

Policies for Review - 1st Reading

November 2, 2020

EBCF - Pandemic & Epidemic Emergencies

EBCG - Communicable & Infectious Diseases

DGA - Authorized Signatures

DK - Payments, Checks & Manifest

EHAC - Electronic/Digital Records & Signatures

GCCBC - Family and Medical Leave Act

EEBA - School Owned Vehicles

NHSBA Sample Policy EBCF. We do not have this policy.

9-16-2020 Policy Committee

10-5-2020 School Board – first reading

10-7-2020 Sent to GEA

11-2-2020 School Board – first reading

PANDEMIC/EPIDEMIC EMERGENCIES

The Board recognizes that a pandemic/epidemic is a serious threat that stands to affect students, staff, and the community as a whole. The Board establishes this policy in the event the town/ municipality and/or school district is affected by a pandemic or epidemic. At all times the health, safety and welfare of the students and staff shall be the first priority. The District shall follow the advice and recommendations in the State of New Hampshire's Influenza Pandemic Public Health Preparedness & Response Plan, as prepared by the Dept. of Health & Human Services.

Planning and Coordination

Planning for a pandemic requires a multi-faceted effort, and school preparedness should include input from a team of individuals to address their specific areas of expertise.

The Superintendent shall designate one or more employees to serve as a liaison between the school district and local and State health officials. This designee is responsible for communicating with health officials to identify local hazards, determine what crisis plans exist in the school district and community, and to establish procedures to account for student well being and safety during such a crisis. The designee shall work with local health officials to coordinate their pandemic/epidemic plans with that of the school district. The Board encourages the designee to become a member of the Health Alert Network through the New Hampshire Department of Health & Human Services.

The principal and/or school nurse or other designee shall develop a curriculum component to health classes that is designed to teach students about preventing or limiting the spread of communicable diseases.

With fiscal concerns in mind, the district may purchase and store supplies necessary for an epidemic/pandemic response, including but not limited to disinfectant products, face masks, water, examination gloves, and other supplies as recommended by the school nurse.

The Superintendent shall develop procedures and plans for the transportation of students in the event students are released from school early.

Response

In the event anyone within the school is discovered or suspected to have a communicable disease that may result in transmission to other students, faculty, or staff, that person shall be immediately isolated pending further medical examination. The New Hampshire Communicable Disease Control Section of the Department of Health and Human Services shall be notified immediately.

Infection Control

Any student or staff member found to be infected with a communicable disease that may bear risk of transmission will be excluded from school until that individual's primary care physician or other medical personnel indicating that the individual does not bear the risk of transmitting the

communicable disease provide medical clearance.

Students with excessive absences due to a communicable disease may be given a reprieve from other Board policies relative to excessive student absences. Efforts will be made by the staff to determine what, if any, schoolwork the student can complete while absent.

Staff members who are forced to miss excessive days of work shall first use any leave entitled to them through the Family and Medical Leave Act and/or accrued sick leave. If a staff member has still not received medical clearance to resume his/her work duties, absences in excess of a staff member's allotted leave will not affect the employees right to continued employment.

Continuance of Education

The Superintendent will develop a plan of alternate means of educating students in the event of prolonged school closings and/or extended absences. Such a plan may include providing students with assignments virtually, via mail, local access cable television, or the school district's website.

With approval from the School Board, the Superintendent is authorized to amend the traditional class schedule and schedule of days. Such a plan may include extending the school day, having school days held on Saturdays, the use of previously scheduled vacation days, and/or extend the school year beyond the previously established end of school year.

Legal References:

*Influenza Pandemic Public Health Preparedness & Response Plan, New Hampshire
Department of Health & Human Services, Updated March 2, 2006,
www.dhhs.nh.gov/DHHS/CDCS/LIBRARY/Policy-Guideline/dphs-influenza-plan.htm*

New Hampshire School Boards Association - Sample Policy EBCG. We do not have this policy.
9-16-2020 Policy Committee
10-5-2020 School Board – first reading
10-13-2020 Policy Committee
11-2-2020 School Board – first reading

COMMUNICABLE & INFECTIOUS DISEASES

Category: *Recommended*

Related Policies: *EBCF, GBGA, IHAM, JLCA, JLCB & JLCG*

ADOPTION NOTES –

This text box, and all highlights within the policy should be removed prior to adoption.

- (a) Sample policy ALA is a new policy intended to address responses to a broad class of communicable diseases, and replaces former identical sample policies JLCA/GBGA/IHAMC, which addressed only HIV/AIDS. This policy will overlap but extend further than current sample EBCF which is more specific to larger scale pandemic/epidemic emergencies.*
- (b) General – As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption to assure suitability with the district’s own specific circumstances, internal coding system, current policies, and organizational structures. Highlighted language or blank, underscored spaces indicate areas which Boards must change/complete to reflect local personnel titles, policy references, duty assignments etc.*
- (c) {**} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.*

A. POLICY:

Students and employees of the District are expected to attend the schools of the district without being infected with serious communicable diseases. Nonetheless, the Board recognizes that staff, students, volunteers and others may come in contact with bloodborne pathogens, viruses and other communicable diseases during the school day or school sponsored activities, or may carry those pathogens, viruses and diseases unknowingly into the school community. The Board adopts this policy as a means to minimize risk and respond to these health concerns while respecting the rights of all students and employees, including those who are so infected.

As described in Board policy {**}JLCG, RSA 200:39 permits the exclusion from school of students who exhibit symptoms of contagion, or are a hazard to him/herself or others. As provided in this policy, determinations as to inclusion or exclusion of students or employees with communicable diseases from school will take into account the educational implications for the student and others with whom he or she comes into contact, recommendations from the New Hampshire Department of Health and Human Services (“NHDHHS”), the New Hampshire Department of Education, and the United States Public Health Services Centers for Disease Control (“CDC”). Diseases which will implicate this policy, include, but are not necessarily limited to, HSV related diseases such as Chickenpox, Shingles, Hepatitis B, and Infectious Mononucleosis, Acquired Immune Deficiency Syndrome (AIDS), Cytomegalovirus (CMV), or Herpes Simplex Virus (HSV), and other diseases which are from time-to-time identified by public health agencies such as the CDC and NHDHHS.

COMMUNICABLE & INFECTIOUS DISEASES

Any student or staff member found to be infected with a communicable disease that may bears risk of transmission will be excluded from school until that individual's primary care physician or other medical personnel indicating that the individual does not bear the risk of transmitting the communicable disease provide medical clearance.

1. Students.

It is the policy of the District that students with communicable diseases should not be excluded from attending school in their regular classrooms so long as their attendance results in a situation where the risk of transmission of illness to students or employees of the School District, or hazard to themselves, is negligible. All decisions regarding inclusion or exclusion shall be made consistent with this section and the procedures set forth in section B of this policy. **There shall be no discrimination against a student infected with a communicable disease.**

2. Employees.

It is the policy of the School Board that employees (which for the purposes of this policy will include individual consultants/contractors, and volunteers) with communicable diseases not be excluded from attending to their customary employment and duties so long as they are physically able to perform tasks assigned to them and so long as their employment results in a situation where the risk of transmission of illness to students or other employees of the District, or hazard to themselves, is negligible. **There shall be no discrimination in employment against a person infected with a communicable disease.**

3. Special Circumstances and Conditions.

The School Board recognizes that some students or employees, because of age, disability or other special conditions, may pose greater risks for the transmission of communicable diseases than other persons infected with the same illness. Examples include children who display biting behavior and students and employees who are unable to control their body fluids or have uncovered wounds. These conditions need to be taken into account and considered in assessing the risk of transmission of the disease and the resulting effect upon the educational program of the student or employment of the employee.

In the instance of diseases causing suppressed immunity, attendance may be denied to a child with suppressed immunity in order to protect the welfare of the child with suppressed immunity when others in the school have an infectious disease which, although not normally life threatening, could be life threatening to the child with suppressed immunity.

B. PROCEDURES WHEN COMMUNICABLE DISEASE IS SUSPECTED:

9-16-2020 Policy Committee

10-5-2020 School Board – first reading

10-13-2020 Policy Committee

11-2-2020 School Board – first reading

COMMUNICABLE & INFECTIOUS DISEASES

1. **Reporting.** School District employees, including contracted individuals and/or agencies who are performing contracted responsibilities for the School District, and who become aware of a communicable disease or other potentially serious health problem regarding themselves, or of students or other employees, unless prohibited by statutory confidentiality, they will report it to the school nurse, or building Principal/designee.
2. **Response.** The health risk to others in the school district environment from the presence of a student or employee with a communicable disease shall be determined on a case-by-case basis. In all cases in which the school nurse, or other person designated by the Superintendent, becomes aware that a student or employee of the School District has contracted a communicable disease of the kind in section A of this policy, s/he will take the following steps:
 - a. The parent/guardian(s) of a student will be contacted in order to discuss the situation and determine whatever facts are available; the same information will be communicated promptly among the Superintendent/designee, school nurse and Principal/designee.
 - b. Upon receiving written consent from the parent(s) or guardian of a student or, in the case of an employee, the employee or his/her health care agent (i.e., adult to whom authority to make health care decisions is delegated under an advance directive meeting the requirements of RSA 137-J:20), the school nurse/Superintendent's designee will attempt to confer with the treating physician, if any, in order to determine any significant medical facts concerning the diagnosis of the disease or factors affecting the possible transmission of the disease.
 - c. Notify and consult with the health care professionals knowledgeable about the particular disease. Following such consultation, the school nurse, Superintendent or his/her designee, shall determine the immediate, short-term action to be taken relative to educational placement of the student or work assignment for the employee.
 - d. When a communicable disease of the kind identified in section A of this policy is suspected or confirmed in an individual, the school nurse shall consult with the Superintendent or designee and appropriate public health officials, to determine whether a student or employee shall be excluded from school or from attending to their customary employment, and whether additional measures are required to protect other members of the school population. Factors specific to individuals, such as biting behaviors, lack of control of body fluids, existence of uncovered wounds or other medically identifiable conditions may also be considered. Recommendations regarding the least restrictive educational placement for a

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student or continued attendance at work for an employee may be sought on a case by case basis.

In addition to the information obtained in steps a-c, decisions to exclude shall consider criteria from NHDHHS Bureau of Infectious Disease included in its publication *“When Children Should be Excluded or Dismissed from a Childcare Setting”*, or the American Academy of Pediatrics’ *“Red Book: Report of the Committee on Infectious Diseases”*, or other general or specific guidance from the NHDHHS or the United States Centers for Disease Control.

- i. Decisions regarding students. Unless the school nurse is unavailable, the ultimate decision to exclude a child from school under this Policy due to a contagious or communicable illness shall be made by the school nurse after consulting with the Superintendent/designee and Principal/designee.

If the school nurse is unavailable, a decision to exclude shall be made by the Superintendent/designee.

If the student is a student with an IEP, 504 plan, or other such individualized learning plan, then decisions regarding alternative settings shall be made according to the applicable laws, regulations and policies.

Students who are aggrieved by the education plan determinations may appeal said determinations pursuant to state and federal special education law if the infected student is eligible for or claims that s/he is eligible for special education or special education and related services. Excluded students who do not claim that they are eligible for special education or special education and related services, but who are aggrieved by the Superintendent's determinations, may appeal said determinations to the Board.

- ii. Decisions regarding employees. Determinations regarding exclusion or reassignment of employees shall be made by the Superintendent/designee. Absent significant risk to the employee or risk of transmission to students or other employees, the Superintendent shall not alter the job assignment of the infected person. Volunteers are subject to any directives issued by the administration, as are contractors and consultants, subject to the terms of their respective agreements.

If the Superintendent/designee, after taking the steps above, determines that there is a medically recognized risk of transmission of disease in the School setting or that a significant health problem restricts the infected

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person's ability to work, or presents a substantial hazard to the employee, the Superintendent/designee shall, if necessary, develop an individually tailored plan to accommodate the staff member if possible. Additional persons may be consulted if necessary for gaining additional information, but the infected person must approve of the notification of any additional persons who are informed of the infected person's identity. The Superintendent/designee may consult with legal counsel to ensure that any official action is consistent with state and federal law. If an individually tailored plan is necessary, said plan should be medically, legally, educationally and ethically sound.

- iii. Testing, Social Distancing and Other Extraordinary Measures. Some infectious diseases, viruses, etc., may be so dangerous and or the risk of casual transmission so great, that effective response will require broader measures. Based upon specific recommendations of local, state and/or federal health authorities, the Superintendent is authorized to implement such additional, extraordinary emergency measures as may be necessary and appropriate to address the health risk: e.g., school closure, population exclusion (stay-at-home type instructions), mandatory screenings, mandatory use of personal protective equipment (PPE's), social distancing orders, administrative leaves or temporary adjustments in duties. These provisions are intended to complement, not replace any provisions of Board policy{**}Pandemic/Epidemic Emergencies. Such measures ~~should~~ **shall** be taken with prior notice to the Board, if practicable, or as soon as possible thereafter. The Board Chair or Superintendent ~~may~~ **shall determine that the circumstances, or the measures implemented by the Superintendent, warrant a special or promptly schedule** a special or emergency meeting of the School Board.

3. Practices to Minimize Contamination in Schools.

Good hygiene practices as recommended by local, county and state health authorities are to be followed at all times when handling blood or other body fluids of any student or employee. Parents and employees are not generally required to advise the school if their child has a communicable disease. (Some exception may exist under specific legislation or Executive/emergency orders, in which, such legislation or Executive orders shall supersede this policy to the extent necessary to remove any conflict.) Because the District may not rely on self-reporting, it is appropriate to adopt procedures for the handling of body fluids from any child or employee. This also eliminates the need to notify all maintenance, transportation and building personnel if the District becomes aware of a student or employee with communicable diseases. It is recommended the following procedures be used on a routine

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basis when blood or any other body fluids including vomitus and fecal or urinary incontinence are involved.

- a. Gloves should be worn when cleaning up any body fluids.
- b. Spills should be cleaned up, the affected area washed with soap and water and disinfected with bleach (one part bleach to ten parts water), or another disinfectant.
- c. All disposable materials, including gloves and diapers, should be discarded into a plastic bag before discarding in a conventional trash system. The mop should also be disinfected with the bleach solution described in B above.
- d. Toys and other personal non-disposable items should be cleaned with soap and water followed by disinfection with the bleach solution before passing to another person. A normal laundry cycle is adequate for other non-disposable items.
- e. Persons involved in the clean-up should wash their hands afterward.

Additional precautions may be recommended or required in certain instances (e.g., social distancing, masks, etc.).

4. **Confidentiality and Data Privacy.**

Public concern regarding communicable diseases is neither an excuse nor defense for the violation of data privacy rights of students or employees who have or are rumored to have such illnesses.

- A. Personally identifiable health information regarding students is private data and is not to be disseminated to the public or to staff without the strict observance of student privacy rights.
- B. Personally identifiable health data and information regarding employees is private data and may not be released to the public nor to fellow employees without strict observance of privacy rights of public employees.
- C. Parents of other children attending the school, or other school employees, may only be notified of a possible exposure to a communicable disease to the extent permitted, or required, under applicable law, regulations or Executive order. In general, such information will not identify the particular student or employee who has the disease.
- D. Any District employee who violates the confidentiality provisions of this policy shall be subject to discipline. A confidentiality breached by an independent contractor/consultant, could result in termination of the contract for cause.

COMMUNICABLE & INFECTIOUS DISEASES

5. Staff and Student Education.

The School Board recognizes that the education of its residents, staff, and students regarding the risks involved in the spread of infectious diseases in the school setting will help to minimize the risk of transmission to other students and employees while protecting the rights of infected students and employees.

- A. All school district employees should receive instruction regarding appropriate hygienic practices for use in school settings, precautions to be employed where contagious diseases may be encountered and community resources for referral and information.
- B. Any information provided as part of a student’s instruction pertaining to sexually transmitted diseases shall comply with Board policy {**}IHAM.

6. Implementation.

The Superintendent is authorized to implement this policy through procedures, or administrative directives which s/he deems necessary or appropriate.

District Policy History:

First reading: _____

Second reading/adopted: _____

District revision history:

Legal References:

RSA 189:1-a, Duty to Provide Education

RSA 189:31, Removal of Teacher

RSA 186-C, Special Education

RSA 193:1, Duty of Parent; Compulsory Attendance by Pupil

RSA 193:3, Change of School or Assignment, Manifest Educational Hardship or Best Interest, Excusing Attendance

RSA 200:32, Physical Examination of Student

RSA 200:36, Medical Examination of School Personnel

RSA 200:39, Exclusion from School

NHDHHS Bureau of Infectious Disease’s: “When Children Should be Excluded or Dismissed from a Childcare Setting.” may be found at:

<https://www.dhhs.nh.gov/dphs/cdcs/documents/childrendismissed.pdf>

Legal References Disclaimer: These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

New Hampshire School Boards Association - Sample Policy EBCG. We do not have this policy.
9-16-2020 Policy Committee
10-5-2020 School Board – first reading
10-13-2020 Policy Committee
11-2-2020 School Board – first reading

COMMUNICABLE & INFECTIOUS DISEASES

When adopting this sample or variation of the same, a district should not include the NHSBA history or NHSBA policy notes appearing below. The district should, to the extent possible, include its own adoption/revision history, as well as the legal references and disclaimer as indicated above.

NHSBA history: New policy – July 2020

NHSBA revision notes, July 2020, Sample policy EBCG replaces former identical sample policies JLCAA/GBGAA/IHAMC, which addressed only HIV/AIDS. The new policy is intended to apply to communicable diseases generally. This policy will overlap but extend further than current sample EBCF which is more specific to larger scale pandemic/epidemic emergencies.

w/p-update/2020/spring//JLCGA Communicable & Infectious Diseases (d1) 2020-U1

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New Hampshire School Boards Association Sample Policy DGA. We do not have this policy. It is required by law.

10-13-2020 Policy Committee

11-2-2020 School Board – first reading

AUTHORIZED SIGNATURES

Category: Priority/Required by Law

ADOPTION NOTES –

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- (b) {**} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.*
- (c) Withdrawn and earlier versions of revised policies should be maintained separately as part of the permanent records of the District.*

The Superintendent is directed to create internal controls to ensure that contracts, checks and other official documents are accurate, authorized and signed by the appropriate persons and that necessary actions are taken to prevent mistakes, fraud, embezzlement and District liability, and to comply with applicable state or federal laws and regulations.

In general, the Superintendent or his/her designee may sign documents on behalf of the District or the Board. When a signature of one Board member is required, the Chair, or in his/her absence, the Vice Chair, is authorized to sign on behalf of the Board. Other District personnel and District officials (e.g., Treasurer, school nurses, etc.) are authorized to sign documents or instruments on behalf of the District or School Board as required by any statute, regulation, or Board policy or as directed by the Superintendent.

Execution of a document on behalf of the District or the Board is indication by the person so signing that the document is accurate, has been adequately approved by the Board or other District personnel as appropriate and necessary, and is in the best interest of the District.

Electronic signatures may be used if in accordance with Board Policy EHAC.

Legal References:

New Hampshire School Boards Association Sample Policy DGA. We do not have this policy. It is required by law.

10-13-2020 Policy Committee

11-2-2020 School Board – first reading

AUTHORIZED SIGNATURES

RSA 197:23-a, Treasurer’s Duties

RSA 294-E, Uniform Electronic Transfers Act

***Legal References Disclaimer:** These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

above.

NHSBA history: Revised - June 2020, March 2004, November 1999, and July 1998.

NHSBA revision notes, June 2020, NHSBA revised sample policy DGA generally to give more structure to who should be signing documents on behalf of the district, to more clearly reflect the provisions of RSA 197:23-a, and to recognize the use of electronic signatures and pre-approval of payments.

w/p-update/2020/spring//DGA Authorized Signatures 2020 (d2)

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New Hampshire School Boards Association Sample Policy DK. This policy is required by law. We do not have this policy.

10-13-2020 Policy Committee

11-2-2020 School Board – first reading

PAYMENTS, CHECKS & MANIFESTS

Category: Priority/Required by Law

ADOPTION INSTRUCTIONS –

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- (a) *General – As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption to assure suitability with the district’s own specific circumstances, internal coding system, current policies, and organizational structures. Highlighted language or blank, underscored spaces indicate areas which Boards must change/complete to reflect local personnel titles, policy references, duty assignments etc.*
- (b) *{**} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.*
- (c) *Withdrawn and earlier versions of revised policies should be maintained separately as part of the permanent records of the District.*

All payments of District funds must be authorized by the District Treasurer. However, pursuant to RSA 197:23-a, the Treasurer shall authorize any payment upon order of a majority of the School Board or upon orders of two or more members of the School Board whom a majority of the Board has empowered to authorize payments.

Moneys drawn on the District’s general fund or any special fund (with the exception of an activity fund) will require the signature of the Treasurer. Request for activity funds will require Dual signatures from the advisor/team leader and the building Principal or Assistant Principal. Principal or Assistant Principal are signors for student activity bank accounts.

All payments or disbursements involving Federal Grant Funds, shall comply with the provisions of Board Policy DAF through DAF-11.

Electronic signatures, including, e.g. computer generated signatures, may only be used as provided under Board policy *EHAC*. Electronic or digital payments may be made after approval or pre-approval by the Board. Payroll related payments are pre-approved by review of the Business Administrator.

Functions of the Treasurer may be carried out in the Treasurer’s absence by a duly appointed Deputy Treasurer or Acting Treasurer.

The Board strictly prohibits any person from signing a blank check, and physical (paper) checks will be pre-numbered.

New Hampshire School Boards Association Sample Policy DK. This policy is required by law. We do not have this policy.

10-13-2020 Policy Committee

11-2-2020 School Board – first reading

PAYMENTS, CHECKS & MANIFESTS

Legal References:

RSA 197:23-a, Treasurer's Duties

RSA 294-E, Uniform Electronic Transfers Act

Legal References Disclaimer: *These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

NHSBA history: Revised – June 2020, March 2004, November 1999, and July 1998.

NHSBA revision notes, June 2020, NHSBA revised and retitled sample policy DK to better align with Board policies relative to authorized signatures and digital signatures (new), with, RSA 197:23-a, and additional general practices regarding protocols for disbursement of District moneys.

w/p-update/2020/spring//DK Payment Procedures 2020 (d1)

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New Hampshire School Boards Association Sample Policy EHAC. We do not have this policy. It is referenced in policy DGA.

10-13-2020 Policy Committee

11-2-2020 School Board – first reading

ELECTRONIC/DIGITAL RECORDS & SIGNATURES

Category: *Recommended*

Statement of Policy.

ADOPTION NOTES –

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- (b) *{**} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.*
- (c) *Withdrawn and earlier versions of revised policies should be maintained separately as part of the permanent records of the District.*

Electronic or digital signatures can take many forms and can be created using many different types of technology. The authenticity and reliability of electronic signatures relating to transactions are dependent on the accompanying processes, supplemental records and the overall context in which records are created, transferred, and signed. The School Board adopts the following policy with respect to the use of electronic records and signatures in connection with its communications with parents, guardians, or other persons having control over a child enrolled in the District.

A. Definitions.

“Attribution” or “Attributable to” – An electronic record or electronic signature is attributable to a person if it was the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any security procedure applied to determine the person to which the electronic record or electronic signature was attributable. The effect of an electronic record or electronic signature attributed to a person under paragraph I is determined from the context and surrounding circumstances at the time of its creation, execution, or adoption, including the parties' agreement, if any, and otherwise as provided by law.

“Digital” – As used in the title or otherwise in this policy is intended to have the same meaning as or as a sub-category of “Electronic”.

"Electronic record"– Means a record created, generated, sent, communicated, received, or stored by electronic means.

ELECTRONIC/DIGITAL RECORDS & SIGNATURES

"Electronic signature"– Means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

"Record"– Means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

B. Applicability.

This policy applies to parents, guardians, and other persons having control or charge of a child enrolled or formerly enrolled in the District, eligible students as used in the Family Educational Rights and Privacy Act; and also to individuals affiliated with the District, whether employees or not, paid or unpaid, including but not limited to teachers, administrators, staff, students, affiliates, and volunteers.

C. Acceptance, Use and Issuance of Electronic Records and Signatures.

1. The District may receive and accept as original, electronic records and signatures so long as the communication, on its face, appears to be authentic and is not otherwise precluded by law.
2. The District, through the Superintendent, shall maintain an electronic recordkeeping system that can receive, store, and reproduce electronic records and signatures relating to communications and transactions in their original form. Such system should include security procedures whereby the District can:
 - a) assure signature intent,
 - b) verify the attribution of a signature to a specific individual,
 - c) allow for reliable access and use to those who would have access to the record if in hard copy form for the period required under the District's Data/Records Retention Policy (EHB{**}) and Schedule (EHB-R{**}),
 - d) detect changes or errors in the information contained in a record submitted electronically,
 - e) protect and prevent access, alteration, manipulation or use by an unauthorized person, and
 - f) provide for nonrepudiation through strong and substantial evidence that will make it difficult for the signer to claim that the electronic representation is not valid.

ELECTRONIC/DIGITAL RECORDS & SIGNATURES

3. The Superintendent shall ensure that all electronic records and signatures are capable of being accurately reproduced for later reference, and are retained until such time as all legally mandated retention requirements are satisfied.
4. Any electronic records or electronic signatures technology shall comply with the District's Data Governance and Security Plan.

D. Electronic Records.

Electronic records created or received by the District shall be appropriately attributed to the individual(s) responsible for their creation and/or authorization or approval. The District shall utilize available technology to implement reliable methods for generating and managing electronic records. Any electronic record filed with or issued by the District may be given full force and effect of a paper communication if the following conditions are satisfied:

1. The communication is an electronic filing or recording and the District, through the School Board Chair, or the Superintendent or his/her delegate, agrees to accept or send such communication electronically; and
2. If a signature is required on the record or communication by any statute, rule or other applicable law or School Board policy, the electronic signature must conform to the requirements set forth in this policy governing the use of electronic signature, and any other standards required by applicable law or regulation.

E. Electronic Signatures.

An electronic signature may be used whenever a signature is required, unless there is a specific statute, regulation, or policy that requires records to be signed in non- electronic form. The issuance and/or acceptance of an electronic signature by the District may be permitted in accordance with the provisions of this policy and all applicable state and federal law. If permitted, such electronic signature shall have the full force and effect of a manual signature only if the electronic signature satisfies all of the following requirements:

1. The electronic signature identifies the individual signing the document by his/her name and title;
2. The electronic signature is unique to the signer;
3. The District and the other party have agreed to the use of electronic signatures (need not be a formal agreement);

New Hampshire School Boards Association Sample Policy EHAC. We do not have this policy. It is referenced in policy DGA.

10-13-2020 Policy Committee

11-2-2020 School Board – first reading

ELECTRONIC/DIGITAL RECORDS & SIGNATURES

4. The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail;
5. The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been affixed;
6. The electronic signature conforms to all other provisions of this policy and applicable law;

F. Procedures and Practices.

The Superintendent may adopt procedures and/or practices to implement this policy, including for such things as format requirements, regulations with respect to use of email signatures, saving and retention of electronic records, or records transmitted via email.

Legal References:

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

RSA Chapter 294-E, Uniform Electronic Transactions Act

“Electronic Signatures Analysis and Implementation Guide”, N.H. Dept. of Information, N.H. Dept. of Administrative Services Technology, N.H. Secretary of State, October 12, 2012

Legal References Disclaimer: *These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

NHSBA history: New policy – June 2020.

NHSBA revision notes, June 2020, NHSBA adopted this policy to clarify whether and when electronic signatures or records may be used, and the applicable standards. Corresponding changes have been made to NHSBA samples DIH and DGA.

w/p-update/2020/spring//EHAC Elec (Dig) Records & Signatures (d1)

Current GSD Policy. This policy needs to be updated due to a change in RSA 189:73, which expanded FMLA benefits to employees by reducing the number of required annual hours to qualify from 1250 to 900, and also removed the threshold number of employees (formerly 50).

9-16-2020 Policy Committee

10-13-2020 Policy Committee

11-2-2020 School Board – first reading

FAMILY AND MEDICAL LEAVE ACT

Consistent with the federal Family and Medical Leave Act of 1993, the School District recognizes that eligible employees have access to unpaid family and medical leave for up to twelve (12) weeks during any twelve (12) month period. The intent of this policy is to summarize the Act as it applies to eligible employees of the School District. Employees should consult regulations that implement the Act for more specific definitions and criteria for use. It is not the intent of this Policy to provide additional or different provisions than those specified in the Act and its implementing regulations.

To be eligible for family or medical leave, an employee must have been employed for at least twelve (12) months, have worked at least 900 ~~1,250~~ hours during the prior twelve months, ~~and be employed at a work site where at least 50 employees are employed by the District within a 75-mile radius of that work site.~~

Family leave shall be provided when a **child** ~~son or daughter~~ is born to the employee or when one is placed with the employee for adoption or foster care. Medical leave shall be provided for the serious health condition of the employee, or in order for the employee to take care of a spouse, child, or parent who has a serious health condition rendering him/her unable to perform the functions of his/her job.

The District requires, an employee to use accrued paid vacation and sick leave for purposes of family leave or medical leave.

The employee shall notify the District of his/her request for leave, if foreseeable, at least thirty (30) days prior to the date when the leave is to begin. If such leave is not foreseeable, then the employee shall give such notice as is practical. The District shall require a certification from a health care provider if medical leave is requested and once again prior to an employee returning from medical leave. When an employee returns following a leave, he/she must be returned to the same or equivalent position of employment. The Superintendent, or his/her designee, may reassign a teacher consistent with the teacher's agreement, to a different grade level, building, or other assignment, consistent with the employee's certification.

The District shall post a notice prepared or approved by the Secretary of Labor stating the pertinent provisions of the Family and Medical Leave Act, including information concerning the enforcement of the Act.

The user of this policy is also directed to the applicable provisions of any Collective Bargaining Agreements in the district.

Legal Reference:

29 U.S.C. section 2611, et seq. Family and Medical Leave Act of 1993 (Pub. L. 103-3)

RSA 189:73, Family and Medical Leave Coverage

(Adopted: 8/23/2010)

Proposed GSD policy. We do not have this policy.

10-13-2020 Policy Committee

11-2-2020 School Board – first reading

GILFORD SCHOOL DISTRICT

EEBA

SCHOOL OWNED VEHICLES

School owned or leased vehicles are to be used by authorized school personnel only. The vehicle may be used for co-curricular activities or other approved purposes. All School District transportation regulations that apply to student conduct will be in effect.

Motor vehicle records will be checked periodically. Any violations will result in termination of the right to use District owned vehicles.

Multi-purpose Vehicle

1. Only valid, licensed NH drivers, 21 or over, who have been approved by the Principals or Athletic Director, will be authorized to drive this vehicle. Copy of said license will be attached to this policy at the time of signing.
2. Operators must notify the Superintendent of any change in driver's license status.
3. Operators must operate vehicles in accordance with all applicable federal and state laws.
4. Use of District owned vehicles is restricted to Gilford School District (GSD) employees for school-related purposes.
5. Request by co-curricular groups should be submitted one week in advance to the Athletic Director's Administrative Assistant unless there are extenuating circumstances.
6. Van keys are kept in the high school office by the Athletic Director.
7. This vehicle will be marked "Gilford School District".
8. Should gas need to be purchased, the driver shall retain the original receipts to be submitted for reimbursement to Athletic Director.
9. The vehicle will be returned with the same measurement of fuel as when it departed.
10. Under no circumstances will more than the legally allowed number of passengers including the driver be transported at any one time.
11. Any field trip or other use by school employee must be in accordance with School District policy governing transporting of student personnel.
12. Employees who drive a district vehicle may be required to take training courses from time to time as deemed appropriate by the Superintendent.
13. It will be the responsibility of the employee to report all accidents and/or citations issued by law enforcement officials while driving a district vehicle to his/her immediate supervisor.
14. Appropriate "Vehicle Use Log" must be completed. A mileage log for the vehicle will be maintained by each driver and kept in the vehicle at all times.

Proposed GSD policy. We do not have this policy.

10-13-2020 Policy Committee

11-2-2020 School Board – first reading

15. Van use calendar shall be kept by the Athletic Director's Administrative Assistant and any school personnel requesting use of the vehicle shall be responsible for checking the calendar for availability before submitting a request.
16. In the event of a trip cancellation, and/or postponement, the individual making the initial request is responsible for notifying the Athletic Director's administrative assistant and checking on future date availability.
17. Any trailers in tow that are not owned by the District will *NOT* be covered under the District's property & liability insurance.
18. Any authorized driver returning the vehicle to the high school after-hours park the vehicle in its designated parking spot and return the keys to the drop box located near the maintenance room garage doors at the back of the high school.

Facilities Truck

19. Only valid, licensed NH drivers, 21 or over, who have been approved by the Business Administrator and Supervisor of Buildings & Grounds, will be authorized to drive this vehicle. Copy of said license will be attached to this policy at the time of signing.
20. Operators must notify the Superintendent of any change in driver's license status.
21. Operators must operate vehicles in accordance with all applicable federal and state laws.
22. Use of District owned vehicles is restricted to Gilford School District (GSD) employees for school-related purposes.
23. Request by co-curricular groups should be submitted one week in advance to the Supervisor of Buildings and Ground's Administrative Assistant.
24. Truck keys are kept in the High School Room 124 Facilities Office key Box
25. This vehicle will be marked "Gilford School District".
26. Should gas need to be purchased, the driver shall retain the original receipts to be submitted for reimbursement to the Buildings and Grounds Supervisor.
27. The vehicle will be returned with the same measurement of fuel as when it departed.
28. Under no circumstances will more than the legally allowed number of passengers including the driver be transported at any one time.
29. Any field trip or other use by school employee must be in accordance with School District policy governing transporting of student personnel.
30. Employees who drive District vehicle may be required to take training courses from time to time as deemed appropriate by the Superintendent.
31. It will be the responsibility of the employee to report all accidents and/or citations issued by law enforcement officials while driving a district vehicle to his/her immediate supervisor.
32. Appropriate "Vehicle Use Log" must be completed. A mileage log for the vehicle will be maintained by each driver and kept in the vehicle at all times.

Proposed GSD policy. We do not have this policy.

10-13-2020 Policy Committee

11-2-2020 School Board – first reading

33. Any trailers in tow that are not owned by the District will *NOT* be covered under the districts property & liability insurance.
34. Any authorized driver returning the vehicle to the high school after-hours when custodial assistance is unavailable will park the vehicle at the maintenance room garage door and return the keys to the drop box located near the maintenance room garage doors at the back of the high school.