacy Act (FERPA)

34 C.F.R. Part 99, Family Educational Rights and Privacy Act Regulations