

Hollis Brookline Cooperative School Board
Wednesday, September 18, 2019
Hollis Brookline Middle School Library
All times are estimates and subject to change without notice

- 6:00 Call to Order
- 6:05 Appointment of a process observer
Agenda adjustments
Approve meeting minutes
Nomination/ resignations/retirements/correspondence
- 6:10 Joseph R. Hoebeke, Hollis Chief of Police
- Review of the Memorandum Of Understanding – Hollis PD and the Cooperative School District
- 6:25 Public Input
- 6:40 Principal Reports/Athletic Report
- 7:00 Discussion
- Property Discussion – Middle School Property line
 - Facilities Committee update – Field update – Superintendent Corey
 - Middle School Tech Education – facilities update
 - Budget Committee Update, FY 21 Budget Update
 - Medicaid to Schools Update
 - Apportionment
- 8:00 **Deliberations**
- To see what action the Board will take regarding the Administration’s proposal for the utilization of the Tech Ed space and accompanying equipment upgrades/replacement
 - To see what action the Board will take regarding policy EHAB - Data Governance and security - fourth reading and adoption
 - To see what action the Board will take regarding the re-adoption of the Memorandum of Understanding between the Hollis Police Department and the Cooperative School District
- 8:15 Motion to enter non-public - under RSA 91-A: 3II (a) Compensation and/or (c) reputation
- 8:40 Motion to Adjourn

Memorandum of Understanding

Between Town of Hollis & Hollis-Brookline Cooperative School District

1.0 Goals and Objectives

It is understood and agreed that Hollis-Brookline Cooperative School District and the Hollis Police Department officials share the following goals and objectives with regard to the **Student Resource Officer (SRO)** program in the schools:

- 1.1 To promote an atmosphere of safety and order for students and faculty members through the use of school discipline and enforcement of local, state and federal laws and ordinances.
- 1.2 To provide educational programs and prevention activities that will increase student knowledge of the criminal justice system and respect for the law and the function of law enforcement agencies and other related topics;
- 1.3 To maintain open communications among principals, faculty, SROs, parents, Student Assistance Program staff, guidance counselors, conflict mediation coordinators and other key school personnel;
- 1.4 To utilize the SRO for problem solving, mediation, personal safety and an informational source for students involved in the criminal justice system as appropriate.
- 1.5 To support the SRO's efforts in being a positive role model and cultivating positive relationships and strengthening each student's understanding of good citizenship and accountability for their actions.
- 1.6 To foster a positive relationship between students and law enforcement officers.
- 1.7 To provide security to the school from outside threats by maintaining a visible police presence on campus, assessing threats to school security, reducing and eliminating such threats, and swiftly responding to any immediate threats or breaches of security.
- 1.8 To recognize the school principal as primarily responsible for the administration of discipline and maintaining order within the

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Schools.

- 1.9** To prevent and deter the possession and/or use of weapons on campus, the illegal possession, sale and/or distribution of controlled substances and alcohol, and other crimes
- 1.10** To address criminal activity by students through the collaborative administration of school discipline and/or referral to the criminal justice system.

2.0 Cooperative Efforts

- 2.1** The presence of the SRO at the school is not intended to usurp the rights and responsibilities of the principal to enforce the rules of the student conduct code and to administer discipline in the school.
- 2.2** The parties acknowledge that not every criminal act will be handled through the criminal justice system. There will be times when the administration of typical school discipline will be sufficient to address behaviors that may constitute crimes.
- 2.3** The existence of the Hollis-Brookline Cooperative School District Administrative Procedures, the Student Conduct Code and the related disciplinary process is not intended to nor shall it usurp the mandates and responsibilities of the SRO as directed by the policies of the Hollis Police Department and/or the laws of the State of New Hampshire.
- 2.4** In deciding when to resort to the criminal justice system in lieu of, or in addition to school discipline, the Principal and SRO shall confer and each strive to accommodate the opinions of the other as to how to best handle a particular situation.

3.0 Responsibilities and Duties of School Resource Officers

- 3.1** The Hollis Police Department will assign a full-time SRO to the Hollis-Brookline Cooperative School District. The SRO is a sworn Hollis Police Officer assigned to provide the law enforcement expertise and resources to assist school staff in maintaining safety, order, and discipline within their assigned schools. The SRO will be considered an active member of the

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School community.

- 3.2** The SRO's duty schedule will be determined by the SRO's supervisor, but will generally be arranged to provide coverage throughout the school day including peak arrival and departure times before and after school. Whenever possible, the SRO will be visible patrolling the exterior and interior grounds, Particularly during the opening and closing of School and during the lunch periods.
- 3.3** The officer will notify the principal (or designee) of the assigned school when they will be absent from the campus. The SRO will be required to notify the police department when they leave the school campus.
- 3.4** The SRO will wear the issued police uniform and related equipment and operate a police vehicle while on duty unless otherwise authorized by a supervisor for a specific purpose. The SRO provides a visible deterrent to crime and is a positive representative of the Police Department to students and staff.
- 3.5** The SRO will assist with training for the school administration in law enforcement and related matters. Information about crime trends and changes in laws relevant to schools will be disseminated to the school administrative staff to assist them in effectively establishing and maintaining safe school environments. The SRO will be incorporated into each school's Safety and Security Team.
- 3.6** At the request of the staff, the SRO may also become involved with the school's curriculum and provide instruction that will enhance the student's understanding of the police mission and the responsibilities of citizenship. During the classroom instruction time, the teacher shall remain in the room. However, responding to incidents or conducting investigations will always take precedence over instructing in the classroom.
- 3.7** Programs conducted in schools by other members of the Police Department should be coordinated with the SRO to avoid redundant services and to ensure equitable distribution of such programs and services.

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- 3.8** A critical element of the SRO program is an open relationship and strong communication between the school principal(s) and the SRO. SROs are required to keep the school administration apprised of criminal and non-criminal situations encountered, current crime trends, problem areas, or other areas of concern, which have potential for disruption in the school or within the community. The SRO will work in conjunction with the school administration in developing plans to prevent and counteract such activities at the school.
- 3.9** The SRO will not be primarily responsible for the enforcement of school rules, administrative rules and/or regulation violations. However the SRO will maintain familiarity with the Hollis-Brookline Cooperative School District's Student Code of Conduct. Unless requested by a school administrator the SRO will not attend disciplinary meetings with students or parents.
- 3.10** The SRO will be responsible for maintaining custody of illegal substances and/or contraband pending proper disposal in accordance with police department regulations.

4.0 Supervision of SRO

- 4.1** SROs shall abide by the rules, regulations and policies of the Hollis Police Department and be familiar with the teacher handbook. Should conflicts in these rules, regulations and policies occur the SRO will consult with a police supervisor. School personnel should contact the SRO Supervisor to report commendable performance, discuss issues or report concerns involving SRO personnel.
- 4.2** When SROs complete a Police Department Incident Report it will be filed with their supervisor by the following business day.
- 4.3** SROs will report to a uniform shift during times that school is closed or on days when students are not attending school.
- 4.4** The SRO Supervisor encourages open lines of communication between the school(s) and the Police Department. The SRO Supervisor will meet with the school principal(s) at least once each semester. To the extent that schedules permit, the initial SRO supervisor/principal meeting should be held prior to the start of the school year and be devoted to reviewing school/Police Department expectations and clarifying any

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operational procedures. The second meeting should occur mid-year and involve a preliminary evaluation of the SRO's performance as well as the identification and resolution of any developing issues. The SRO supervisor will address any concerns regarding the performance of the SRO.

- 4.5** Principals and representatives of the Police Department will collaborate with each other prior to selection of a new SRO to determine any special needs or concerns at their school.

5.0 Responsibilities and Duties of School Principal

- 5.1** It is the responsibility of the principal to facilitate effective communications between the SRO and the school staff. The principal of the school shall meet on a regular basis with the assigned SRO.
- 5.2** The principal shall be responsible for immediately reporting to the SRO; acts of theft, destruction, or violence as defined in New Hampshire R.S.A. 193-D entitled "Safe School Zones." In addition to the requirements of 193-D, the principal shall immediately report the following conduct to the SRO; any conduct involving firebombs, explosive or incendiary materials or devices, hoax or otherwise, or chemical bombs on a school bus, on school property, or at a school sponsored activity; any threats or false threats to bomb made against school personnel or involving school property or school b u s e s .
- 5.3** In an emergency situation, the school should notify the SRO or call the Police Department if the SRO is not available. Information that is not of an emergency nature may be held for action by the SRO upon his or her return to duty.
- 5.4** Any criminal enforcement action taken by the SRO which results in the charging of a student with a crime will be supported by the principal and/or school employees by their appearance in court when necessary to provide testimony relevant to the case.
- 5.5** The principal shall relinquish to a police representative all illegal substances and/or contraband.

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- 5.6** The principal shall meet with the SRO Supervisor and the school shall provide information to the SRO Supervisor to assist in preparing for the annual evaluation of the SRO's performance.
- 5.7** Principals are encouraged to consult with the SRO Supervisor prior to the selection of a new SRO to share any relevant information on the needs or concerns of the school.

6.0 Investigation and Questioning of Students

- 6.1** When it becomes necessary for an SRO or any other law enforcement officer to interview a student on school premises, the principal (or designee) will be contacted. The interview will be conducted pursuant to state law, school district and Hollis Police Department policy. When immediate action is necessary or in an emergency situation, the SRO may interview a student without the presence of a school official.

7.0 Arrest Procedures

- 7.1** SROs are expected to be familiar with school rules and their application with the school. Routinely, rule infractions will not be handled as violations of law, but instead referred to the principal (or designee) for action. Any questions related to the enforcement of rules versus laws within the school should be discussed with the principal. This specifically applies to general standards of conduct.
- 7.2** The arrest of a student or employee of the school with a warrant or petition should be coordinated through the principal and accomplished after school hours, whenever practical.

8.0 Search and Seizure

- 8.1** School official may conduct searches of students' property and person under their jurisdiction when reasonable suspicion exists that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school. The standard for the search is reasonable suspicion.

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- 8.2** The SRO shall not become involved in administrative (school related) searches unless specifically requested by the school to provide security, protection, or for handling of contraband. These searches must be at the direction and control of the school official. At no time shall the SRO request that an administrative search be conducted for law enforcement purposes or have the administrator act as his or her agent.

9.0 Administrative Hearings

- 9.1** The SRO will attend suspension and/or expulsion hearings upon request of the school principal. The officer will be prepared to provide testimony on any actions that were taken by the officer and any personally observed conduct witnessed by the officer.
- 9.2** The SRO shall provide police department documents and juvenile records pursuant to department policy and state law.
- 9.3** When a subpoena for official records, reports, or documents for an administrative school hearing, is received by the Police Department, any action will be coordinated by the office of the Police Chief, the County Attorney, and the School Board Attorney.

10.0 Release of Police Information

- 10.1** Consistent with the basic tenets of the relationship between the school principal and the SRO described in this Memorandum of Understanding, open communication is essential to effectiveness. SROs should exchange information with the school principal regarding students' involvement in criminal activity in and around the school. This shall be limited to that which directly relates to and contributes to the safety of the school environment.
- 10.2** The SRO shall provide police department documents and juvenile records pursuant to department policy and state law.

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11.0 Equipment

11.0 The Hollis Brookline High School will provide an office/storage or work space for the SRO's materials and personal effects; space which is sufficient for him/her to meet with students, parents, and/or school staff/administrators. Additionally, the Hollis Brookline High School will provide a computer for the SRO to utilize in order to access school databases, school security cameras, and the school email system.

11.1 Per agreement of the Superintendent of Schools, the SRO is permitted to have a fan and a small refrigerator in his office located at the Hollis Brookline High School.

11.2 The Hollis Brookline Cooperative School District will authorize access of video surveillance systems inside the school district to the Hollis Police Department and the Hollis Communications Center. The scope of access will be limited to emergency situations and investigatory matters.

Software will be uploaded on only a limited number of terminals located within the Communications Center and the Police Department facility. A list of computers with permissions to the video surveillance system will be provided to SAU 41 on an annual basis.

11.4 The Hollis Brookline Middle School, Hollis Primary School, and Hollis Upper Elementary School will allow the SRO to utilize a meeting or conference room where he/she can confer with students and/or parents.

12.0 Conclusion

12.1 This policy represents mutually agreed goals and objectives of the Hollis Police Department and the Hollis-Brookline Cooperative School district for the School Resource Officer Program.

12.2 This endeavor is a partnership between education and law enforcement to support a collaborative multi-faceted approach to prevent crime and to intervene in the acts of such in schools. Regular meetings shall be conducted between the Police Department and School Officials to support this partnership.

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- 12.3** This agreement may be terminated without cause by either party upon 30 days prior written notice to the other party. It shall be reviewed annually and amended as necessary to meet the needs of the signatory agencies.
- 12.4** This Memorandum of Understanding shall not be construed to create or substantiate any right or claim on the part of any person or entity, which is not party hereto.
- 12.5** The cost of the School Resource Officer will be shared between the Town of Hollis (40%), The Hollis Brookline Cooperative School District (54%) and the Hollis School District (6%).

Signed:

Joseph R. Hoebeke, Chief of Police

Andrew Corey, Superintendent of Schools

Date

Date

To: Hollis Brookline Cooperative School Board
From: Tim Girzone, Principal HBMS
Re: Principal's Report
Date: September 18, 2019

Information Only

Great start to the school year! –The building has been abuzz with the excitement and energy that starts every year. HBMS welcomed 7th graders on Wednesday, August 28th and both 7th and 8th graders on Thursday, August 29th. Students have had the opportunity to work with their new teachers and classmates in their academic classes, ROCK and some dedicated team time. One of the team time highlights during our opening days included an activity called “Getting off on the right foot” (pictured below).



Personnel updates

Assistant Principal: Ms. Yolanda Flamino has begun her transition from her teaching role at HBHS to her new administrative role at HBMS. The plan has included overseeing her replacement's first week at the high school while also spending partial days at the middle school. The plan is for Ms. Flamino to be at the middle school full time starting the week of 9/23.

Computer Education: HBMS is accepting applications for the 1 year interim Computer Education teacher opening. The class is currently being covered by a substitute with over 30 years of teaching experience. School counselors have also used this class as an opportunity to provide comprehensive counseling to students through anti-bullying and internet safety curriculum.

HBMS Crisis Team Formation: As part of a District-wide Emergency Management Team (E.M.T.) initiative, HBMS has formed a Crisis Management team and plan to provide a systematic framework to guide our school in the event of school related crises. The E.M.T. will develop a 'table top' scenario for the Crisis Management team to use as a practice drill this fall.

Enrollment Numbers: As of 9/12 HBMS total enrollment: 386 students

Grade 7: 210 students

Grade 8: 176 students

Faculty Action Council:

HBMS has formed a committee consisting of administration and staff from a variety of departments to improve communication and develop action plans to address areas for improvement around the building. The group will not delve into instructional or pedagogical practices, rather building procedures and/or practices. The group will aim to serve as a communication link between staff and administration. Our first meeting was held on 9/11.

Important Dates:

7th Grade Open House: 9/17 6:00pm

8th Grade Open House: 9/19 6:00pm

Picture Retake Day: 10/18

To: Andrew Corey, Superintendent
From: Rick Barnes, Principal
Re: September Board Report

First Days of School: The school year is off to a fantastic start! We are grateful for the efforts of the National Honor Society who helped the freshman class kick off their first official day at the high school by greeting and guiding them on their first day. Freshman had a chance to move through their first day at their own pace via a modified schedule. The day also included participating in a clubs, sports, and activities fair where they learned about the many opportunities that they have to get involved with school outside of the classroom.

CavBlock Update/Adapting to the Adaptive Scheduler: As you know, the goal of CavBlock is for our students to be empowered to make the appropriate academic and social decisions necessary for success in high school and beyond. CavBlock may also be utilized for events such as class meetings, school counseling programs, and assemblies. This year, we are implementing an adaptive scheduler. We have planned for the rollout of this new tool in a way that allows students to learn how it operates, test it out, and then proceed to more flexibility going forward.

Our current schedule for implementation is as follows:

Week one (9/3-9/5): Training! For this first week only, students were assigned to small groups with a teacher during the CavBlock time in order to learn how to use the Adaptive Scheduler tool.

Next two weeks (9/10-9/12, 9/17-9/19): Students will schedule themselves for sessions, which (*for these weeks only*) will last the entire 45 minutes.

Starting at the end of September (9/24 forward): CavBlock will be split into more than one session, allowing students to schedule themselves for more than one location/teacher (or to stay with one for the entire period, if they prefer).

We are adopting this new tool in response to feedback over the years from students, parents, and staff in an effort to provide all students the types of support they need while reducing their overall stress levels.

Outcomes for Students and Staff after the Rollout Phase:

- Students can plan according to their needs and know they will have access to teachers and support
- Students develop their ability to plan ahead and think through what they will need to feel prepared, while still having last-minute flexibility to meet immediate needs
- Staff can plan in advance for student support needs
- Staff can offer more regular enrichment opportunities
- Students will have advance notice of class meetings, School Counseling information and support sessions, music rehearsals, and other specialized check-ins and schedule around these events when planning for their week

CavBlock continues to be one of our most popular and powerful programs to meet the individual needs of students. This tool will help us reduce the stress we saw associated with that time, giving students greater control of their own time while adding the reassurance that they will be able to see who they need to see.

We will continue to make adjustments based on feedback we receive from students, staff, and parents. We are pleased with the progress that has been made.

Instructional Practices Committee: At the conclusion of our most recent meeting, the committee identified the scope of the work for the three subcommittees. Those sub committees are, Calculating Rank for the Top 10, Weighted versus Unweighted Grades, and Grading and Assessment in the Classroom. Staff, administrators, and school board members have been selected to participate on these committees. An invitation will be extended to parents and students to serve on these committees as well. The work of the Steering Committee has been enriching and rewarding. We look forward to the next phase of the process.

Respectfully Submitted,

Rick Barnes
Principal

To: Andrew Corey, Superintendent
 From: Brian Bumpus, District Athletic Coordinator
 Re: September 2019 Board Report

HBHS Update: The HBHS Golf team is off to a hot start this Fall, with a 10-1 record and wins over several of the top teams in Division II. Both Girls Soccer and Volleyball are undefeated heading into big divisional match-ups on Friday 9/13 against Souhegan and Bishop Guertin, respectively. The Boys Soccer team is currently 1-2-1, with close matches against strong divisional opponents so far. Unified Soccer will kick things off on Thursday 9/19 at Alvirne. The Cross Country team hosted another successful Coach Korcoulis Invitational on Saturday 9/7. This marks the 48th running of this race. We'd also like to wish the Bass Fishing team good luck as they head off to the NHIAA State Qualifying round on Thursday 9/19 in Meredith. To be eligible for the state tournament, they need to finish in the top 13 out of 37 teams during this event.

HBMS Update: The HBMS teams are off to a great start as well. Both Boys and Girls Soccer opened their seasons with wins over West Running Brook. The Field Hockey team opens their regular season on Friday 9/13 at McLaughlin Middle School. Girls Volleyball, who now competes in Division I of the Tri-County League, sits at 2-0, and the Cross Country team hosted a very successful first meet of the season on Wednesday 9/11.

HB Helps: Since the initial HB Helps community service effort, the Athletic Booster Club has been working hard to provide additional volunteer opportunities for teams across the district. Currently, the HBABC is spearheading efforts to organize volunteers, including student-athletes and coaches from both schools, to assist in clean-up after Hollis Old Home Days and helping to run the Brookline 250th Anniversary Parade.

Turf Field Layout: As progress continues on the turf field, the Field Committee was presented with an initial draft layout of what the installed turf will look like once the project is complete. A sub-committee will be reviewing this draft and providing a comprehensive review of the document to the Field Committee, recommending line color for each sport, logo sizing, verifying field dimensions, etc..

Participation Numbers: Participation numbers are down slightly from the 2018-2019 academic year across the district. While the HS sees a small decline in participants, the MS sees a slight uptick.

Hollis Brookline High School			
SPORT	17-18	18-19	19-20
Bass Fishing	8	10	4
Boys Soccer	40	41	50
Cross Country	32	32	26
Fall Cheerleading	20	16	17
Field Hockey	36	39	33
Football	42	43	41
Girls Soccer	33	35	33
Girls Volleyball	39	37	38
Golf	16	14	16
Unified Soccer	18	25	22
TOTAL	284	292	280

Hollis Brookline Middle School			
SPORT	17-18	18-19	19-20
Boys Soccer	23	22	22
Cross Country	50	40	39
Field Hockey	19	15	19
Girls Soccer	23	17	19
Girls Volleyball	14	14	14
TOTAL	129	108	113

Recent Coaching Hires:

Cross Country Coach (HBMS): Tyler Pare

District Coaching Openings: The HB Athletic Department is currently looking for qualified candidates to fill the following coaching vacancies.

HBHS

Indoor Track Head Coach

Girls Basketball Asst. Coach

Skiing Head Coach

Skiing Asst. Coach

Boys Lacrosse Head Coach

Girls Outdoor Track Head Coach

Boys Outdoor Track Asst. Coach

Girls Tennis Head Coach

HBMS

Girls Basketball Coach

Boys Lacrosse Coach

Respectfully Submitted,



Brian Bumpus

District Athletic Coordinator



School Administrative Unit #41

Hollis, Brookline & Hollis-Brookline Cooperative School Districts
Office of the Superintendent of Schools
4 Lund Lane
Hollis, New Hampshire 03049
603.324.5999 fax 603.465.3933

To: Hollis Brookline Cooperative School Board
From: Bob Thompson, Assistant Superintendent of Student Services
Date: September 12, 2019
Re: Medicaid to Schools Legislative Changes

Current Issue:

Medicaid to Schools provides revenue to SAU 41 for rehabilitative services provided to students with disabilities provided in the IEP which are deemed medically necessary. SAU 41 receives an estimated \$275,000 in revenue based upon claims submitted annually.

On Thursday, August 29th the New Hampshire Department of Health and Human Services issued emergency rules regarding the Medicaid to Schools Program. These emergency rules were legislated to replace the existing Medicaid rules which had expired. The Rules govern the process to submit claims and seek reimbursement for both Medicaid and Medicaid programs. These changes pose new language which substantially limits the district's ability to seek reimbursement for all services effective immediately. This will impact projected revenue for FY 20 and FY 21 as rule making will not be proposed until February 2020 at the earliest, yet the rule language is not expected to change at that time.

New Rule Language

The new emergency rules place restrictions on the process for ordering, recommending or referring services by requiring that only a Physician, Physician Assistant (PA) or Advanced Practice Registered Nurse (APRN) may order services. Throughout the history of Medicaid to Schools, a physician or a "licensed practitioner of the healing arts" has been allowed to order, recommend or refer services, when ordered by an IEP team. Never has the program restricted the licensed practitioner of the healing arts to only a PA or APRN.

The Emergency Rules, as written, no longer recognizes school counselors, school counseling directors and NHDOE certified school psychologists as providers of mental health services, The emergency rule requires that a registered nurse or licensed practicing nurse provide activities that require an order under the direction of a Physician, APRN or PA without defining what activities require an order. Additionally, the emergency rules no longer recognize a NHDOE certified speech language specialist who delivers speech services under the direction of a qualified SLP or audiologist.

Course of Action

- After seeking counsel, the district will continue the practice of logging all services as a matter of best practice. However, the district will not seek reimbursement through the New Hampshire Department of Health and Human Services until further notice. Medicaid services

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are able to be back billed for up to 18 month from services rendered. In the event the Rules change, the district would like to be prepared to submit for claims

- The SAU will reflect revenue changes in FY21 budgets and plan to address the deficit of revenues in the FY20 budgets
- The New Hampshire Association of Special Education Administrators (NHASEA), will submit written testimony in opposition of these new emergency rules to the Joint Legislative Committee on Administrative Rules (JLCAR) on September 20th. I should have an update for the board after this meeting.
- The New Hampshire Superintendent's Association, Association of Business Administrators are collaborating with the NHASEA regarding this matter.
- Regional Special Education Directors are exploring viable options to pursue medical practitioners to contract to authorize these services.

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Category: Priority/Required by Law

Related Policies [EHAA](#), [EHB](#), [GBEBD](#), [GBEF](#), [IHBH](#), [JICJ](#), [JICL](#), [JICM](#), [KD](#), & [KDC](#)

DATA GOVERNANCE AND SECURITY

To accomplish the District's mission and comply with the law, the District must collect, create and store information. Accurately maintaining and protecting this data is important for efficient District operations, compliance with laws mandating confidentiality, and maintaining the trust of the District's stakeholders. All persons who have access to District data are required to follow state and federal law, District policies and procedures, and other rules created to protect the information.

The provisions of this policy shall supersede and take precedence over any contrary provisions of any other policy adopted prior to the date of this policy.

A. Definitions

Confidential Data/Information - Information that the District is prohibited by law, policy or contract from disclosing or that the District may disclose only in limited circumstances. Confidential data includes, but is not limited to, personally identifiable information regarding students and employees.

Critical Data/Information - Information that is determined to be essential to District operations and that must be accurately and securely maintained to avoid disruption to District operations. Critical data is not necessarily confidential.

B. Data and Privacy Governance Plan - Administrative Procedures.

1. Data Governance Plan. The Superintendent, in consultation with ~~the~~ one or more District Information Security Officers ("ISOs") (see paragraph C, below) shall create a Data and Privacy Governance Plan ("Data Governance Plan"), to be presented to the Board no later than June 30, 2019. Thereafter, the Superintendent, in consultation with ~~the~~ an ISO, shall update the Data Governance Plan for presentation to the Board no later than June 30 each year.

The Data Governance Plan shall include:

- (a) An inventory of all software applications, digital tools, and extensions. The inventory shall include users of the applications, the provider, purpose, publisher, privacy statement, and terms of use;
- (b) A review of all software applications, digital tools, and extensions and an assurance that they meet or exceed minimum standards set by the New Hampshire Department of Education;

(c) Policies and procedures for access to data and protection of privacy for students and staff including acceptable use policy for applications, digital tools, and extensions used on District hardware, server(s) or through the District network(s);

(d) A response plan for any breach of information; and

(e) A requirement for a service provider to meet or exceed standards for data protection and privacy.

2. Policies and Administrative Procedures. The Superintendent, in consultation with ~~the~~ an ISOs, is directed to review, modify and recommend (policies) create (administrative procedures), where necessary, relative to collecting, securing, and correctly disposing of District data (including, but not limited to Confidential and Critical Data/Information, and as otherwise necessary to implement this policy and the Data Governance Plan. Such policies and/or procedures may or may not be included in the annual Data Governance Plan.

C. Information Security Officers.

The Network Administrator and the Database Manager are hereby designated as the District's Information Security Officers (ISOs) and report directly to the Superintendent or designee. The ISOs are responsible for implementing and enforcing the District's security policies and administrative procedures applicable to digital and other electronic data, and suggesting changes to these policies, the Data Governance Plan, and procedures to better protect the confidentiality and security of District data. The ISOs will work with the both District and building level administrators and Data managers (paragraph E, below) to advocate for resources, including training, to best secure the District's data.

~~Any~~ The other members of the ~~full technology team~~ Data Governance Team (DGT) (~~the~~ an ISOs, the Assistant Superintendent of Curriculum, Instruction, and Assessment, and the Business Administrator) are the District's alternate ISOs and will assume the responsibilities of ~~the~~ an ISO when the ISOs are not available.

D. Responsibility and Data Stewardship.

All District employees, volunteers and agents are responsible for accurately collecting, maintaining and securing District data including, but not limited to, Confidential and/or Critical Data/Information.

E. Data Managers.

All District administrators are data managers for all data collected, maintained, used and disseminated under their supervision as well as data they have been assigned to manage in the District's data inventory. Data managers will monitor employee access to the information to ensure that confidential information is accessed only by employees who need the information to provide services to the District and that confidential and critical information is modified only by authorized employees. Data managers will assist the ISOs in enforcing District policies and procedures regarding data management.

F. Confidential and Critical Information.

The District will collect, create or store confidential information only when the Superintendent or designee determines it is necessary, and in accordance with applicable law. The District will provide access to confidential information to appropriately trained District employees and volunteers only when the District determines that such access is necessary for the performance of their duties. The District will disclose confidential information only to authorized District contractors or agents who need access to the information to provide services to the District and who agree not to disclose the information to any other party except as allowed by law and authorized by the District.

District employees, contractors and agents will notify ~~the~~ an ISOs or designee immediately if there is reason to believe confidential information has been disclosed to an unauthorized person or any information has been compromised, whether intentionally or otherwise. The ISOs or designee will investigate immediately and take any action necessary to secure the information, issue all required legal notices and prevent future incidents. When necessary, the Superintendent, ISOs, or designee are authorized to secure resources to assist the District in promptly and appropriately addressing a security breach as stipulated in the Data Governance Plan.

Likewise, the District will take steps to ensure that critical information is secure and is not inappropriately altered, deleted, destroyed or rendered inaccessible. Access to critical information will only be provided to authorized individuals in a manner that keeps the information secure.

All District staff, volunteers, contractors and agents who are granted access to critical or confidential information/data are required to keep the information secure and are prohibited from disclosing or assisting in the unauthorized disclosure of such confidential or critical data/information. All individuals using confidential and critical data/information will strictly observe all administrative procedures, policies and other protections put into place by the District including, but not limited to, maintaining information in locked rooms or drawers, limiting access to electronic files, updating and maintaining the confidentiality of password protections, encrypting and redacting information, and disposing of information no longer needed in a confidential and secure manner.

G. Using Online Services and Applications.

District staff members are encouraged to research and utilize online services or applications to engage students and further the District's education mission. District employees, however, are prohibited from installing or using applications, programs or other software, or online system/website until the DGT (Data Governance Team) approves the vendor and the software or service used. Before approving the use or purchase of any such software or online service, ~~the~~ an ISOs or designee shall verify that it meets the requirements of the law, Board policy, and the Data Governance Plan, and that it appropriately protects confidential and critical data/information. This prior approval is also required whether or not the software or online service is obtained or used without charge.

H. Training.

The ISOs will provide appropriate training to employees who have access to confidential or critical information to prevent unauthorized disclosures or breaches in security. All school employees will receive annual training in the confidentiality of student records, and the requirements of this policy and related procedures and rules.

I. Data Retention and Deletion.

The ISOs or designee shall establish a retention schedule for the regular archiving and deletion of data stored on District technology resources. The retention schedule should comply with, and be incorporated into the data/record retention schedule established under Policy [EHB](#) and administrative procedure [EHB-R](#), including but not limited to, provisions relating to Litigation and Right to Know holds as described in Policy [EHB](#).

J. Consequences

Employees who fail to follow the law or District policies or procedures regarding data governance and security (including failing to report) may be disciplined, up to and including termination. Volunteers may be excluded from providing services to the District. The District will end business relationships with any contractor who fails to follow the law, District policies or procedures, or the confidentiality provisions of any contract. In addition, the District reserves the right to seek all other legal remedies, including criminal and civil action and seeking discipline of an employee's teaching certificate.

The District may suspend all access to data or use of District technology resources pending an investigation. Violations may result in temporary, long-term or permanent suspension of user privileges. The District will cooperate with law enforcement in investigating any unlawful actions. The Superintendent or designee has the authority to sign any criminal complaint on behalf of the District.

Any attempted violation of District policies, procedures or other rules will result in the same consequences, regardless of the success of the attempt.

Legal References:

*15 U.S.C. §§ 6501-6506 * Children's Online Privacy Protection Act (COPPA)*

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

*20 U.S.C. § 1232h * Protection of Pupil Rights Amendment (PPRA)*

*20 U.S.C. § 1400-1417 * Individuals with Disabilities Education Act (IDEA)*

*20 U.S.C. § 7926 * Elementary and Secondary Education Act (ESSA)*

*RSA 189:65 * Definitions*

*RSA 186:66 * Student Information Protection and Privacy*

*RSA 189:67 * Limits on Disclosure of Information*

*RSA 189:68 * Student Privacy*

*RSA 189:68-a * Student Online Personal Information*

*RSA 359-C:19-21 * Right to Privacy/Notice of Security Breach*

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