

SUNAPEE SCHOOL DISTRICT
Wednesday, February 4, 2026 -- 6:00 PM
SMHS Gymnasium

Agenda

School Board Meeting:

1. Call to Order
 - Roll Call
 - Pledge of Allegiance/Moment of Meditation
2. Approval of School Board Meeting Minutes:
 - Minutes of January 7, 2026 School Board Meeting
 - Minutes of January 7, 2026 Special Meeting School Board
 - Minutes of January 7, 2026 Non-Public Meeting
3. Agenda Review
4. Public Forum: In accordance with Policy BEDH
5. School Updates
 - Student Representative
 - SCES
 - SMHS
6. Superintendent Update
7. School Board Topics: Upcoming
 - April Guidance/Adjustment Counselors
 - June Strategic Plan Update
8. Policy, Second Reading:
 - EBBCA: Use and Location of Automated External Defibrillators
 - FEG: Supervision of Construction, Clerk of the Works/Project Manager
 - GBEBC: Employee Student Relations
 - IHCD: Advanced Course Work/Advanced Placement Courses and STEM Dual and Concurrent Enrollment Program
 - IC: School Year and School Year Calendar
 - JICK: Bullying Prevention - Pupil Safety and Violence Prevention
 - JCA: Change of School Assignment - Best Interests and Manifest Hardship
 - JF: Enrollment and Enrollment Capacities

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9. Action Items:

- Approve Proposed 26-27 School District Calendar

10. Information Items:

- School Deliberative Session Review
- Public Hearing February 19, 2026, 5 pm SMHS
- March 10, 2026 Voting Day

11. Manifests:

AP:	2026 #22:	\$ 6,000.00
	2026 #23:	\$117,419.84
	2026 #24:	\$ 99,899.07

Payroll:	2026 #13:	\$507,397.21
	2026 #13.1	\$ 97,838.43
	2026 #14	\$270,187.07
	2026 #15	\$264,778.33
	2026 #16	\$415,705.08

Agenda Items for Next Meeting – Board Chair

12. Request to go into non-public session for discussion of matters covered under RSA 91-A:3

13. Adjournment

USE & LOCATION of AUTOMATED EXTERNAL DEFIBRILATORS

The Board has acquired/purchased an Automatic External Defibrillator(s) (AED) for use in emergency situations warranting its use. The Superintendent is encouraged to seek funding for additional AEDs from the State's AED Fund established under RSA 200:40-d.

The use/administration/maintenance of the AED(s) is subject to the following conditions:

- A. **Location of the AED(s).** The Superintendent, working with the building principal and school nurse, shall select and approve the location(s) for the AED(s). At least one AED shall be readily accessible in a well-marked and safe place for use in responding to cardiac emergencies, and shall not be located in an office or be stored in a location that is not easily and quickly accessible. The AED location(s) shall be in accordance with guidelines set by the American Heart Association or other nationally recognized guidelines focused on emergency cardiovascular care.

Additionally, for schools which include any of grades 6-12, at least one AED shall be located at and readily accessible for use in responding to cardiac emergencies at each athletic event or venue where practices and competitions are held for use and in which students of the school are participating.

- B. **Training and Use of AED.** AEDs should, when possible, be administered by those employees designated as "anticipated responders" by the Principal, in consultation with the school nurse. Schools that include any of grades 6-12 shall have an individual trained in cardiopulmonary resuscitation supervise organized school-sponsored sports activities in which pupils of the school are participating. In the absence of such trained personnel, other persons may administer the AED provided they do so in good faith.

Anticipated responders are those who have successfully received and completed appropriate training in cardiopulmonary resuscitation and AED use, provided by the School Nurse or his/her designee, or from the American Heart Association or other nationally recognized organization or association focused on emergency cardiovascular care.

- C. **Liability Limited.** The District, and persons administering the AED(s) in good faith and without compensation, render emergency care by the use of an automated external defibrillator, shall not be liable for civil damages for any acts or omissions unless the acts or omissions were grossly negligent or willful and wanton.
- D. **Maintenance.** AEDs will be maintained by the School Nurse, or his/her designee. Maintenance shall be done according to the AED manufacturer's specifications. The School Nurse will maintain a record of all maintenance which has been performed on the AED(s).
- E. **Registration of AED(s).** In accordance with RSA 153-A:33, the School Nurse, or his/her designee, shall register the AED(s) with the New Hampshire Department of Safety within 30 days of acquisition of the AED. Information regarding registration may be found at [NH Dept. of Safety - AED Registration](#) (link tested 2025.11.11).

F. **Incident Reporting**. Each instance of administration of an AED shall be reported pursuant to Board policy EBBB.

- AEDs will only be administered by those employees designated by the Principal, in consultation with the school nurse. Employees will only be authorized after they have successfully received and completed appropriate training in cardiopulmonary resuscitation and AED use, provided by the School Nurse or his/her designee, or from another source acceptable to the School Nurse.

1st Reading: 1/7/2026
2nd Reading/Approval: 2/4/2026

SUPERVISION of CONSTRUCTION, CLERK of the WORKS/PROJECT MANAGER

- A. Subject to the provisions of paragraph D, below, for projects over \$1,250,000, the Board will employ a Clerk of the Works who shall be directly responsible to the Board for review of the architect and contractor's activities in his/her supervision of building construction. This review shall include adequacy of field inspection of the contractor's operations, administrative activities of the architect relating to construction, and any other matters relating to the interest of the District. The **Clerk** shall make periodic reports certifying by his/her personal knowledge that the work of the construction contractor and the architect is being performed in accordance with plans, specifications, and contracts.
- B. Change orders will be recommended by the Clerk of the Works to the Superintendent, who will determine whether or not it is a matter for Board consideration. If the Superintendent decides Board consideration is not necessary, then the signature of the Superintendent shall be considered Board action. The Superintendent will develop a procedure to use relative to the need for the School Board review of change orders.
- C. Upon completion of building construction and after a final inspection of all its aspects by the design professional, contractors, and school officials, a recommendation for its acceptance will be made to the Board by the design professional and the Clerk of the Works.
- D. For construction or reconstruction projects of \$1,250,000 or more, for which the District receives a State Building Aid grant under RSA 198:15-c, the Clerk of the Works must hold the qualifications and title, and perform the services and responsibilities of an Owner's Project Manager ("OPM"). The OPM will provide the services, fulfill the responsibilities and hold the qualifications of an OPM as set forth in N.H. Dept. of Education Rule Ed 321.30. Additionally, the Project Manager shall hold his or her own comprehensive liability and auto insurance, workers' compensation coverage, and professional liability coverage as required by RSA 198:15-c, III.

1st Reading: 1/7/2026

2nd Reading/Approval: 2/4/2026

School Year & School Year Calendar

A. School Year.

The student school year shall be a minimum of 180 instructional days or, alternatively, the equivalent number of hours as required in the rules of the N.H. Department of Education (see Ed 306.15).

The school year for teachers and other certified professionals shall be 186 days unless otherwise determined by the Board, applicable collective bargaining agreement, or individual contract.

B. School Closures.

Any days that the schools are closed for emergency reasons and are not designated by the Superintendent as remote learning days will be made up at the end of the school year or during recess periods, as approved by the Board upon the Superintendent's recommendation. Under special circumstances, the Board may request an exception to this requirement from the State Board of Education.

In the event schools are closed for excessive days for emergency reasons, the Superintendent may recommend to the School Board a revised schedule that satisfies all Department of Education requirements, but which may amend the number of days in the school year.

C. Remote Learning During Inclement Weather.

If inclement weather makes it unsafe to safely transport students to or from in-person instruction, the Superintendent/designee is authorized to designate that day as a remote learning day. Before remote instruction is used as instruction that day for the purpose of satisfying the minimum instructional day/hour requirements of the N.H. Department of Education, the Superintendent shall ensure that a plan exists with procedures to promote and allow for participation by all students in any affected school.

Prior to approving and designating a day as a remote instruction day, or any school/district-wide remote instruction that is dependent on technology, the Superintendent/designee will consider the impact that the inclement weather event might have on necessary technology.

Remote instruction will only count toward required instructional days/time when conducted in accordance with N.H. Dept. of Education Rule Ed 306.18. See also Board policy IMBA.

D. School Calendar.

The school calendar will be developed by the Superintendent and submitted to the Board for approval.

The Superintendent shall ensure that the calendar conforms to the number of actual days of instruction and employment as required by law, board policy, and staff contracts.

To the extent possible, the calendar will be coordinated with the school calendars of, regional special education programs and other districts in the SAU.

Additionally, the calendar must align with the calendar established by any applicable Regional Career and Technical Center Agreements (RCTEA), with exceptions only as allowed under RSA 188-E:1-a, III.

The high school graduation date shall be set no more than 5 school days or 30 instructional hours before the end of the scheduled school year. In the event that the number of days/hours lost to inclement weather exceeds 5 days/30 hours, the Superintendent shall confer with the New Hampshire Department of Education as to whether graduating students will be required to make up the lost days/hours.

E. Holidays.

Pursuant to RSA 288:4, III, any holiday included in the school calendar that corresponds to a State "legal" holiday shall use the name for such holiday as designated in RSA 288:1. As of 2024, these include: January 1, Martin Luther King, Jr. Civil Rights Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, and Christmas Day. All schools receiving State funds are required to observe Veteran's Day. Additionally, such names shall be used on any "official" communication, publication, document or calendar.

1st Reading: 1/7/2026
2nd Reading/Approval: 2/4/2026

ADVANCED COURSE WORK/ADVANCED PLACEMENT COURSES and STEM Dual and Concurrent Enrollment Program

A. Advanced Course Work/Advanced Placement Courses

Any student who is capable of and wishes to do advanced coursework or take advanced placement classes while in high school should be permitted to do so. If advanced coursework or advanced placement courses are not available within the School District, administrators or school counselors are instructed to assist students in identifying alternative means of taking such classes or earning related credit. This may include taking courses through the Dual and Concurrent Enrollment Program, at a different public school, a private school, through remote learning courses Extended Learning Opportunities (ELO's), or other suitable means.

Credit may be given, provided the course comports with applicable District policies (see Board policy IK) and state standards. The District will not be responsible for any tuition, fees, or other associated costs incurred by the student for enrollment in such courses.

B. STEM Dual and Concurrent Enrollment Program

High School and Career Technical Education Center qualified students in grades 10 through 12 may participate in the Dual and Concurrent Enrollment Program, through which a student may earn both High School and College credits by enrolling in STEM (science, technology, engineering, and mathematics), STEM-related courses designated by the Community College System of New Hampshire ("CCSNH"), and/or career and technical education courses. Although there is no limit to the number of credits a student may earn per academic year through the Dual and Concurrent Enrollment Program, pursuant to RSA 188-E:27, II, students enrolling in courses exceeding a total of 4 credits are responsible for all costs above and beyond 4 credits in an academic year.

The Superintendent shall be responsible for coordinating any agreements with CCSNH, and other measures necessary to implement and maintain the Dual and Concurrent Enrollment Program within the District. The Superintendent shall also designate a point of contact for the program who can provide for student counseling, support services, course scheduling, managing course forms and student registration, program evaluation, course transferability, and assisting with online courses. The Superintendent or his/her designee shall establish regulations for the program which, among other things, will:

1. Require compliance with measurable educational standards and criteria approved by the CCSNH;
2. Require that courses meet the same standard of quality and rigor as courses offered on campus by CCSNH;
3. Require that program and courses comply with the standards for accreditation and program development established by the National Alliance for Concurrent Enrollment Partnerships;
4. Establish criteria for student eligibility to participate in the program;
5. Establish standards for course content;

6. Establish standards for faculty approval;
7. Establish program coordination and communication requirements;
8. Address tuition, fees, textbooks and materials, course grading policy, data collection, maintenance, and security, revenue and expenditure reporting, and a process for renewal of the agreement;
9. Require annual notification to high school students and their parents of Dual and Concurrent Enrollment opportunities; and
10. Set out how any Dual and Concurrent Enrollment courses correlate with a Career Readiness Credential under Board policy IKFG.

1st Reading: 1/7/2026

2nd Reading/Approval: 2/4/2026

CHANGE OF SCHOOL ASSIGNMENT – BEST INTERESTS & MANIFEST HARDSHIP

The Superintendent is charged with assigning students of the District to schools and classes consistent with Board policies and procedures. New Hampshire RSA 193:3 recognizes that there are limited instances when the class or school to which a student might be assigned under a district's ordinary assignment policies and procedures, might not be in that student's best interests, or other factors might exist under which create a manifest educational hardship upon the student such that a change (referred to in this policy as "reassignment") in the student's school assignment is warranted. The Board has adopted this policy consistent with RSA 193:3 and to provide procedures for parents/guardians to follow when they believe a reassignment is appropriate. Under specified conditions and procedures as set forth below, reassignment may be made to another public school, public academy or "approved private school" within or outside the District.

As used in this policy, "approved private school" means a school that has been approved and contracted by the school board to provide a student or students with the opportunity to acquire an adequate education (see RSA 193:3, VII). The term also includes schools that the Board has "approved as a school tuition program." (See NH Dept. of Education Rule Ed 307.01(a))

A. Best Interest Re-Assignment – Determination by Superintendent.

Consistent with RSA 193:3, I, and subject to the provisions below, the Superintendent is authorized to reassign a student residing in the District to another public school, public academy or approved private school within the District, or to another public school, public academy, or approved private school in another district.

This policy, however, does not limit the Superintendent's discretion to make other in-District assignments consistent with applicable Board policies and administrative rules.

a. *Request for Change of Assignment Within District.*

In order to initiate consideration of a reassignment within the current school, or to a public school, public academy or approved private school within the District, the parent/guardian shall submit to the Superintendent a written request indicating the specific school requested. The parent/guardian is encouraged, but not required, to provide information as to how the child's interests are served by the change in assignment.

b. *Reassignment Determination.*

In determining whether to grant a request to change a student's current assignment within the current school or to another public school/academy or approved private school within the District, the Superintendent will only consider whether the school has the ability to accommodate the student based upon "existing school capacity." For purposes of determining existing school capacity, the Superintendent will consider the District's Board policy IIB, the Program for that school year, and shall consult with the Student Services Department for special considerations relating to the student's educational program.

If the Superintendent determines that the requested school within the District does not have the ability/capacity to accommodate the student and therefore denies the request, the Superintendent will give written notice to the parent/guardian with the reason the request was denied. The parent/guardian is encouraged to provide a supplemental written statement to the Superintendent with any additional information that the parent/guardian believes is relevant to the initial request. The Superintendent will review the additional information and inform the parent/guardian of the decision within 5 school days.

If the Superintendent grants the request to change the student's school or assignment, the Superintendent shall initiate the student's transfer within the current school, or to the other school/academy within the District.

If the Superintendent does not find that it is in the best interest and does not approve the request to change the student's school or assignment, the parent/guardian may request a hearing before the School Board to determine if the student is experiencing a manifest educational hardship as provided in Section B of this policy.

2. Procedures for Best Interest Assignments to a School Outside the District.

A change in assignment to a school/academy outside of the District under this section requires a finding by the Superintendent that reassignment is in the student's best interests, after taking into consideration the student's academic, physical, personal, or social needs (Note: if the public school/academy is an open enrollment school, the parent/guardian need not use this process).

a. Change of Assignment Request.

In order to initiate consideration of a reassignment to a public school, a public academy or approved private school outside of the District ("school outside the district") based upon the child's best interests, the parent/guardian shall submit to the Superintendent a written request stating why and/or how the child's best interests warrant the change. To facilitate a determination, such an application should also include any additional information described in the paragraph below. The written request should be mailed or hand-delivered to the SAU office or emailed to the Superintendent at the email address provided on the District's website.

b. Reassignment Meeting and Review of Request.

- i. Upon receiving a request to change assignment to a school outside the District, the Superintendent will schedule a meeting with the parent/guardian to be held within 10 days of receiving the written request.
- ii. Prior to or at the reassignment meeting, the parent/guardian shall make a specific request that the student be re-assigned to a specific school outside the District.
- iii. At the reassignment meeting, the parent/guardian may present documents, witnesses, or other relevant evidence supporting the parent/guardian's belief that reassignment is in the best interest of the student.
- iv. The Superintendent may present such information as he or she deems appropriate.
- v. In determining whether reassignment is in the student's best interest, the Superintendent shall consider the student's academic, physical, personal, or social needs.

c. Determination Whether Reassignment is in Best Interest.

Within five school days of the reassignment meeting, the Superintendent shall deliver to the parent/guardian a written determination whether or not reassignment is in the child's best interest. Delivery of the written determination should be done in a manner to produce evidence of the delivery (e.g., courier, email, fax).

i. *Finding that Change is in Student's Best Interest.*

If the Superintendent finds it is in the best of the interest of the student to change the student's school or assignment, the Superintendent shall initiate the process to implement the student's transfer to a school outside the district (requires agreement of the other school/district).

ii. *No Finding that Change is in Student's Best Interest.*

If the Superintendent does not find that it is in the best interest of the student to change the student's school or assignment, the parent/guardian may request a hearing before the School Board to determine if the student is experiencing a manifest educational hardship as provided in Section B of this policy. The Superintendent shall assure that the reassignment approval is placed on the agenda for the next regularly scheduled Board meeting.

3. Tuition Determination.

a. Public Academy Within the District.

A student whose assignment is changed to a public academy within the district, the tuition will be based upon outstanding agreements between the District and the public academy.

b. Public School or Academy Outside the District.

If a student is to be reassigned to a public school or academy in another school district following a best interest determination, the Superintendent shall work with the Superintendent or senior education official of the receiving school district/academy to establish a tuition rate for such student. Pursuant to RSA 193:3, I(g), if the Superintendent has made a finding that it is in the best interest of the student to be reassigned, then the School Board shall approve the tuition payment; such approval shall be consistent with the Board's ordinary manifest approval procedures.

c. Approved Private School Either Within or Outside of the District.

If the student is reassigned to an approved private school under this policy, that school may charge tuition to the parent/guardian or may enter into an agreement for payment of tuition with the District in which the student resides. The Superintendent shall consult with counsel regarding tuition obligations in such an instance. Any such Agreement shall be subject to approval by the School Board on behalf of the School District and shall be at the sole discretion of the School Board with due consideration given to the fiscal impact of such approval of the District, and shall not be granted if, in the opinion of the School Board, there are other viable public school options for reassignment.

The Superintendent shall ensure that the reassignment to an approved private school is placed on the agenda for the next regularly scheduled Board meeting.

d. Tuition for Students Reassigned by Other Districts Pursuant to RSA 193:3, I.

It is the general policy of the Board that the tuition amount to be charged to another district for any student reassigned by that district to a school within this District under the best interest standard of 193:3, I, shall be the lesser of the tuition charged for non-residential students under Board policy JFAB or as computed under the formula set out in RSA 193:4. The Superintendent,

however, is authorized to reduce the tuition amount below those thresholds or for other good cause shown (e.g., reciprocal assignments between the two districts).

4. Transportation.

Transportation for a student reassigned to a school in another district under this Section A (best interest) shall be the responsibility of the parent/guardian. Transportation within the District will be consistent with the transportation policies of the District for the public, charter and private schools located within the District.

5. Annual Review of Decision.

A reassignment on the basis of best interest of the student shall be limited to no longer than the end of the ensuing school year, and shall be subject to review by the Superintendent prior to any subsequent school year to determine that the reassignment remains in the best interest of the student, with the understanding that the Superintendent may, at his/her discretion waive the review when he/she deems such to be appropriate.

6. Review/Appeal of Decision.

The decision of the Superintendent relative to best interest reassignments shall be final and any appeal shall be limited to the process outlined in Section B, below.

B. Manifest Educational Hardship – Determination by School Board and Appeal to State Board.

If, after following the procedure outlined in Section A of this policy, the Superintendent did not find that it was in the best interest of the student to reassign the student as requested by the student's parent/guardian, then the parent/guardian may request a hearing before the School Board to determine if the student is experiencing a manifest educational hardship.

1. "Manifest Educational Hardship" Defined.

As provided in RSA 193:3, II (a), "manifest educational hardship" means that a student has a documented hardship in his or her current educational placement; and that such hardship has a detrimental or negative impact on the student's academic achievement or growth, physical safety, or social and emotional well-being. Such hardship must be so severe, pervasive, or persistent that it interferes with or limits the ability of the student to receive an education.

2. Procedure for Determination of Manifest Educational Hardship.

- a. Within thirty (30) days after receipt of the Superintendent's written determination denying a request for change of assignment as described in Section A, above, the parent/guardian requesting a manifest educational hardship hearing shall submit a written application to the Superintendent detailing the specific reasons why they believe that the current assignment constitutes a manifest educational hardship.
- b. The Superintendent shall duly notify the School Board that the parent/guardian has requested a manifest educational hardship hearing, upon which the school board shall schedule a hearing to be held no more than 15 days after the request has been received by the Superintendent. The Board shall provide at least two full days' notice of the hearing. The Board will conduct the hearing in non-public session, unless the parent/guardian requests the hearing be held in public session, subject to RSA 91-A:3, II(c). The hearing will be held following the procedures set forth under NH Dept. of Education rules Ed 204.01, and Ed 307.01(f).

- c. Prior to or at such hearing, the parent/guardian shall provide to the Superintendent a specific request in writing that the student (if applicable) attend another public school, public academy, or approved private school in the District, or attend a public school, public academy, or approved private school in another school district. The Superintendent shall provide such request to the School Board at the hearing. Although not required, the parent/guardian may include this request as part of the original hearing request.
- d. At such hearing, the parent/guardian may present documents, witnesses, or other relevant evidence supporting their belief that the student is experiencing a manifest educational hardship. The Superintendent may present such information as he or she may deem appropriate to assist the School Board in reaching its decision. The parties (or their appointed designee) shall have the right to examine all evidence and witnesses. The formal rules of evidence shall not apply. The Superintendent will provide the means for the Board to establish an adequate record of the hearing.
- e. The parent/guardian shall have the burden of establishing the presence of a manifest educational hardship by clear and convincing evidence, which means that the evidence is highly and substantially more likely to be true than untrue, and the Board must be convinced that the contention is highly probable. (Note: The clear and convincing standard differs from the “preponderance of the evidence” standard, which only requires that evidence indicates that the contention is more likely than not.)
- f. The Board will render its decision in writing within seven days after the hearing and will forward its written decision to the parent/guardian via means producing proof of delivery (e.g., courier, email, etc.). The decision will conform to the requirements of NH Dept. of Education rule Ed 204.01(d) and (e).

3. Finding of Manifest Educational Hardship.

If the School Board finds that the student has a manifest educational hardship, the School Board shall grant the parent's or guardian's request to reassign the student to another public school, public academy, or approved private school in the District, or to a public school, public academy, or approved private school in another district.

4. Finding that Manifest Educational Hardship Was Not Established – Appeal to the New Hampshire State Board of Education.

If the School Board finds that the parent/guardian has not met their burden of proof, the parent/guardian may appeal the local Board decision to the New Hampshire State Board of Education (“SBOE”), within thirty (30) days of receipt of the Board’s written decision in accordance with NH Dept. of Education Rule Ed 204.01(g). If a parent/guardian believes that denial of a re-assignment under this policy is based upon the child’s disability, the parent/guardian may appeal to the SBOE or file a complaint with the N.H. Human Rights Commission under RSA 354-A:28.

5. Tuition for Students Reassigned Upon Finding of Manifest Educational Hardship.

If, after a finding of a manifest educational hardship - by either the School Board or the State Board - a student of the District is assigned to attend a public school or a public academy in another district, or a student from another district is assigned to a school in this District, the district in which the student resides shall pay tuition to the district to which the child is reassigned.

Such tuition shall be computed according to RSA 193:4. The school board of the district in which the student resides shall approve the tuition payment consistent with its ordinary manifest approval process.

6. Transportation.

Transportation for a student reassigned to a school in another district under this Section B (manifest educational hardship) shall be the responsibility of the District unless otherwise ordered by the SBOE.

7. Annual Review of Manifest Hardship Determination.

A reassignment on the basis of manifest educational hardship shall be limited to no longer than the end of the ensuing school year and shall be subject to review by the School Board prior to any subsequent school year to determine that the manifest educational hardship still exists, with the understanding that the Board may, at its discretion, waive the review when it deems such to be appropriate.

C. Admission Requirements.

Students reassigned under this Policy shall meet the admission requirements of the school to which the student is to be reassigned.

D. Statutory Reassignment Limit.

Pursuant to RSA 193:3, III-a(d), the total reassignments or transfers made under this policy in any one school year will not exceed one (1) percent of the average daily membership in residence of a school district, or five (5) percent of the average daily membership in residence of any single school, whichever is greater, unless the School Board votes to exceed this limit.

E. Count of Reassigned Pupils, Tuition Payment and Rate, and Transportation.

Pupils reassigned under this policy will be counted in the average daily membership in residence ("ADMR") of a given pupil's resident school district. Said pupil's resident district will forward any tuition payment due to the district to which the pupil was assigned.

F. Notice to the Department of Education.

The Superintendent of the pupil's resident SAU will notify the Department of Education within thirty (30) days of any reassignment made under this policy.

G. Special Education Placements.

A placement made relative to a student's special education needs and services shall not be deemed a change of school assignment for purposes of this section.

1st Reading: 1/7/2026

2nd Reading/Approval: 2/4/2026

ENROLLMENT & ENROLLMENT CAPACITIES

A. Duty to Provide Education and General Enrollment Provisions.

The District's responsibility to parents is to ensure that their children are participating in an educational program as required under RSA 193:1.

Residents students may attend District schools part-time, consistent with the provisions of RSA 193:1. Except as otherwise provided in another Board policy or state law, part-time enrollment means that a student is enrolled in no more 50% of instructional time of the District's programming. Any student enrolled in more than 50% of instructional time shall be considered full time.

B. Annual Capacity Report and Limitations.

In order for proper planning and to accommodate enrollment and assignment changes by both full-time enrolled students and other non-enrolled students, the Board directs the Superintendent to prepare each year, a recommendation for capacity limitations for all of the District's schools, programs, classes and activities. The recommendation should be guided by the District's underlying mission to provide positive academic outcomes for its students, and take into account such matters as:

1. **Personnel Limitations** – Availability of qualified educators and support staff.
2. **Physical Space** – Classroom sizes, specialized facilities, and overall building capacity.
3. **Budgetary Constraints** – Funding allocations impacting staffing, resources, and infrastructure.
4. **Enrollment Trends** – Current enrollment, enrollment projections, and community residential expansion.
5. **Program-Specific Limits** – Desired caps for courses, programs, class levels, and co-curricular activities.
6. **Specialized Needs** – Accommodations for students requiring additional support.
7. **Operational Factors** – Transportation, scheduling, and technology resources.
8. **Capacity to Accommodate Non-Resident/Tuition Students** - Including flexibility for unforeseen enrollment of resident students or students with an option of enrollment under tuition agreements.
9. **Recommendations** – Strategies for addressing capacity challenges and maintaining quality education.

The Superintendent shall ensure the recommendation is data-driven, includes historical comparisons, considers and outlines actionable recommendations for resource allocation and program planning. The recommendation need not itemize every class/program/activity, but can group them as the Superintendent deems appropriate. The Superintendent may include commentary or analysis of possible revenue and/or program improvement opportunities.

EFA-participating students who maintain residency within the geographical boundaries of the Sunapee School District shall be permitted to access and participate in:

1. Regular Education Curriculum Instruction.
2. Co-Curricular Activities (Athletics and Clubs).

Such participation is contingent upon the full and timely remittance of the prescribed participation fees, as detailed in Section B and Section C of this Policy.

C. Fees for Regular Education Curriculum Instruction

Participation in regular education classes requires the payment of a pro-rata fee calculated as follows:

1. Basis for Calculation: The fundamental unit cost shall be derived from the prior fiscal year's calculated cost per pupil, as determined by the New Hampshire Department of Education (NHED).
2. Proportional Allocation: The annual cost per pupil shall be allocated proportionally based on the total number of instructional blocks (or equivalent scheduled periods) provided at the respective grade level.
 - a. Formula for Curriculum Fee i.e. (previous year's cost per pupil divided seven (7) will equal the cost per class).
3. Scheduling Constraints: Participation is strictly limited to the designated, existing, and regularly scheduled instructional times for the selected class. Courses that are not scheduled on a daily basis shall have their fee further adjusted by dividing the per-block rate by the total number of instructional days on which the course is scheduled to occur.
4. No supplementary or additional instructional times shall be scheduled, nor shall the existing master schedule be altered to accommodate EFA participants.

D. Fees for Co-Curricular Activities

Participation in co-curricular activities requires the payment of a fee calculated to represent a fair, pro-rata share of the associated program expenditures from the prior fiscal year.

1. Co-Curricular Athletic Activities Calculation: The fee shall be determined using the total funds approved and appropriated for Athletic Totals (Sunapee School District Accounting Code 1420) in the previous fiscal year's budget.
2. Proportional Allocation: The total approved funds shall be divided sequentially by: (i) the total number of distinct athletic teams offered in the prior year, and (ii) the total number of individual students who participated in athletic activities in the prior year.
 - a. Formula for Sports Fee i.e. (previous year's approved (1420 total) divided by the number of teams then divided by the number of student athletes that year will equal the cost per class)
3. Co-Curricular Athletic Activities Scheduling Constraints: Access is limited to the designated, existing, and regularly scheduled practice and event times. No additional activity times shall be scheduled.
4. Co-Curricular Club Activities Calculation: The fee shall be determined using the total funds approved and appropriated for Co-Curricular Totals (Sunapee School District Accounting Code 1410) in the previous fiscal year's budget.
5. Proportional Allocation: The total approved funds shall be divided sequentially by: (i) the total number of distinct clubs offered in the prior year, and (ii) the total number of individual students who participated in club activities in the prior year.
 - a. Formula for Club Fee: i.e. (previous year's approved (1410 total) divided by the number of clubs then divided by the number of student participants that will equal the cost per class).
6. Co-Curricular Club Activities Club Scheduling Constraints: Access is limited to the designated, existing, and regularly scheduled meeting times. No additional activity times shall be scheduled.

1st Reading: 1/7/2026

2nd Reading/Approval: 2/4/2026

ENROLLMENT & ENROLLMENT CAPACITIES – ANNUAL SCHOOL, PROGRAM, CLASS and ACTIVITIES CAPACITY LIMITATIONS

Establishing school, program and class capacities annually as a means for districts and boards to respond to the rapidly changing landscape relative to enrollment options and requirements. Multiple existing statutes require enrollment/placement/assignment of students in ways that were not common even 10 years ago. Recently proposed legislation would expand those situations even further, and some allow/would allow a school or district to reject participation only if the school/program does not have the ability/capacity to accommodate the student. When determining capacity, districts would want to consider multiple factors, such as:

1. **Personnel Limitations** – Availability of qualified educators and support staff.
2. **Physical Space** – Classroom sizes, specialized facilities, and overall building capacity.
3. **Budgetary Constraints** – Funding allocations impacting staffing, resources, and infrastructure.
4. **Enrollment Trends** – Current enrollment, enrollment projections, and community residential expansion
5. **Program-Specific Limits** – Desired caps for courses, programs, class levels, and co-curricular activities.
6. **Student-Educator Ratios** – District and state standards. Class size Policy IIB
7. **Specialized Needs** – Accommodations for students requiring additional support.
8. **Operational Factors** – Transportation, scheduling, and technology resources.
9. **Capacity to Accommodate Non-Resident/Tuition Students** - Including flexibility for unforeseen enrollment of resident students or students with an option of enrollment under tuition agreements.
10. **Recommendations** – Strategies for addressing capacity challenges and maintaining quality education.

1ST Reading: 1/7/2026

2nd Reading/Approval: 2/4/2026

BULLYING PREVENTION – PUPIL SAFETY & VIOLENCE PREVENTION

A. Purpose and Intent. The [School District Name] is committed to providing a safe and respectful learning environment for all students. Through education, prevention, and consistent enforcement, we aim to eliminate bullying and promote positive peer relationships for all of our students.

- 1. Prohibition of Bullying or Cyberbullying of a Student - RSA 193-F:4, II(a). This policy is intended to comply with and implement RSA 193-F. Bullying, in any form—whether physical, verbal, social, or cyber—is strictly prohibited and will not be tolerated. This policy defines bullying and related conduct, and establishes clear procedures for reporting, investigating, and responding to incidents.
- 2. Protection of all School Aged Children - RSA 193-F:4, II(c). This policy shall apply to all students and school-aged persons on school district grounds and participating in school district functions, whether or not such school-aged person is a student within the District and regardless of status.
- 3. Prohibition of Retaliation and False Accusations - RSA 193-F:4, II(b). This policy prohibits retaliation or false threats against a victim, witness, or anyone else who, in good faith, provides information about an act of bullying or cyberbullying.

B. Definitions - (RSA 193-F:3).

- 1. "Bullying" means a single significant incident or a pattern of incidents involving a written, verbal, or electronic communication, or a physical act or gesture, or any combination thereof, directed at any student which:

Bullying shall also mean and include actions motivated by an imbalance of power based on a student’s actual or perceived personal characteristics, behaviors, or beliefs, or motivated by the student’s association with another person and based on the other person’s characteristics, behaviors, or beliefs.

As used throughout this or other Board policies, and unless the context indicates otherwise, the term "bullying" as used in this policy will include cyberbullying.

Bullying prohibited and covered by this policy includes any action or communication described above that

- a. Physically harms a student or damages the student’s property;
 - b. Causes emotional distress to a student;
 - c. Interferes with a student’s educational opportunities;
 - d. Creates a hostile educational environment; or
 - e. Substantially disrupts the orderly operation of the school.
 - f. occurs on, is delivered to, school property or a school-sponsored activity or event on or off school property; or
 - g. Occurs off of school property or outside a school-sponsored activity or event, if the conduct interferes with a student's educational opportunities or substantially disrupts the orderly operations of the school or any school-sponsored activity or event.
- 2. "Cyberbullying" means conduct defined above as bullying committed or undertaken through the use of electronic devices. Unless the context indicates otherwise, the term "bullying" as used in this policy will include acts of cyberbullying.

3. "Electronic devices" includes, but is not limited to, telephones, cellular or smartphones, computers, pagers, or any other device which is used for or can transmit: voice calls or messages; electronic mail; text/instant or other verbal messaging; images or videos; and websites.
4. "Parent" means a person who has legal custody of a minor child as a natural or adoptive parent, as a legal guardian, or who is functioning in a parental role if the actual parent or guardian is absent from the child's daily life. Additionally, "parent" may include students who have been emancipated, either by age or legal process. The term "parent", shall not, however, include a parent as to whom the parent-child relationship has been terminated by judicial decree or voluntary relinquishment.
5. "Perpetrator" means a student who engages in bullying or cyberbullying.
6. "Principal" shall mean and include the building Principal or other senior building administrator of a school, as well as any qualified person appointed by the Principal to carry out all or some Principal functions as described in this policy.
7. "Retaliation" means and includes such conduct as intimidation, threats, coercion, harassment, or discrimination in response to (or an effort to prevent) a victim, witness or other person, who in good faith provides information about an act or conduct that the person providing the information believes is bullying or cyberbullying.
8. "School property" means all real property and all physical plant and equipment used for school purposes, including public or private school buses or vans.
9. "Staff" means and includes all district, school or SAU employees, or other volunteers who are regularly on school property, or who have significant contact with students, and any employees of a company under contract to the District or SAU and who have significant contact with students.
10. "Student" shall have the same meaning as "pupil" as used in RSA 193-F and this or any other Board policy.
11. "Superintendent" means the Superintendent (Senior Education Official) or other person designated by the Superintendent to carry out all or some Superintendent functions as described in this policy.
12. "Victim" means a student against whom bullying or cyberbullying has been perpetrated.

C. Retaliation - RSA 193-F:4, II(b). Retaliation or false accusations related to bullying or cyberbullying shall be deemed a violation of this policy. Upon receiving any report of bullying or cyberbullying, the Principal will immediately assess the need to develop a plan or take steps to protect the alleged victim or any witnesses against retaliation. The same assessment shall be made at any point upon a report of retaliation or false accusations made during or after a bullying/cyberbullying investigation.

Reports of retaliation or false accusations relating to a bullying/cyberbullying report may be made in the same manner as for reports of bullying/cyberbullying as provided in this policy.

Investigations and responses (i.e., interventions, supportive measures, disciplinary consequences) to reports of retaliation or false accusations may be made as provided in the same manner as provided in Sections E-H for reports or incidents of bullying/cyberbullying, or in accordance with procedures and provisions outlined in the student handbook.

D. Procedures for Reporting Bullying, Cyberbullying, Retaliation or False Accusations - RSA 193-F:4, II(f). At each school, the Principal is responsible for receiving reports or complaints of bullying or cyberbullying.

1. Student Reporting. Any student who believes he or she has been the victim of bullying/cyberbullying, retaliation, or false accusations should report the alleged acts immediately to the Principal, or to a school district employee or volunteer that the student feels more comfortable making the report.
2. Staff Reporting. Any school employee or volunteer who receives a report of, witnesses, or has knowledge or belief that bullying/cyberbullying or retaliation may have occurred shall inform the Principal as soon as possible, but no later than the end of that school day.
3. Parent Reporting. Parents and other adults are also encouraged to report any concerns about possible bullying/cyberbullying or retaliation of students to the Principal.
4. Report Forms. The administration may develop student reporting forms to assist students and staff in filing such reports. An investigation shall still proceed even if a student is reluctant to fill out the designated form and chooses not to do so.
5. Anonymous Reports. The Principal may develop a system or method for receiving anonymous reports of bullying within the building. Although students, parents, volunteers, and visitors may report anonymously, an investigation based upon such reports may by necessity be incomplete. More significantly, formal disciplinary action may not be based solely on an anonymous report, and, likewise, other remedial or supportive measures may require some form of evidentiary verification.

E. Actions Upon Receipt of Report of Bullying or Cyberbullying.

1. Receipt of Report. Upon receipt of a report of bullying, the Principal shall commence an investigation consistent with the provisions of Section F of this policy, shall assess
 - a. the need for a plan to protect students against retaliation,
 - b. whether the conduct may be construed as illegal discrimination or harassment related to a protected class as set forth in Board Policy AC (The Principal shall confer with the District staff member(s) charged with handling such discrimination or harassment to determine how to proceed (e.g., parallel or combined investigations)); and
 - c. whether such conduct constitutes a safe schools violation requiring a report pursuant to RSA 193D:4 and Ed 317.05.
2. Parental Notice of Bullying Report — RSA 193-F:4, II(h). Within 48 hours of receiving a report of bullying, the Principal will notify the parents of any student reported as a victim of bullying, as well as the parents of any student who has been reported as a perpetrator of bullying. Such notification may be made by telephone, writing, or personal conference. The date, time, method, and location (if applicable) of such notification and communication shall be included in the investigative report. Notifications shall be consistent with the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA) relative to the student privacy rights of each student indicated in the report.

The Principal may request of the Superintendent's designee a waiver of the parental notification requirement, which may be granted only if the Superintendent deems such a waiver to be in the best interest of either the alleged victim or the alleged perpetrator. Details of any request for a waiver and any grant of such request will be included in the investigative report.

F. Investigative Procedures - RSA 193-F:4, II(j).

1. Upon receipt of a report of bullying, the Principal shall, within 5 school days, initiate an investigation into the alleged act. If the Principal is directly and personally involved with a complaint or is closely related to a party to the complaint, then the Superintendent shall direct another district employee to conduct the investigation.
2. The investigation should include documented interviews with the alleged victim, alleged perpetrator and any witnesses. All interviews shall be conducted privately, and shall be confidential to the extent permitted by law. Each individual will be interviewed separately and at no time will the alleged victim and perpetrator be interviewed together during the investigation.
3. The investigation should include review of any available surveillance recordings subject to the provisions of Board policies EEAA.
4. If the alleged bullying was in whole or in part cyberbullying, the Principal may ask students and/or parents to provide the District with printed copies of e-mails, text messages, website pages, or other similar electronic communications, consistent with Board policy and RSA 189:6. The Principal may not, however, require or request a student to disclose or to provide access to a personal social media account through the student's user credentials.
5. Factors the Principal or other investigator may consider all relevant facts and circumstances during the course of the investigation, including but not limited to:
 - a. Description of incident, including the nature of the behavior;
 - b. How often the conduct occurred;
 - c. Whether there were past incidents or past continuing patterns of behavior;
 - d. The characteristics of parties involved, (name, grade, age, etc.);
 - e. The identity and number of individuals who participated in bullying behavior;
 - f. Where the alleged incident(s) occurred;
 - g. Whether the conduct adversely affected any student's education or educational environment;
 - h. Whether the alleged victim felt or perceived an imbalance or power as a result of the reported incident;
 - i. Whether the conduct violated any District or school policies or rules; and
 - j. The date, time and method by which parents or legal guardians of all parties involved were first contacted.
6. The Principal shall complete the investigation within 10 school days of receiving the initial report. If the Principal needs more than 10 school days to complete the investigation, the Superintendent may grant an extension of up to 7 school days. In the event such extension is granted, the Principal shall notify in writing all parties involved of the granting of the extension.

Without limiting what might constitute sufficient cause for an extension under this paragraph, the Superintendent may consider the interests of the victim or alleged perpetrator related to any Investigation into some or all of the same alleged conduct which other investigation includes procedures and timelines mandated by a regulation or statute other than RSA 193-F (e.g., Title IX, criminal investigations, etc.).

G. Completion of Investigation and Report.

1. Investigative Determination and Report. Whether a particular action or incident constitutes bullying/cyberbullying, retaliation or other violation of this policy – requires review and consideration of available evidence of all facts and surrounding circumstances. The investigative determination, along with a summary of the investigation, shall be included in a comprehensive report. If the determination is that the bullying allegation is substantiated, the report shall include provisions describing any disciplinary consequences, interventions, supportive measures or other assistance for the victim or perpetrator, and, when indicated, any steps appropriate to protect all students from retaliation of any kind. The report may also include policy, training or other recommendations for preventing future bullying conduct within the school.
2. Communication with Students and Parents Upon Completion of Investigation - RSA 193-F:4, II(m).
 - a. The Principal will meet promptly with each student directly involved in the incident(s) and communicate the general investigative determination as to whether the allegations of bullying/cyberbullying were substantiated, and any initial consequences or interventions appropriate to the determination.
 - b. Within 10 school days, the Principal will notify the parents of the alleged victim and of the alleged perpetrator regarding the school's remedies and assistance, within the boundaries of applicable state and federal law. The initial communication may be in writing, in person or by telephone, but if verbally, the Principal will also send a letter confirming earlier determination to the parents within 2 school days confirming the earlier notification.
 - c. If the parents request, the Principal shall schedule a meeting with them to further explain the investigative determination.
 - d. In accordance with the Family Educational Rights and Privacy Act and other laws concerning student privacy, the District will not disclose educational records of students, including the discipline and remedial action assigned to those students and the parents of other students involved in a bullying incident.
3. Appeals. A parent aggrieved by the investigative determination of the Principal may appeal the determination to the Superintendent
4. Additional Reporting Requirements.
 - a. Reporting Substantiated Incidents - RSA 193-F:4, II(l). The Principal shall forward all substantiated reports of bullying to the Superintendent upon completion of the Principal's investigation.
 - b. Department of Education Reports - RSA 193-F:4, II(g). The Principal shall be responsible for completing such reports/forms as required by the New Hampshire Department of Education (NHED) for all substantiated incidents of bullying. Irrespective of the time/date a form/report is due to be filed with NHED, the report/form or the information required for the report/form shall be completed/compiled within 10 school days following an investigative finding of a substantiated bullying/cyberbullying report. The Principal or designee shall retain a copy and shall forward one copy to the Superintendent. Hard copies are not necessary if the digital form/data is retained and accessible to both the building administration and SAU.

- c. Reporting to NH Department of Education - RSA 193-F:6, I. The Superintendent shall annually report the District's substantiated incidents of bullying to the New Hampshire Department of Education. Pursuant to FERPA, such reports shall not contain any personally identifiable information pertaining to any student.

H. Substantiated Instances of Bullying or Retaliation: Interventions, Remedial Measures and Disciplinary Consequences — RSA 193-F:4, II(k).

While students who have been found to have committed an act of bullying/cyberbullying can face disciplinary consequences, the Board encourages the administration and school district staff to explore alternative or additional measures and interventions to address the substantiated instances of bullying/cyberbullying, and prevent their reoccurrence.

1. Interventions and Other Remedial Measures. Examples of interventions and remedial measures include, but are not limited to:
 - a. Restitution,
 - b. Parent conferences,
 - c. Student counseling,
 - d. Behavior assessment,
 - e. Corrective instruction or other relevant learning experience,
 - f. Peer support group, and
 - g. Mediation (but only after the investigation has been completed).

Interventions and other remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim, and take corrective action for documented systematic problems related to bullying.

2. Disciplinary Consequences - RSA 193-F:4, II(d). Disciplinary consequences for students shall be consistent with the student handbook for the conduct that constituted bullying/cyberbullying. Disciplinary consequences should be varied according to specific circumstances, such as: the nature of the behavior, the developmental age of the student, the student's prior disciplinary history, and performance. Students will be afforded any due process applicable to the level of consequences as provided in Board policy JICD, RSA 193:13 and Ed 317.

Consequences and appropriate remedial actions for a staff member who commits one or more acts of bullying/cyberbullying or retaliation may range from up to and including dismissal from employment for staff members, with additional reports, if appropriate, in accordance with the Code of Conduct for New Hampshire Educators.

I. Dissemination of Policy and Bullying Prevention Education - RSA 193-F:4, II(e) and 193-F:5.

1. Staff and Volunteers. All staff will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (employee handbook, hard copy, website, workshops, etc.). The Superintendent will ensure that all school employees receive annual training on bullying and related Board policies, consistent with RSA 193-F:5.

2. Students. All students will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (student handbook, mailing, hard copy, website, etc.).

Each year, all students will participate in programming that includes anti-bullying/cyberbullying materials presented in age-appropriate language. The materials and information should, among other things, describe expectations for student behavior, emphasize an understanding of what bullying/cyberbullying, harassment and intimidation is and looks like, the District's prohibition of such conduct and the reasons why the conduct is destructive, unacceptable, and how and when the conduct can lead to disciplinary consequences.

The Superintendent, in consultation with staff, will, to the extent reasonably possible, integrate student anti-bullying training and education into the district's curriculum, behavior programs and other violence prevention efforts.

3. Parents. The Superintendent will ensure that all parents are annually provided with a copy of this policy or informed in writing where a copy of the policy may be located on the District and/or school's website. Student/family handbooks will include information of the District/school's anti-bullying program, as well as the means for students to report bullying acts either experienced or witnessed, and how parents, themselves, may inform/report to the school when they believe their child is being bullied or is bullying other students, and encourage their children to report bullying when it occurs.
4. Additional Notice and School District Programs. The Board may, from time to time, host or schedule public forums in which it will address this anti-bullying policy, discuss bullying in the schools, and consult with a variety of individuals, including teachers, administrators, guidance counselors, school psychologists and other interested persons.

J. Summary of School Officials' Duties to Implement Policy - RSA 193-F:4, II(n).

The Superintendent, as the person charged with supervision of all employees of the District, is responsible for the implementation of this policy and the provisions of RSA 193-F. The School Principal(s) are expected and required by statute to implement this policy within their respective school buildings and ensure the procedures are followed.

Consistent with this Policy, the Principal(s) shall receive reports of alleged bullying or retaliation, investigate the alleged conduct, and communicate with the parties involved (including their parents) consistent with privacy laws, and communicate/report to the Superintendent. The Superintendent shall oversee the Principal(s) in their duties relative to this policy and shall ensure each school is compliant with this policy. Additionally, the Superintendent will receive reports of substantiated incidents, review waivers and time extension requests, and communicate with the Principal(s), the School Board, and the NH Department of Education, all as provided in this policy.

K. Immunity and Liability – RSA 193-F:7 & 9.

Under 193-F:7, employees, volunteers, students, parents and any other person covered by this policy will be immune from civil liability for **good faith** conduct arising from or pertaining to the reporting, investigation, findings, recommended response, or implementation of a recommended response under this policy or RSA 193-F. (Note – civil liability could arise, (including for attorneys fees) in the event of gross negligence or willful misconduct for violations of this policy.)

1st Reading: 1/7/2026

2nd Reading/Approval: 2/4/2026