

Merrimack School District/SAU 26
School Board Meeting
Preliminary Agenda
October 2, 2023 (Monday)
Merrimack Town Hall – Matthew Thornton Room

5:30 p.m. NON-PUBLIC SESSION RSA 91-A:3, II (a) (b) (c) – Merrimack TV Training Classroom

- Staff Welfare

PUBLIC MEETING

6:00 p.m. 1. CALL TO ORDER and PLEDGE OF ALLEGIANCE	Ken Martin
6:05 p.m. 2. PUBLIC PARTICIPATION	Ken Martin
3. RECOGNITIONS	Ken Martin
4. INFORMATIONAL UPDATES	Ken Martin
a. Superintendent Update	
b. Assistant Superintendent for Curriculum Update	
c. Assistant Superintendent for Business Update	
d. School Board Update	
e. Student Representative Update	
6:15 p.m. 5. OLD BUSINESS	Ken Martin
a. Directory Information	
6:25 p.m. 6. NEW BUSINESS	Ken Martin
a. Planning and Building Committee Meeting Update	
b. Other	
6:45 p.m. 7. POLICIES	Ken Martin
a. Second Review of Student Bring Your Own Device (BYOD)	
b. Second Review/Adoption of Student Dress Code (JICA)	
c. Approval of Suicide Prevention and Response (JLDBB)	
d. Second Review of Revision of Use of Physical Restraint/Seclusion (JKAA)	
7:00 p.m. 8. APPROVAL OF MINUTES	Ken Martin
a. September 11, 2023 Public and Non-Public Minutes	
b. September 18, 2023 Public Minutes	
7:05 p.m. 9. CONSENT AGENDA	Amanda Doyle
a. Educator Resignations	
b. Educator Nominations	
7:10 p.m. 10. OTHER	Ken Martin
a. Committee Reports	
b. Correspondence	
c. Comments	
7:20 p.m. 11. PUBLIC COMMENTS ON AGENDA ITEMS	Ken Martin
8:00 p.m. 12. ADJOURN	

* These times are estimates and may vary depending on discussion.

MERRIMACK SCHOOL DISTRICT

School Administrative Unit #26
36 McElwain Street
Merrimack, New Hampshire 03054
Tel. (603) 424-6200 Fax (603) 424-6229

AMANDA S. DOYLE
Assistant Superintendent for Curriculum

EVERETT V. OLSEN, Jr.
Chief Education Officer

MATTHEW D. SHEVENELL
Assistant Superintendent for Business

To: Ken Martin
Laurie Rothhaus

Naomi Halter
Lori Peters

Jenna Hardy
Shaun Evidente

From: Everett V. Olsen, Jr.

Date: September 27, 2023

Subject: Student "Directory Information"

Recently, I sent a notice to parents informing them of their right to refuse disclosure of Directory Information as defined under the Federal Educational Rights and Privacy Act (FERPA). In compliance with the federal FERPA statute, and N.H. RSA 189:1-e:

"A local education agency which maintains education records may provide information designated as directory information consistent with the Family Educational Rights and Privacy Act (FERPA). Each year schools shall give parents public notice of the types of information designated as directory information. By a specified time after parents are notified of their review rights, parents shall request in writing to remove all or part of the information on their child that they do not wish to be available to the public. Such approval shall be renewed on an annual basis. Items of directory information, which is information not generally considered harmful or an invasion of privacy if disclosed, may include":

- Name and address of a student
- Field of study
- Weight and height of athletes
- Most recent previous school attended
- Date and place of birth
- Participation in officially recognized activities and sports
- Date of attendance, degrees, and awards

This notification should have been going home annually in years past (prior to my assuming my current position) and I have been in compliance with the federal and state statutes by sending this to parents.

Some parents have inquired as to who might request Directory Information specific to a student(s). First, let me say that there are very few requests for student Directory Information. A request for Directory Information could possibly come from:

- Vendors selling school rings, photos for yearbooks
- Educational tutoring services
- College recruiter
- Military recruiter
- Public records request

As mentioned earlier, we receive very few requests for such information. We will never disclose non-directory information such as a student's social security number or a student identification number. I will be glad to discuss this with you on Monday evening.

N.H. Rev. Stat. § 189:1-e

Section 189:1-e - Directory Information

A local education agency which maintains education records may provide information designated as directory information consistent with the Family Educational Rights and Privacy Act (FERPA). Each year schools shall give parents public notice of the types of information designated as directory information. By a specified time after parents are notified of their review rights, parents shall request in writing to remove all or part of the information on their child that they do not wish to be available to the public. Such approval shall be renewed on an annual basis. Items of directory information, which is information not generally considered harmful or an invasion of privacy if disclosed, may include:

- I. Name and address of a student.
- II. Field of study.
- III. Weight and height of athletes.
- IV. Most recent previous school attended.
- V. Date and place of birth.
- VI. Participation in officially recognized activities and sports.
- VII. Date of attendance, degrees, and awards.

RSA 189:1-e

1997, 255:1, eff. Aug. 18, 1997.

**Merrimack School District
Policy Progress Chart**

9/28/2023 red = required by law

Policy Progress		1st Reading	2nd Review	3rd Review (if needed)	Adoption	Comments
Student Bring Your Own Device (BYOD) Policy (JICM)		9/18/23	10/2/23	N/A	10/2/23	
Suicide Prevention and Response (JLDBB)		8/14/23	10/2/23	N/A	10/2/23	Lawyer approved the reduction of words.
Student Dress Code (JICA)		9/11/23	10/2/23	N/A	10/2/23	Miscommunication. A committee will review after SB adoption. HOLD for committee review and recommendation. Fast Track—Review/Adoption on 9/18/2023
Revised Use of Physical Restraint/Seclusion (JKAA)		9/18/23	10/2/23			Policy Committee reviewing for edits. Sandy review the video. Revised to accommodate new law.
Public Participation at Board Meetings (BEDH)		9/11/23	TBD			Incorporate Lori P. edits and send to lawyer for review. Fast Track—Review/Adoption on 9/18/2023
With Attorney for Review						
Evaluation Requirements for children with Specific Learning Disabilities (IHBAA)		10/2/23?				Sarah R. reviewing SpEd Dean is reviewing
Special Education Evaluations (IHBAB)		10/2/23?				Sarah R. reviewing. SpEd. Dean is reviewing
Evaluation Requirements for Children with Developmental Delays (IHBDA)		10/2/23?				Sarah. R. reviewing. SpEd. Dean is reviewing

**Merrimack School District
Policy Progress Chart**

Next in Line						
Extended Learning Opportunities (IHBH)						Amy & Bill Review
Extended Learning Opportunity – Application (IHBH-R)						Amy & Bill Review. Does not need SB approval
Alternative Credit Options (IMBC)						Amy & Bill Review lawyer edits
Admission of Tuition and Non-Resident Students (JFAB)						Student Services, update current policy
Investigation and Criminal Records Check (GBCD)						Refer to K. Peahl 8-16-23 email
Fraud Prevention and Fiscal Management (DIH)						Matt = ready for lawyer review
Employment of Relatives for Persons with Romantic Personal Relationships (GBEBE)						(Matt) = lawyer reviewed. Melissa & Bill Review Melissa asked lawyer Questions.
Emergency Disaster Leave (GCCAB)						(Matt) = lawyer reviewed. Melissa & Bill Review. Melissa supports policy as is.
School Safety (EBB)						Matt = Sandy type. black book?
Bomb Threats (EBCC)						Matt = Sandy type. black book?
Use of Private Vehicles to Transport Students						Type, lawyer review
Alternative Credit Options (IMBC)						Bill/Amy review lawyer notes.
Access to Public School Program (JJJ)						Lawyer reviewed. Submit with policies IK and JJA
Earning of High School Credit (IK)						Bill/Steve C. review before lawyer Needs lawyer review IK. Referenced in IMBC and JJJ
Student Activities and Organization (JJA)						Bill/Steve C. review before lawyer. Needs lawyer review. Referenced in JJJ

**Merrimack School District
Policy Progress Chart**

Future Consideration									
Policy Development, Adoption & Review (BGAA)									Type, lawyer review
Limited English Language Proficiency Instruction Policy (IHBBA)									Amy = Update 2008 LAAU Plan for ESOL
Instructional Approach (IF)									Amy = Update 2008
Exceptions to Use of Specific Course Materials (IGE)									Amy = Update 2012 New RSA 186:11
Health Education and Exemption from Instruction (IHAM)									Amy = Updated 2017
Character and Citizenship Education (IHAK)									Amy = Update
Student Use of Information Technology (JICL)	3/20/23								Jason is doing a major review for July 2023
Employee Use of Information Technology (EHAA)									Jason is doing a major review for July 2023.
Daily Physical Activity (IMAH)									Referenced in Wellness Policy (JLCF)
Assignment of Students to Classes and Grade Levels (JG)									Ready for SB mtg. Referenced in IHBG
Update the 1995 Fundraising Policy (JJE)									
Update the 1995 Sponsorship event(s) Policy (JJ?)									
Update the 1995 Commercialization Venture(s) (JJ?)									
Emergency Plan for Sports Related Injuries and Additional Protocols for Athletics Participation (JLCJA)									Matt = Referenced in EBB
School Bus Safety Program (EEAE)									Matt = Referenced in EBB
Buildings and Grounds Security (ECA)									Matt = Referenced in EBB

**Merrimack School District
Policy Progress Chart**

Supervision of Students (ILIA)						Matt = Referenced in EBB
Visitors to the Schools (KI)						Matt = Referenced in EBB
Conduct on School Property (KFA)						Matt = Referenced in EBB
Crisis Prevention & Emergency Response Plans (EBCA) & EBCA-R						Matt = Referenced in EBB
Fire and All Hazard Drills (EBCB)						Matt = Referenced in EBB
Workplace Safety Program & Joint Loss Management (EB)						Matt = Referenced in EBB
JFABD R-1 Appendix to Admission of Homeless						Amy reviewing
JFABD R-2 Appendix to Admission of Homeless						Amy reviewing
JFABD R-3 Appendix to Admission of Homeless						Amy reviewing
School Choice: Access to Public School Programs by Nonpublic, Charter Schools or Home Educated Pupils (RSA 193:1-c) (JJJ)						8/31/22 new law
Procedural Safeguards Non-Discrimination on the Basis of Disability (ACE)						Update per A. Tamposi. Policy is vague.
Teacher Performance and Evaluation (GCO)						Priority Policy
Alternative Learning Plans (IHBI)						Priority Policy. referenced in IMBC
High School Graduation (IKF)						Sandy type.
High School Graduation Competencies (ILBAA)						Sandy type. Referenced in IMBC
High School Graduation Competencies (ILBAA)						Sandy type. Referenced in IMBC
High School Credit for 7 th and 8 th Grade Advanced Course Work (IMBD)						Sandy type. Referenced in IMBC
Distance Education (IMBA)						Get sample. Sandy type. Referenced in IMBC
Advanced Course Work – Advanced Placement (IHCD/LEB)						Get sample. Sandy type. Referenced in IMBC

**Merrimack School District
Policy Progress Chart**

Early Graduation (IKFA)							Get sample. Sandy type. Referenced in IMBC
School District Internet Access for Staff (GBEF)							
Instructional Needs of Students with Different Talents (IFA)							
Evaluation Requirements for Children with Specific Learning Disabilities (IHBAA)							
Promotion and Retention of Students (IKE)							
Weapons on School Property (JICI)							
Student Discipline Out of School Actions (JICDD)							
School Health Services (JLC)							
Concussion and Head Injuries (JLCJ)							
Special Physical Health Needs of Students (JLCK)							
Board Policy Process (BG to BGF)							Review policies needed. Sandy type.
Student Records and Access (FERPA)							Student Services, update current policy
Assessment of Students with Educational Disabilities (ILAA)							Student Services

**Merrimack School District
Policy Progress Chart**

Approved Policies	1st Reading	2nd Review	3rd Review	Adoption	Comments
Admission of Homeless Students (JFABD)	7/10/23	8/14/23	N/A	9/11/23	
Education of Children in Foster Care (JFABE)	7/10/23	8/14/23	N/A	9/11/23	
Student Transportation Services (EEA)	6/19/23	7/10/23	8/14/23	8/14/23	Rescind old policy #8300 and AP 8300 (admin procedures)
Wellness Policy (JLCF)	6/5/23	6/19/23	X	7/10/23	
Fund Balances (DIA)	6/5/23	6/19/23	X	7/10/23	
Home Education Instruction (IHBG)	5/1/23	5/15/23	X	6/5/23	
Change of Class or School Assignment Best Interest and Manifest Hardship (JCA)	09/12/22	10/03/22	10/17/22	10/17/22	
Student Records and Access (FERPA) (JRA)	09/12/22	10/17/22	11/7/22	11/7/22	
Use of Physical Restraint/Seclusion (JKAA)	10/03/22	10/17/22	11/7/22	11/7/22	
Public Participation at Board Meetings (BEDH)	10/03/22	10/17/22	11/7/22	11/7/22	
Pupil Safety and Bullying (JICK)	11/7/22	11/21/22	X	02/06/23	
Availability and Dist. of Healthy Foods (EFA)	11/21/22	02/06/23	N/A	2/20/23	
Reporting Child Abuse or Neglect (JLF)	11/21/22	02/06/23	N/A	2/20/23	
Annual Review of Investments (DFA)	X	X	X	3/20/23	
Early Admission to Kindergarten and Grade One (JFAAA)	2/20/23	3/20/23	X	4/3/23	
Service Animals (IMGA)	2/20/23	3/20/23	X	4/3/23	
Animals in the School (IMG)	2/20/23	3/20/23	X	4/3/23	
Non-Educational Surveys and Questionnaires (ILD)	4/03/23	4/17/2023	X	4/17/23	
Video Surveillance on School Property (EEAA)	4/03/23	5/1/2023	5/15/23	5/15/23	Introduce with Policy JICL, per Legal.

Red = required by law

**Merrimack School District
Policy Progress Chart**

Appendix Updates					
Suicide Prevention and Response (JLDBB-R)					December 2022
Home Education Instruction Appendix (IHBG-R)					Lawyer advised to rescind after the revision of IHBG
BEDG-R - Access to Minutes and Public Records Procedures					
JL CG-R - Exclusion of Students from School for Illness Head Lice					
IHAM-R Health and Sex Education Exemption/Objectionable Course Material Opt Out Form					

STUDENT BRING YOUR OWN DEVICE (BYOD)**INTRODUCTION**

The Merrimack School District has provided a device for every student in the District as of the 2020 school year. During that time and subsequent years, Bring Your Own Device (BYOD) has been an option for students. In order to increase learning time in class, student and staff data security, recommended testing environments, and provide a similar experience for all students; BYOD will only be an option for the Class of 2024 and 2025. After these classes have graduated, there will no longer be an option to bring a personal device in for regular class activities.

The recommended device for all students is the District provided device but we have also added guidelines around what kind of device can be used in the classroom for Bring Your Own Device. For example, cellphones are not considered a valid BYOD device for students of the Class of 2024 or 2025. The following provides guidance around devices that can be used for BYOD.

GUIDELINES FOR BRING YOUR OWN DEVICE (BYOD)

The following Guidelines are intended to establish the parameters for devices that are acceptable to use in the classroom. These parameters include adequate screen size, version of operating systems, types of operating systems, and specific device types.

The School District cannot repair or replace parts of BYOD devices. District IT Staff may offer guidance to help with technical issues but full liability and responsibility for non-district devices is that of the student and their family.

Students that choose not to use a District provided device will comply with the following BYOD guidelines:

1. Screen size:

- a. Adequate screen size is no less than 10 inches and recommended over 11 inches.

2. Operating System:

- a. The following operating systems are considered adequate, as long as they are still a version that is supported and in servicing for security updates:

- Microsoft Windows in either Home or Pro versions. The following versions are NOT appropriate for class use: Windows S, Windows Mobile, Windows IoT Core, Windows Embedded, Windows Enterprise, and Windows Server.
- MacOS in a supported version
- iPadOS in a supported version
- ChromeOS without Developer Mode turned on.

STUDENT BRING YOUR OWN DEVICE (BYOD)

3. Cellphones are NOT considered an adequate device for use in the classroom.
4. Other Software Considerations:
 - a. AntiVirus Software:
 - Any devices that are running Windows or MacOS must have antivirus software installed and updated.
5. Other Considerations:
 - a. All students, whether participating in BYOD or not must still abide by the Student Use of Information Technology Policy - JICL

Legal References:

1st Reading: September 18, 2023
2nd Review: October 2, 2023
Adoption:

STUDENT DRESS CODE

The Merrimack School District respects students' rights to express themselves in the way they dress. At the same time, all students who attend the Merrimack School District are also expected to respect the school community by dressing appropriately for a PreK-12 educational environment. It is important that student attire facilitates participation in learning, as well as the health and safety of students and the adults that supervise them. This policy is intended to provide **overarching** guidance for students, staff, and families.

Core Values

In relation to student dress, the district's core values are the following:

- It is recognized that students and their parent/guardian hold the primary responsibility in determining a student's personal attire, hairstyle, jewelry, and personal items (e.g., backpacks, book bags).
- Students are expected to meet reasonable standards with regards to health, safety, and cleanliness, and to dress in a way that is appropriate for the learning environment. Students shall have the right to express themselves through their dress and appearance choices and should also respect the school district's intent to sustain an inclusive learning community that supports a diverse range of identities.
- Students have the right to be treated equitably. Dress code enforcement will not create disparities, reinforce, or increase marginalization of any group, nor will it be more strictly enforced against students because of **racial identity, ethnicity, gender identity, gender expression, gender nonconformity, sexual orientation, cultural or religious identity, their age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion, national origin** household income, body size/type, or body maturity.
- The district is responsible for ensuring that student dress choices do not interfere with the health, safety, and attendance of any student, do not create a hostile or intimidating atmosphere for any student, and do not cause any disruption or disorder within the school. Prohibited items include any clothing depicting hate speech, profanity, pornography, violent images, or language; clothing with images or language depicting drugs, alcohol, tobacco, or other controlled substances; and clothing or accessories that could be considered dangerous, used as weapons, or could cause damage to school property.

Universal Dress Code

Students will wear:

- Top (shirt, blouse, sweater, sweatshirt, tank, etc.)
- Bottom (pants, shorts, skirt, dress, etc.)
- Footwear

STUDENT DRESS CODE

This policy permits additional student attire requirements when necessary to ensure safety in certain academic settings (e.g., physical activity, science, or CTE courses). Additionally, this policy allows for reasonable variation in required student attire for participation in athletics and school sponsored activities.

Students may not wear clothing, jewelry, accessories, personal items, or show tattoos that through word, design, or double meaning, display, advertise, or otherwise:

- Depict pornography, sexual references, sexual language or innuendo, profanity, or vulgarity.
- Intentionally show private parts/areas, or undergarments. Specifically, clothing must cover private areas in opaque (not able to be seen-through) material. ~~Students are encouraged to wear tops that either tuck into bottoms (pants, shorts, skirt, dress, etc.) or overlap bottoms while seated, walking, and standing.~~
- Contain threats, encourage violence, or promote illegal or violent conduct such as the use of weapons, drugs, alcohol, tobacco, drug paraphernalia, or gang symbols, association, or activities.
- Demonstrate hate group association/affiliation and/or use hate speech targeting groups based on ~~age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion, national origin race, ethnicity, gender, sexual orientation, gender identity, religious affiliation,~~ or any other protected groups.
- Include materials and features that could cause harm to self or others. Spikes, or any similar features, are not permitted on any articles of clothing or accessories, including hats, shoes, belts, etc. Additionally, body jewelry, piercings, or clothing that may pose a safety concern will not be allowed.
- Cover a student's face to the extent that the student is not identifiable (except clothing/headgear worn for a religious or medical purpose).
- Promote intolerance of or lack of respect to others based on ~~age, sex, gender identity, sexual orientation,~~ race, ~~color, marital status, familial status, disability,~~ religion, ~~national origin, ethnicity, social, sexual preference,~~ or economic background.

Enforcement

Conversations about dress choice will be a collaborative discussion with the student to achieve an appropriate and satisfactory solution. Individual dress code accommodations may be made based on a student's disability or medical, religious, or sensory needs. If necessary, the student's parents or guardians may be contacted to help address the issue. Should a satisfactory solution not be reached, decisions regarding the safety, respect, or disruption of the learning environment will be made by the building administration.

STUDENT DRESS CODE (continued)

School staff shall enforce the dress code consistently and equitably, and in a manner that respects the privacy, comfort, and well-being of the student. If a student's attire creates a substantial disruption to the educational environment, poses a hazard to the health or safety of others, or factors into a student behavior rule violation (such as malicious harassment or the prohibition on harassment, intimidation, and bullying), they may be temporarily removed from the classroom and/or be given a related directive or consequence. Every effort will be made by staff to minimize the loss of instructional time and ensure a swift return to the classroom.

Building or program-based student handbooks may include more specific student dress guidelines regarding wellness classes, specialized programs, safety considerations, and school-sponsored events. Specific dress suggestions for classroom activities, extra-curricular activities, school ceremonies, school photos, field trips and other special events shall be inclusive, gender-neutral, and accessible to all students.

The Superintendent or their designee is authorized to develop procedures to implement this policy, if needed.

Legal References:

U.S. Constitution, 1st Amendment
RSA 189:15, Regulations
RSA 193:38, Discrimination in Public Schools

1st Reading: September 11, 2023
2nd Review/Adoption: October 2, 2023

SUICIDE PREVENTION AND RESPONSE**Purpose, Intent and Scope**

Through this policy, the District seeks to join with families and the community ~~in this important work~~ to protect the health, safety and welfare of its students and the school community. ~~The District understands understanding~~ that suicide prevention is an integral component of ~~the trauma-informed System of Care and Learning Supports that promotes student social-emotional health and wellbeing and equitable access to education~~. this goal, and this policy supports the federal, state and local efforts to provide education on youth suicide awareness and prevention, to establish methods of prevention, intervention, and response to suicide or suicide attempt (“postvention”) and to promote access to suicide awareness, prevention and postvention resources.

In implementing this policy and plan, the Merrimack School District:

- Recognizes that physical, ~~and~~ mental health, emotional and social health are integral components of student outcomes, both educationally and beyond high school graduation;
- Believes that only through a collaborative, proactive approach can the problem of youth suicide be addressed; and
- Pairs this policy with other policies and laws that support the overall emotional and behavioral health of students.

District Suicide Prevention Plan and Biennial Review

The Superintendent (or ~~their~~ designee) has developed a committee to review a District Suicide Prevention Plan (the “Plan”) to include guidelines, protocols, and procedures with the objectives of prevention, risk assessment, intervention and response to youth suicides and suicide attempts. This policy is intended to guide the development and implementation of the coordinated plan to prevent, assess the risk of, intervene in, and respond to suicide; the Plan shall conform to the components required of public schools by RSA 193-J:2.

1. Specific Requirements for Plan Contents: The District Suicide Prevention Plan shall include content relating to:
 - a) Suicide prevention (risk factors, warning signs, protective factors, referrals);
 - b) Response to in-or-out-of-school student suicides or suicide attempts (postvention, suicide contagion);
 - c) Student education regarding safe and healthy choices, coping strategies, recognition of risk factors and warning signs of mental disorders and suicide (~~in oneself and in others~~) and help-seeking strategies ~~for oneself or others including how to engage school resources and refer friends for help~~;

SUICIDE PREVENTION AND RESPONSE

(continued)

- d) Training of **faculty and** staff, designated volunteers, and contracted personnel ~~on the issues of~~ in youth suicide risk factors, warning signs, protective factors, response procedures, referrals, post-intervention and resources available within the school and community;
 - e) Adherence to confidentiality protocols and statewide Code of Ethics for New Hampshire Educators;
 - f) Designation and identification of trained personnel within each school, to act as points of contact when students are believed to be at an elevated risk of suicide;
 - g) Information regarding state, and community resources for **making** referrals, crisis intervention, and other related information **available for students, parents, faculty, and staff, and school volunteers;**
 - h) Dissemination of the Plan or information about the Plan to students, parents, faculty, staff, and school volunteers **and contracted personnel;**
 - i) Promotion of cooperative efforts between the District and its schools, **other school districts and chartered public schools,** and community suicide prevention program personnel;
 - j) Such other provisions deemed appropriate to meet the objectives of this policy (e.g., student handbook language, reporting processes, “postvention” strategies, memorial parameters, etc.).
2. Biennial Review: No less than once every two years, the Superintendent or **their** designee, with input and evidence from community health or suicide prevention organizations, and District health and counseling personnel, shall update the District Suicide Prevention Plan. **All provisions within this policy and in the Plan shall be evidence-informed.**

Suicide Prevention Coordinator and Building Level Liaisons

1. **District Suicide Prevention Coordinator.** The (Director of Student Wellness) shall serve as the appointed District Suicide Prevention Coordinator, who, along with the Superintendent or their designee, shall be responsible for compliance with this policy.

SUICIDE PREVENTION AND RESPONSE

(continued)

2. Building-Level Suicide Prevention Liaison. The Building Principal or designee shall be designated as the Building-Level Suicide Prevention Liaison and shall serve as the building point-of-contact person when a student is believed to be at an elevated risk for suicide. Any employee who has reason to believe a student is a risk of suicide, or is exhibiting risk factors for suicide, shall report that information to the Building Liaison, who shall, immediately or as soon as possible, establish and implement a response plan with the District Suicide Prevention Coordinator.

Annual Staff Training

The Superintendent or ~~their~~ designee shall assure that beginning with the 2020-21 school year, and continuing annually thereafter, all school ~~building~~ faculty and staff, ~~including~~ designated volunteers (i.e., all those who have regular contact with students) and contracted personnel ~~and any other personnel who have regular contact with students, including contracted personnel or third-party vendors,~~ receive at least two hours of evidence-informed training in ~~evidence-informed~~ suicide awareness and prevention. Such training may include, but is not limited to, such matters as youth suicide risk factors, warning signs, protective factors, intervention, response procedures, referrals, ~~and~~ postvention and ~~local~~ resources available within the school and community. The District will allow the use of self-training materials in fulfilling the annual training requirement of this policy, and the District may determine how to both administer the annual training requirements and ensure that such training requirements are met.

Dissemination

Student handbooks as well as the District and each school's websites will include: ~~information about the District's Suicide Prevention Plan and how to access the Plan.~~

1. A copy of this policy
2. Information on how to access the District's Suicide Prevention Plan
3. Contact information for the District Suicide Prevention Coordinator and Building Suicide Prevention Liaisons, and
4. Contact information for State and community crisis or intervention referral intervention resources

~~The District Suicide Prevention Plan will be made available on the District's, and each school's respective websites.~~

SUICIDE PREVENTION AND RESPONSE

(continued)

Identification Cards

For each school within the District that serves any students in grades 6 through 12 that issues student identification cards, these identification cards shall include on either side of the cards the telephone number for the National Suicide Prevention Lifeline as follows: National Suicide Prevention Lifeline 1-800-273-8255 or 988. This requirement shall apply to ~~any student identification card issued for the first time and for replacement cards. issued for damaged or lost student identification cards.~~

Statutory Considerations

In adopting this policy, it is the intent of the District to fully comply with the provisions of RSA 193-J and to fulfill its statutory role in suicide prevention education as defined by RSA 193-J:2. In doing such, the District does not assume any duty beyond that set forth in RSA 193-J.

Legal References:

RSA 193-J Suicide Prevention Education

~~RSA 193-F: Pupil Safety and Violence Prevention~~

NH Code of Administrative Rules, Section Ed. ED 510: Code of Conduct for NH Educators

~~School Volunteers Policy (HOC)~~1st Reading: January 19, 20212nd Review: February 1, 2021

Adoption: February 15, 2021

Policy Revision1st Reading: August 14, 20232nd Review: September 11, 2023

Revision: October 2, 2023

USE OF PHYSICAL RESTRAINT/SECLUSION**Introduction**

The Merrimack School District authorizes staff members to use physical restraints and seclusion in limited situations. In addition, it is expected that school staff will implement positive and constructive methods to de-escalate potentially dangerous situations, prior to any use of physical restraint or seclusion.

A. Prevention Strategies

To the extent possible, the Merrimack School District will collaborate with the parent/guardian to identify appropriate and effective techniques for supporting positive student behavior. This shall include all strategies identified in any formal plan such as an Individual Education Plan (IEP), 504 Accommodation Plan or other Behavior Intervention Plan. Additionally, the parent/guardian will be asked to share relevant information with school personnel. The parent and/or the district may request and/or conduct assessments for students who may cause potentially dangerous situations.

Ultimately, it is the responsibility of the District to provide for the safety of all students. The general welfare and safety of both the student and others must be considered at all times. In dangerous situations where the student can cause serious, probable and imminent bodily harm to himself/herself or others, restraint or seclusion may be used. The Merrimack School District will provide the parent/guardian with a copy of the Policy and Procedures for the Use of Physical Restraint and Seclusion.

B. Definitions (RSA 126-U:1)

1. "Child" means a person who has not reached the age of 18 years and who is not under adult criminal prosecution or sentence of actual incarceration resulting therefrom, either due to having reached the age of 17 years or due to the completion of proceedings for transfer to the adult criminal justice system under RSA 169-B:24, RSA 169-B:25, or RSA 169-B:26. "Child" also includes a person in actual attendance at a school who is less than 22 years of age and who has not received a high school diploma.
2. "Restraint" means 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 restraint, physical restraint, and medication restraint used to control behavior in an emergency or any involuntary medication. It is limited to actions taken by persons who are school district staff members, contractors, or otherwise under the control or direction of the Merrimack School District.
 - a. "Medication restraint" occurs when a child is given medication involuntarily for the purpose of immediate control of the child's behavior.
 - b. "Mechanical restraint" occurs 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.
 - c. "Physical restraint" occurs when a manual method is used to restrict a child's freedom of movement or normal access to his or her body.

USE OF PHYSICAL RESTRAINT/SECLUSION

3. "Restraint" shall not include the following:

- a. Brief touching or holding to calm, comfort, encourage, or guide a child, so long as limitation of freedom of movement of the child does not occur.
- b. The temporary holding of the hand, wrist, arm, shoulder, or back for the purposes of encouraging 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.
- c. Physical devices, such as orthopedically prescribed appliances, surgical dressings and bandages, and supportive body bands, or other physical holding when necessary for routine physical examinations and tests or for orthopedic, surgical, and other similar 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.
- d. The use of seat belts, safety belts, or similar passenger restraints during the transportation of a child in a motor vehicle.
- e. 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.

4. "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.

5. "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, a lock, or other mechanical device or barrier; **or from which the child reasonably believes they are not free to leave; or the involuntary confinement of a child to a room or area separate from their peers, with one or more adults who are using their physical presence to prevent egress.** The term does not include the voluntary separation of a child from a stressful environment for the purpose of allowing the child to regain self-control, when such a separation is to an area which a child is able to leave. Seclusion does not include 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 **or involuntary confinement of a child to a room or area with an adult who is actively engaging in a therapeutic intervention.** A circumstance may be considered seclusion even if a window or other device for visual observation is present, if the other elements of this definition are satisfied. **Seclusion shall never be used explicitly or implicitly as punishment or discipline for behavior of a child.**

USE OF PHYSICAL RESTRAINT/SECLUSION

A school will designate a “co-regulator” to monitor the student who is being secluded and who will assist the student with regulating behavior. The co-regulator should be (in priority order):

- A trusted adult selected by child
- A clinician/counselor trained in trauma informed practices
- A staff member known to have a positive relationship with the child
- A staff member who was not involved in the incident leading to seclusion

The co-regulator will check the child at regular 30-minute intervals.

6. “Intentional Physical Contact” means contact by a school employee with a child, in response to a child’s aggression, misconduct, or disruptive behavior, and includes, but is not limited to blocking of a blow, forcible release from a grasp, or other significant and intentional physical contact with a child demonstrating disruptive or assaultive behaviors.
- Intentional physical contact does not include escorting a child 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 is actively combative, assaultive, or self-injurious while being escorted.
 - Intentional physical contact does not include actions such as separating children from each other, directing a child to stand, or otherwise physically preparing a child to be escorted.
 - Intentional physical contact does not include incidental or minor contact, such as for the purpose of gaining a misbehaving child’s attention.
 - Intentional physical contact does not include the use of seat belts, safety belts, or similar passenger restraints during the transportation of a child in a motor vehicle.
 - Intentional physical contact does not include an incident of restraint or seclusion.

C. Physical Restraint May Only Be Used In Emergency Situations Only When The Following Conditions Exist (RSA 126-U:5):

- Physical restraint shall only be used 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. The determination of whether the use of restraint is justified under this section may be made with consideration of all relevant circumstances, including whether continued acts of violence by a child to inflict damage to property will create a substantial risk of serious bodily harm to the child or others. Physical restraint will be used only by trained personnel using extreme caution when all other interventions have failed or have been deemed inappropriate.

USE OF PHYSICAL RESTRAINT/SECLUSION

2. Restraint shall never be used explicitly or implicitly as punishment for the behavior of a child.
3. The use of restraint is limited to physical restraint and mechanical restraint (when necessary for the safe transport of pupils as described in Section K of this policy).
4. Staff authorized to utilize restraint will be trained in the Nonviolent Crisis Intervention Program (CPI) and/or its equivalent as determined by the Superintendent of Schools or his/her designee. A team approach should be used, when possible, in situations that involve restraint. Untrained staff are prohibited from utilizing restraint and are limited to physically intervening by using the minimal amount of physical contact with the student to protect the student and ensure the safety of others until trained staff is available.

D. Authorization and Monitoring of Extended Restraint (RSA 126-U:11)

1. A child in restraint shall be continuously and directly observed by school personnel trained in the safe use of restraint.
2. 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.
3. No period of restraint of a child may exceed 15 minutes without the approval of the Principal or supervisory employee designated by the Principal to provide such approval.
4. No period of restraint of a child may 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 a supervisory employee designated by the Principal who is trained to conduct such assessments. The assessment shall also include a determination of whether the restraint is being conducted safely and for a purpose authorized by RSA 126-U. Such assessments will be repeated at least every 30 minutes during the period of restraint. Each such assessment will be documented in writing and such records will be retained by the facility or school as part of the written notification required in RSA 126-U:7, III and *Section I* of this Policy.

E. Prohibition of Dangerous Restraint Techniques (RSA 126-U:4)

Use or threatened use of the following restraint and behavior control techniques is prohibited:

1. Any physical restraint or containment technique that:
 - a. obstructs a child's respiratory airway or impairs the child's breathing or respiratory capacity or restricts the movement required for normal breathing;
 - b. places pressure or weight on, or causes the compression of, the chest, lungs, sternum, diaphragm, back, or abdomen of a child;
 - c. obstructs the circulation of blood;

USE OF PHYSICAL RESTRAINT/SECLUSION

- d. 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 washcloths; or
 - e. endangers a child's life or significantly exacerbates a child's medical condition.
2. The intentional infliction of pain, including the use of pain inducement to obtain compliance.
 3. The intentional release of noxious, toxic, caustic, or otherwise unpleasant substances near a child for the purpose of controlling or modifying the behavior of or punishing the child.
 4. Any technique that unnecessarily subjects the child to ridicule, humiliation, or emotional trauma.
 5. Prone restraint which occurs when a child is intentionally placed face-down and the child's physical movement is limited.

F. Limitation on the Use of Seclusion (RSA 126-U:5-a)

1. Seclusion may not be used as a form of punishment or discipline. It 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 control the 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. Seclusion will not be used in a manner that unnecessarily subjects the child to the risk of ridicule, humiliation, or emotional or physical harm.

G. Conditions of Seclusion (RSA 126-U: 5-b)

1. When permitted, 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.

USE OF PHYSICAL RESTRAINT/SECLUSION

- 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 purpose of this subparagraph, an “emergency” includes, but is not limited to:
 - I. The need to provide direct and immediate medical attention to a child;
 - II. Fire;
 - III. The need to remove the child to a safe location during a building lockdown; or
 - IV. Other critical situations that may require immediate removal of a child from a seclusion to a safe location.
 - f. Are equipped with unbreakable observation windows or equivalent devices to allow safe, direct, and uninterrupted observation of every part of the room.
2. Each use of seclusion will be directly and continuously visually and auditorily monitored by a person trained in the safe use of seclusion.

H. Training

The Superintendent, Director of Special Services and Principals in the Merrimack School District will confer on an annual basis to designate specific personnel to be trained in the use of physical restraint procedures and seclusion procedures. Staff will be trained in the Nonviolent Crisis Intervention Program (CPI) and/or its equivalent as determined by the Superintendent of Schools or his/her designee.

I. Reporting Requirements and Parental Notification (RSA 126-U:7)

Appropriate personnel will use the following protocol after each use of restraint or seclusion:

1. The staff member involved should verbally notify the Principal or his/her designee as soon as possible.
2. Unless prohibited by a court order, the Principal or his/her designee will **verbally notify the parent/guardian and guardian ad litem as soon as practicable, and in no event later than the time of the return of the child to the parent or guardian or the end of the business day, whichever is earlier.** Notification will be made in a manner calculated to give the parent/guardian actual notice of the incident at the earliest practicable time.
3. The staff member(s) who used the physical restraint or seclusion will have the opportunity to meet with his/her supervisors after the incident. The purpose of the meeting is to have the staff process the incident, assess precipitating factors that led to the physical restraint or seclusion and look at what could have been done to prevent the restraint or seclusion. The supervisor will provide support to the staff member and determine when the staff member(s) shall return to his/her duties.

USE OF PHYSICAL RESTRAINT/SECLUSION

4. The Superintendent is authorized to develop a reporting form or other documents necessary to satisfy these reporting requirements. A Merrimack School District employee who uses physical restraint or seclusion, or if the employee is unavailable, an administrator/supervisor of such employee, shall within **5 business** days after the occurrence, submit a written Merrimack School District Restraint or Seclusion report **using a form developed by the NH Department of Education and the NH Department of Health and Human Services, and** containing the following information to the Principal or his/her designee, and the Superintendent:
- (a) The date, time, and duration of the use of restraint or seclusion.
 - (b) A description of the actions of the child before, during, and after the occurrence.
 - (c) A description of any other relevant events preceding the use of physical restraint or seclusion, including the justification for initiating the use of physical restraint or seclusion.
 - (d) The names of the persons involved in the occurrence.
 - (e) A description of the actions of the faculty or school employees involved before, during, and after the occurrence.
 - (f) A description of any interventions used prior to the use of the physical restraint or seclusion.
 - (g) A description of the seclusion or physical restraint used, including any technique/hold used and the reason the technique/hold was necessary.
 - (h) 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 physical restraint or seclusion.
 - (i) A description of any property damage associated with the occurrence.
 - (j) A description of actions taken to address the emotional needs of the child during and following the physical restraint or seclusion incident.
 - (k) A description of future actions to be taken to address the child's problem behaviors.
 - (l) The name and position of the employee completing the report.
 - (m) The anticipated date of the final report.
5. Unless prohibited by court order, the Principal or designee will, **within 2 business** days of receipt of the notification required in the above paragraph, send by first class mail to the child's parent/guardian and the guardian ad litem the information contained in the notification/report. Each notification/report prepared under this section will be retained by the school for review in accordance with rules adopted under RSA 541-A by the State Board of Education and the Department of Health and Human Services. A copy of reports and communications will be placed in the student's file.
6. Whenever a school employee has intentional physical contact with a child which is in response to a child's aggression, misconduct, or disruptive behavior, a representative of the school will make reasonable efforts to promptly notify the parent/guardian. Such notification will be made no later than the time of the return of the child to the parent or guardian or the end of the business day, whichever is earlier. Notification shall be made in a manner calculated to give the parent or guardian actual notice of the incident at the earliest practicable time.

USE OF PHYSICAL RESTRAINT/SECLUSION

a. Notification of intentional physical contact is not required:

- I. 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. However, if the child is actively combative, assaultive, or self-injurious while being escorted, the intentional physical contact notice requirements shall apply.
- II. When actions are taken such as separating children from each other, including a child to stand, or otherwise physically preparing a child to be escorted.
- III. When the contact with the child is incidental or minor, such as for the purposes of gaining a misbehaving child's attention. However, blocking a blow, forcible release from a grasp, or other significant and intentional physical contact with a disruptive or assaultive child will be subject to the intentional physical contact notice requirements.
- IV. When an incident constitutes restraint or seclusion and is subject to the notification requirements set forth above.

b. When notification is required, the school shall, within 5 business days of the occurrence, prepare a written description of the incident. The written description shall include at least the following information:

- I. The date and time of the incident
- II. A brief description of the actions of the child before, during and after the occurrence
- III. The names of the persons involved in the occurrence
- IV. A brief description of the actions of the facility or school employees involved before, during, and after the occurrence
- V. A description of any injuries sustained by, and any medical care administered to, the child, employees, or others before, during, or after the incident.

J. Serious Injury or Death during Incidents of Restraint or Seclusion (RSA 126-U:10, II)

1. In cases involving serious injury or death to a child subject to restraint or seclusion in a school, the Superintendent or designee will, in addition to the provisions of RSA 126-U:7 (described in *Section K* of this policy), notify the commissioner of the department of education, the attorney general, and the Disabilities Rights Center, the state's federally designated protection and advocacy agency for individuals with disabilities. Such notice to these entities will include the written notification required in RSA 126-U:7,II within five business days.

K. Transportation (RSA 126-U:12)

1. The school district will not use mechanical restraints during the transportation of children unless case specific circumstances dictate that such methods are necessary.

USE OF PHYSICAL RESTRAINT/SECLUSION

2. Whenever a child is transported to a location outside the school, the Principal or designee will ensure that all reasonable and appropriate measures consistent with public safety are made to transport or escort the child in a manner which:
 - a) Prevents physical and psychological trauma;
 - b) Respects the privacy of the child; and
 - c) Represents the least restrictive means necessary for the safety of the child.
3. Whenever a child is transported using mechanical restraints, the Superintendent or designee will document in writing the reasons for the use of the mechanical restraints; such documentation shall be treated as a notification of restraint under Section J of this policy.

L. Special Education Students (RSA 126-U:14)

Upon information that restraint or seclusion has been used for the first time upon a child with a disability as defined in RSA 186-C:2, I or a child who is receiving services under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. section 701, and its implementing regulations, the school shall review the individual educational program and/or Section 504 plan and make such adjustments as are indicated to eliminate or reduce the future use of restraint or seclusion. A parent or guardian of a child with a disability may request such a review at any time following an instance of restraint or seclusion. Such request shall be granted if there have been multiple instances of restraint or seclusion since the last review.

M. School Resource Officers and Emergency Responders

The School Resource officer is considered a contractor of the school district and the Physical Restraint, Intentional Physical Contact and Seclusion provisions apply. Documentation and notification requirements of this policy shall be consistent with the district policy and procedure. However, nothing in this policy, prohibits the School Resource Officer (SRO), or other emergency responders, from utilizing restraint, including mechanical restraint, when deemed necessary by the officer to complete the necessary functions of the duties assigned to them by their Employment Agency. Moreover, nothing in this policy prohibits the SRO from using restraint when it is consistent with the law.

N. Annual Review Process

1. The Merrimack School Board will annually review its written policy and procedures regarding the use of restraint and seclusion.
2. The Superintendent of Schools or his/her designee is authorized to establish procedures and create forms for managing the behavior of children. Such procedures shall be consistent with this policy and all applicable laws. The Superintendent is further authorized to establish any other procedures and forms necessary to implement this policy and/or any other legal requirements.

USE OF PHYSICAL RESTRAINT/SECLUSION

- a. The Superintendent of Schools or his/her designee shall ensure that all relevant personnel are aware of the District Use of Physical Restraint/ Seclusion Policy and Procedures.
- b. Principals will annually identify staff members who serve as school-wide resources to serve on a committee to assist in ensuring proper administration of physical restraint and/or seclusion. The database is maintained by CPI trainers in each building.
- c. Committee shall review at a minimum, the following components related to the use of restraint. These include an analysis of the following components:
 - I. Incident reports;
 - II. Procedures used during physical restraint, including the proper administration of specific district approved physical restraint techniques;
 - III. Preventative measures or alternatives tried, techniques or accommodations used to avoid or eliminate the need of the future use of physical restraint;
 - IV. Documentation and follow up of interventions made to eliminate the need for future use of physical restraint;
 - V. Injuries incurred during a physical restraint;
 - VI. Notification procedures;
 - VII. Staff training needs;
 - VIII. Specific patterns related to staff or student incidents; and
 - IX. Environmental considerations, including physical space, student seating arrangements, and noise levels.
3. Upon review of the data, the committee shall identify any issues and/or practices that require further attention and provide written recommendations to the Superintendent of Schools.
4. Further, the Committee can recommend review of the training program to ensure the most current knowledge and techniques are reflected in the district's policy of physical restraint and seclusion.

O. Duty To Report Violation (Ed 1202.01(e))

When a school employee has reason to believe that the action of another constituted a violation of the restraint and seclusion law and misconduct, or suspected misconduct, pursuant to ED 510, the employee must report this incident to the Principal or Superintendent's designee within 24 hours of the suspected misconduct.

The Superintendent of Schools shall develop a procedure and ensure that all employees are aware of, and understand, their duty to report suspected violations of the restraint and seclusion law. In situations where it is determined that no violations occurred, documentation, including the evidence used to make the determination, must remain on file at the Superintendent's Office.

USE OF PHYSICAL RESTRAINT/SECLUSION

No school nor any employee, contractor, consultant nor volunteer thereof, shall subject any individual to harassment or retaliation for filing, in good faith, a report under RSA 126-U, Ed 1200, and/or this policy.

Legal References:

- RSA 126-U, Limiting the Use of Child Restraint Practices
- Title LXII Criminal Code, Chapter 627:6
- NH Department of Education Administrative Rule, Ed 1200 Restraint and Seclusion for Children
- NH Department of Education Administrative Rule, Ed 510 Code of Conduct

1st Reading: June 1, 2015
2nd Review: June 15, 2015
3rd Review: July 13, 2015
Adoption: August 17, 2015

1st Reading: October 3, 2022
2nd Review: October 17, 2022
3rd Review: November 7, 2022
Revised: November 7, 2022

1st Reading: September 18, 2023
2nd Review: October 2, 2023
3rd Review:
Revision:

**Merrimack School Board Meeting
Merrimack School District, SAU #26
Merrimack Town Hall – Matthew Thornton Room
September 11, 2023**

5:30 p.m. – NON-PUBLIC SESSION PURSUANT TO RSA 91-A:3, II (a) (b) & (c)
Matthew Thornton Room

- **Staff Welfare**

Present: Chair Ken Martin, Vice-Chair Laurie Rothhaus, Board Member Naomi Halter, Board Member Peters, and Board Member Jenna Hardy. Also present were Chief Educational Officer Olsen, Assistant Superintendent for Business Matt Shevenell, and Assistant Superintendent of Curriculum Doyle.

Not Present: Student Representative Evidente (Excused)

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chair Martin called the meeting to order at approximately 6:00 p.m. and led the Pledge of Allegiance.

2. PUBLIC PARTICIPATION

Mr. Chuck Mower, 4 Depot Street, addressed the Board as both the Vice-President of the Historical Society and as a member of the Budget Committee. He said he wanted to see competency assessment done as quickly as possible. He also commented on the importance of extended learning opportunities. He also said the Historical Society comprised several experienced and retired individuals who were the top in their fields and felt the district could benefit from partnering with some of them.

3. RECOGNITIONS

There were no recognitions to share.

4. INFORMATIONAL UPDATES

- a. Superintendent Update

Chief Educational Officer Olsen thanked the students and staff for persevering through a very hot first week of school.

Chief Educational Officer Olsen stated that legal training regarding various issues would occur at the end of the week as a continuation of the August retreat.

Chief Educational Officer Olsen said there would also be a bi-weekly meeting regarding competencies and competency-based education and grading. He said they chose to utilize the New Hampshire Learning Initiative to help lead them to a point where they worked with competencies with great integrity and value. He added that it might take a bit longer, but it was more important to be done well.

Chief Educational Officer Olsen shared that the New Hampshire Interscholastic Athletic Association honored three Merrimack staff members: Kip Jackson, Tammy Lambrou, and Rick Urda.

Chief Educational Officer Olsen said he received a letter from a local restaurant owner, Melissa Castonguay, who said she had the pleasure of serving the boys' soccer team dinner, and she was very impressed and found them to be perfect gentlemen.

Chief Educational Officer Olsen recognized that it was the 22nd year anniversary of 9/11 and remembered all those who were lost.

b. Assistant Superintendent of Curriculum Doyle Update

Assistant Superintendent of Curriculum Doyle said they had a very robust schedule with the New Hampshire Learning Initiative.

c. Assistant Superintendent for Business Shevenell

Assistant Superintendent for Business Shevenell shared that they had finished their annual audit a few weeks prior and said there would be a \$6.7 million surplus at the end of the year.

d. School Board Update

Chair Martin also thanked the staff and students for dealing with the extreme heat during the first week of school.

e. Student Representative Update

There was no update to share.

5. OLD BUSINESS

a. Review of Revised 2023 Goal Setting Document

Assistant Superintendent of Curriculum Doyle reviewed the updated 2023 Goal Setting Document.

6. NEW BUSINESS

a. Discussion Surrounding Extended Learning Opportunities (ELO) at MHS

Mr. Harley T. Hall, Director of Graduation Pathways, addressed the Board and reviewed the status of Extended Learning Opportunities (ELO's) at Merrimack High School. He said the summer focus for ELO work was building an infrastructure that could absorb the initial push, remain flexible, and grow with student interest.

Mr. Hall said the mission of the Graduation Pathways Program was to provide all students with multiple pathways to graduation. He explained that an ELO was a credit-bearing learning experience that occurred outside the traditional classroom and often outside the traditional school day. He added that ELOs were for all students at all levels of learning.

Mr. Hall said there were thirteen active ELOs; six were in the planning stages for the first semester, and two were planned to start in the second semester.

The members of the Board collectively said they were very much in favor of the ELOs and felt it was a big step in the right direction.

Chief Educational Officer Olsen commended the work Mr. Hall had done.

Mr. Hall commented that there would be a \$150.00 stipend for each teacher who taught an ELO, so a line item would have to be added to the budget. He said he would follow up with Assistant Superintendent for Business Shevenell.

b. Curriculum Instruction & Assessment Update

Assistant Superintendent of Curriculum Doyle reviewed the Curriculum Instruction & Assessment Update, which included:

- Literacy
 - Full Implementation of Foundations & Geodes in Kindergarten through Grade 2; UFLI to be used in Grade 3.
 - Continued use of Hegerty in K-2.
 - Spelling Connection in Grades 3, 4, 5, & 6 (Replacing “Words Their Way”)
 - Pilot of Wit & Wisdom in Grades 5 & 6.
 - High School English Department Course and Text Realignment.
- Mathematics
 - Implementing the most up-to-date Version of envisions K-6.
 - Implementing the most up-to-date Version of Big Ideas Grades 7 & 8.
- Science
 - Mystery Science K-5.
 - New High School Physical Science Textbooks.
- Social Studies
 - Implemented Civics Education Requirement pursuant to RSA 189:11
 - Half-year Middle School Course will be in Grade 8.
 - Need to Prioritize Common Materials in K-6.
- SEL/School Counseling
 - Continued use of Second Step – K-6.
 - Character Strong/Wayfinder Pilot – Grades 7 & 8.
 - Wayfinder – Grades 9 – 12.
- EduPlanet 21 Update
 - Significant Progress made over the Summer regarding Updating, Aligning, and Revising the Curriculum using EduPlanet 21.
 - The Goal is to have the MSD District Blueprint Posted this Fall to Include Course Overviews, Abstracts, and Unit Lists.

c. Gallup Poll Results

Assistant Superintendent of Curriculum Doyle stated that in May of 2023, she had provided the Board with a memo regarding an invitation for the Merrimack School District to participate in a three-year longitudinal study of student engagement, hope, entrepreneurship and financial literacy, and career-connected learning as measured by the New Hampshire Student Gallup Poll. She added that in June of 2023, Merrimack students in grades 7-12 were provided the opportunity to participate in the Poll, and the district received an overall scorecard based on the group data. She reviewed the results, as summarized below:

- Engagement
 - Engaged: 18%
 - Not Engaged: 38%
 - Actively Disengaged: 44%
- Hope
 - Hopeful: 30%
 - Stuck: 25%
 - Discouraged: 45%
- Entrepreneurship and Financial Literacy:
 - I am learning how to start and run a business in school: 1.97
 - I am learning how to save and spend money in school: 2.44

d. Other

Vice-Chair Rothhaus stated that they had spoken with Town Counsel regarding the School Board's meeting space, and in the future, the School Board would always meet in the Matthew Thornton Room unless Town Counsel needed to meet in it.

7. POLICIES

a. Approval of Admission of Homeless Students (JFABD)

b. Approval of Education of Children in Foster Care (JFABE)

Chief Educational Officer Olsen stated that Town Counsel had thoroughly reviewed both policies, and he recommended approval.

MOTION: Vice-Chair Rothhaus made a motion to approve policy (JFABD) Approval of Admission of Homeless Students and policy (JFABE) Approval of Education of Children in Foster Care, as presented. Board Member Halter seconded the motion.

MOTION CARRIED: 5 – 0 – 0.

c. Second Reading of Suicide Prevention and Response (JLDBB)

MOTION: Vice-Chair Rothhaus made a motion to approve policy (JLDBB) Suicide Prevention and Response, given its second reading. Board Member Peters seconded the motion.

Vice-Chair Rothhaus pulled the motion from the table as Board Member Halter edited the last page regarding student identifications on page 4.

d. First Reading of Student Dress Code (JICA)

Vice-Chair Rothhaus suggested that they table the discussion surrounding the Student Dress Code and ask the Student Council to develop an Ad Hoc Committee to discuss the topic of dress codes in today's environment.

Board Member Hardy said she did not feel the item needed to be tabled but said she felt the following line needed to be deleted, as stated below:

"Students are encouraged to wear tops that either tuck into bottoms or overlap bottoms while seated, walking, and standing."

Board Member Hardy also commented that she felt there should be designated committees to review the dress code at each school level.

e. First Reading of Public Participation at Board Meetings (BEDH)

Board Member Peters said she felt there needed to be a clause added that stated:

"Someone who had a complaint can request to go through the Grievance Policy up to the School Board."

8. APPROVAL OF MINUTES

- August 14, 2023, Public and Non-Public Minutes

MOTION: Board Member Halter made a motion to approve the August 14, 2023, public and non-public meeting minutes, as presented. Vice-Chair Rothhaus seconded the motion.

MOTION CARRIED: 5 – 0 – 0.

9. ACCEPTANCE OF FITS AND GRANTS UNDER \$5,000

- a. Merrimack Rotary Club to Merrimack High School for \$500.00
- b. Pro AV Systems to Merrimack High School Golf Team for \$500.00

MOTION: Vice-Chair Rothhaus made a motion to accept the gifts from the Merrimack Rotary Club and Pro AV Systems, respectively, with the School Board's sincere appreciation. Board Member Hardy seconded the motion.

MOTION CARRIED: 5 – 0 – 0.

10. CONSENT AGENDA

- a. Educator Resignation
 - Mr. Keith Bike, Special Education Teacher, Merrimack Middle School
- b. Teacher Nominations
 - Ms. Heather Syliva, Special Education Teacher, Merrimack Middle School
 - Ms. MacKenzie Stanley, Kindergarten Teacher, Reeds Ferry Elementary School

MOTION: Board Member Peters made a motion to accept the Consent Agenda as presented. Board Member Halter seconded the motion.

MOTION CARRIED: 5 – 0 – 0.

11. OTHER

a. Committee Reports

Board Member Halter said she had attended a Parks & Recreation Committee meeting on August 16th but would provide an update at the following School Board meeting.

b. Correspondence

Chair Martin said the entire Board had received correspondence regarding the dress code.

Board Member Peters said she received a few communications from working parents who indicated they did not appreciate the staggered start times because they had kids in multiple schools.

c. Comments

Board Member Halter said she had been hearing a lot of comments regarding the shorter, 20-minute lunch period. She said she went to the school and observed a lunch period and thought it was extremely efficient.

12. PUBLIC COMMENTS ON AGENDA ITEMS

There were none.

13. ADJOURNMENT

MOTION: At approximately 8:05 p.m., Vice-Chair Rothhaus made a motion to adjourn. Board Member Halter seconded the motion.

MOTION CARRIED: 5 – 0 – 0.

**Merrimack School Board Meeting
Merrimack School District, SAU #26
Merrimack Town Hall – Matthew Thornton Room
September 18, 2023**

Present: Chair Ken Martin, Vice-Chair Laurie Rothhaus, Board Member Naomi Halter, Board Member Peters, and Board Member Jenna Hardy. Also present were Chief Educational Officer Olsen, Assistant Superintendent for Business Matt Shevenell, Assistant Superintendent of Curriculum Assistant Superintendent of Curriculum Doyle, and Student Representative Evidente.

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chair Martin called the meeting to order at approximately 6:00 p.m. and led the Pledge of Allegiance.

2. PUBLIC PARTICIPATION

There was none.

3. RECOGNITIONS

There were no recognitions to share.

4. INFORMATIONAL UPDATES

a. Superintendent Update

Chief Educational Officer Olsen commented that the previous Friday, the leadership team had a very successful professional development session with legal counsel covering a variety of topics.

Chief Educational Officer Olsen said the previous week, Ms. Sarah Reinhardt, the Director of Student Services, and he had met with two local State Representatives, Maureen Mooney, and Tim McGough, as they were looking to obtain some information regarding restraint and seclusion.

Chief Educational Officer Olsen stated that he would meet with Mr. Mark Dolan, Strategic Planning and Innovation Consultant from the New Hampshire School Board's Association, where they would discuss the strategic planning process. He said the goal was to have a three-year strategic plan in place by early spring.

b. Assistant Superintendent of Curriculum Doyle Update

Assistant Superintendent of Curriculum Doyle congratulated Principal Boezeman and Assistant Principal Hoppa, Merrimack Middle School, on a very successful Open House.

c. Assistant Superintendent for Business Shevenell

Assistant Superintendent for Business Shevenell said that the following Monday, September 25th, he and Tom Touseau, Director of Maintenance, would have a meeting with the School District's Planning and Building Committee. He said he had a rough draft of the Capital Improvement Plan that went out six years, and he wanted to get their input prior to bringing them the final version.

d. School Board Update

There was no update to share.

e. Student Representative Update

Student Representative Evidente said that there was a lot of backlash from students regarding the no-phone policy. He proposed that the students be able to listen to music while they did independent work. Chair Martin replied that the first step would be to bring his proposal to administration and then request that the item be added to a future agenda.

5. OLD BUSINESS

Vice-Chair Rothhaus stated that they would meet with a group of people who were a part of the “mock accident” on October 16th. She said the SADD was forty years old, and the advisor, the President of SADD, and four State Representatives would be in attendance, and proclamations would be presented.

6. NEW BUSINESS

a. Statewide Assessment System (SAS) Scores

Assistant Superintendent of Curriculum Doyle reviewed Statewide Assessment System (SAS) Scores. The presentation, in its’ entirety, can be found by going to www.sau26.org, then by clicking the “School Board” tab, and then clicking the “Supporting Materials for School Board Meetings” tab. (2023 – 09/18/23).

Assistant Superintendent of Curriculum Doyle shared that the district did very well on the SATs, noting that the mean total score was 1016, and they ranked above the state and national average.

Vice-Chair Rothhaus asked what the plan was to provide further help to those students who were in level one. Assistant Superintendent of Curriculum Doyle replied that they had updated the Envisions Program to the most recent edition. She added that while the district had reading interventionists, they did not have math-specific interventionists and noted they might approach the Board in the future regarding that. She also said that they were piloting a program entitled “Wit and Wisdom,” which was a comprehensive literary program.

Board Member Peters said she would be interested in knowing what the data was for 7th and 8th grade math. She added that she was 100% in favor of hiring math interventionists.

Board Member Halter said the pre-Covid math scores were very good, and in the current year, the scores were lower. She suggested that they take a look at what they were doing pre-Covid when the scores were higher.

Board Member Hardy also expressed her support for hiring a math interventionist.

Chair Martin said he was happy that they could focus on the target areas that needed attention.

b. Review of Preliminary Timeline for FY25 Budget

Chief Educational Officer Olsen reviewed the 2024 – 2025 Budget Timeline to begin on September 12, 2023, and end with a vote by ballot on Tuesday, April 9, 2023.

Chief Educational Officer Olsen said he felt it was important to have a budget that provided for the staffing needed, materials and supplies, professional development, academic support, and social and emotional learning.

c. Review of Five-Year Enrollment Trends

Chief Educational Officer Olsen said over the past five years, the PreK – 12 enrollments had declined by 276 students, with nearly half of that decline at the high school level. He said he was not overly concerned about the decline given the reality that although the demographic data was not entirely predictable, it did tend to be cyclical. He added that the Covid-19 pandemic caused an increase in the number of students being home-schooled.

d. Review of the New Hampshire School Board's Association (NHSBA) Resolution in Preparation for the Delegate Assembly

Chair Martin said the 2023 NHSBA Delegate Assembly would be held on Saturday, October 14, 2023, at 10:30 a.m. at the Grappone Conference Center.

Chair Martin explained that part of the meeting consisted of School Board members from across New Hampshire getting together and voting on proposed resolutions. He then reviewed the proposed resolutions.

Board Member Peters stated that she opposed the proposed resolution that was submitted by the Manchester Board of School Committee as follows:

"Amend NHSBA II:S to read NHSBA supports additional state adequacy aid for public pre-kindergarten."

NHSBA Board of Directors Recommendation: **Supports the alternative language.**

Board Member Peters said she opposed the proposed resolution because she felt the tax impact for free, universal pre-kindergarten would not be sustainable.

Board Member Halter and Board Member Hardy said they interpreted the proposed language a bit differently in that they felt it meant that they would support additional state adequacy aid for public kindergarten.

Vice-Chair Rothhaus said she supported what Board Peters had said.

Chair Martin commented that he was in favor of the proposed resolution.

Assistant Superintendent for Business Shevenell commented that the formula that determined the amount of state adequacy was convoluted at best.

MOTION: Chair Martin made a motion to accept the proposed alternative resolution brought forth by the Manchester Board of School Committee that stated to “Amend NHSBA II:S to read NHSBA supports additional state adequacy aid for public pre-kindergarten, subject to clarification regarding the spirit of the resolution. Board Member Peters seconded the motion.

MOTION CARRIED: 5 – 0 – 0.

Board Member Peters also said she opposed the proposed resolution that was submitted by the Manchester Board of School Committee as follows:

Proposed Resolution: “We proposed advocating that Medicaid be used as the primary calculator for free and reduced lunch numbers for NH school districts; advocating for the state to join the Medicaid Direct Certification program; advocate that Medicaid to Schools (MTS) be revised to allow greater flexibility in sign-off (by guidance counselors, e.g.); reduce administrative burden on localities; and fund an increase in per service fees.”

Proposed Alternative Resolution: The NHSBA Board of Directors **recommends splitting this proposal into three separate resolutions:**

#1 and #3 – No opposition

#2 – Opposed “NHSBA supports legislation and rulemaking that helps make Medicaid to Schools (MTS) funding more accessible for school districts by allowing greater flexibility in sign-off (by guidance counselors, e.g.) and by supporting implied parental consent and a clearly defined and executable opt-out process for accessing public benefits for students with disabilities.”

Board Member Peters commented that she never supported “implied” consent and that parents who received Medicaid should have full control over the information, and it should never be implied.

Vice-Chair Rothhaus commented that the wording could say “after multiple attempts of trying to reach out to a parent.” She said in some instances, if they did not have implied consent on certain things, there would be no documentation at all, especially with free and reduced lunch because the kids needed to be fed.

Chair Martin said he understood both positions but acknowledged that some families were incredibly difficult to reach.

MOTION: Chair Martin made a motion to accept the proposed alternative resolution regarding supporting implied parental consent, with #1 and #3 as written, and #2 with the expectation that there would be a change of language with the clarification that due diligence on the part of the school district. Board Member Peters seconded the motion.

MOTION CARRIED: 5 – 0 – 0.

MOTION: Chair Martin made a motion to support the proposed resolutions as submitted by several school districts across New Hampshire as recommended by the New Hampshire School Board Association. Vice-Chair Rothhaus seconded the motions.

MOTION CARRIED: 5 – 0 – 0.

e. Merrimack High School Highlights

Mr. Steve Claire, Principal of Merrimack High School, addressed the Board and shared a video highlighting the 2022 – 2023 school year.

The School Board collectively thanked Mr. Claire for sharing the video and stated that it was very impressive.

Mr. Claire stated that the Merrimack School District would be hosting 125 10th grade Korean students.

7. POLICIES

a. Revised Use of Physical Restraint/Seclusion Policy (JKAA) 1st Reading

Chief Educational Officer Olsen stated that the policy had been updated to reflect the latest amendments to the statute.

The School Board made several recommendations, and Chief Educational Officer Olsen said he would bring the proposed policy back to the Board after the edits were made.

b. Student Bring Your Own Device (BYOD) Policy

Mr. Jason Pelletier, Director of Library Media and Technology, addressed the Board and said the main purpose of the policy was to place some parameters around the class of 2024 and 2025 in terms of devices that were acceptable to be in the classroom.

Vice-Chair Rothhaus stated she felt it was important to note that the School Board had moved to adopt the proposed policy based on legal recommendations because they did not have any control over outside devices, and it was important to protect the district from any liability.

MOTION: Board Member Peters made a motion to waive the first reading of (BYOD) Student Bring Your Own Device policy. Board Member Hardy seconded the motion.

MOTION CARRIED: 5 – 0 – 0.

8. CONSENT AGENDA

There were no items to review.

9. OTHER

a. Committee Reports

Chair Martin commented that the Professional Development Committee had met where they discussed the professional development offerings. He said new members were introduced, and they discussed how they would use the funds.

Board Member Peters commented that the Joint Loss Management Committee would be meeting the following day, but she would be unable to attend as it would be held during working hours. She said she would provide an update at a future meeting. She also said that the negotiation meetings regarding MESSA had begun on September 28th.

b. Correspondence

Board Member Peters said a parent had contacted her regarding safety at the James Masticola Upper Elementary School during pick-up procedures. She said she referred that parent to the district administration.

Board Member Hardy said she received additional correspondence regarding energy drinks that were being sold in the vending machines at the high school and would follow up with Dave Dziki, Food Services Director.

c. Comments

Vice-Chair Rothhaus asked if there was a way that all teachers could be notified of changes in policies so they were up to date.

10. PUBLIC COMMENTS ON AGENDA ITEMS

State Representative Tim McGough, Bowers Landing, addressed the Board and thanked Chief Educational Officer Olsen and his staff for making time to speak with Representative Mooney and himself. He offered to answer any questions the Board may have had regarding SB 179 and HB 491 that were passed.

11. ADJOURNMENT

MOTION: At approximately 8:16 p.m., Chair Martin made a motion to adjourn. Vice-Chair Rothhaus seconded the motion.

MOTION CARRIED: 5 – 0 – 0.