

Policy Development Committee Agenda

1/12/2024

7:00 A.M. ~ Gilford High School Library

Policies to Review

JCA – Change of Class or School Assignment – Best Interest and Manifest Hardship

IKL – Academic Honesty and Integrity

IKFLA – Adult Education Credits

IMG – Animals in Schools

CHANGE OF CLASS OR SCHOOL ASSIGNMENT BEST INTERESTS AND 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 class or 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.

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 class within the school or to another public school or public academy in another district.

The authorization granted to the Superintendent to make reassignments under this policy applies only after application is made by the parent or guardian of the student or with the parents consent, and upon 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.

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

1. Procedure:

- a. In order to initiate consideration of a reassignment 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 reassignment. In order to facilitate a determination, such application may also include any additional information described in d below. The written request should be mailed or delivered to the SAU office, or emailed to the Superintendent at the email address provided on the District's website for the then current Superintendent.
- b. Upon such request, the Superintendent shall schedule a meeting (the "reassignment meeting") with the parent or guardian, to be held within 10 days of receiving the request.
- c. Prior to or at the reassignment meeting, the parent or guardian shall make a specific request that the student be re-assigned to another class/grade within the same school or to a public school or public academy in another District.
- d. At the reassignment meeting, the parent or guardian may present documents, witnesses, or other relevant evidence supporting the parent's belief that reassignment is in the best interest of the student.
- e. The Superintendent may present such information as he or she deems appropriate.

f. In determining whether reassignment is in the student's best interest the Superintendent shall consider the student's academic, physical, personal, or social needs.

2. Finding Reassignment is or is not in Best Interest.

a. Within five school days of the reassignment meeting, the Superintendent shall deliver to the parent/guardian a written determination as to 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).

b. If the Superintendent finds it is in the best interest of the student to change the student's school or assignment, the Superintendent shall initiate:

i. A change of assignment within the student's current assigned school;

ii. The student's transfer to another public school or public academy within the district of residence; or

iii. The student's transfer to a public school or public academy in another district.

c. 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 or 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.

3. Tuition Determination. If a student is to be reassigned to another District as a result of a best interest determination, the Superintendent shall work with the Superintendent of the receiving district 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 consistent with the Board's ordinary manifest approval procedures.

The Superintendent shall assure that the reassignment approval is placed on the agenda for the next regularly scheduled Board meeting.

4. Transportation: Transportation for a student reassigned to schools in another district under this section A (best interest) shall be the responsibility of the parent or legal guardian.

5. 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).

6. Other In-District Assignments. Nothing in this policy is intended to limit authority otherwise extended to the Superintendent to make assignments or reassignments according to the policies, regulations, and ordinary practices of the District.

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 described that reassignment is not in a student's best interest as described in paragraph A.2.C, 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 or 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).
 - c. Prior to or at such hearing, the parent/guardian shall provide to the Superintendent a specific request in writing that the student attend a public school or public academy 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 or 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 assure that the means for the Board to establish an adequate record of the hearing.
 - e. The parent or 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.
 - f. The Board will render its decision in writing within seven (7) days after the hearing, and will forward its written decision to the parents or guardians 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. 320(c)-(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 re-assign the student to a public school or public academy in another district.
 4. Finding that Manifest Educational Hardship has not Established – Appeal to the New Hampshire State Board of Education. If the School Board finds that the parent or guardian has not met their burden of proof, the parent or 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 Ed. Rule Ed. 204.01 (g). SBOE.
 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 school 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 re-assigned. 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 schools in another District under this section B (manifest educational hardship) shall be the responsibility of the District unless otherwise ordered by the SBOE.
- 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.** The total reassignments or transfer 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 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.

Legal References:

Ed RSA 193:3, III, Change of School Assignment
RSA 193:14-a, Change of School Assignment; Duties of State Board of Education
N.H. Dept. of Education Administrative Rule Ed. 320

(Adopted 3-1-2021)

Change of Class or School Assignment - Best Interests and Manifest Hardship

Category: Priority/Required by Law

ADOPTION/REVISION NOTES –

- a. **Adoption note** - Important note regarding **2020** amendments to JCA: The 2020 revision to JCA also merged the subject matter of previous sample JEC (manifest educational hardship) with JCA to reflect the new statutory relationship between those two reassignment provisions. NHSBA withdrew sample JEC with the 2020 revision to JCA. Most of this policy specifically tracks language in the amended version of RSA 193:3. If a district wishes to modify miscellaneous provisions, it should review the statute carefully, and or consult with private counsel and/or NHSBA Policy Services.

NHSBA revision notes, Sept. 2023, revisions include clarification of the board's authority to approve Superintendent's assignment of students to approved private schools (see 2023 passage of SB77), as well as other revisions: (1) clarifying standards for consideration of requests for assignment to private schools, and annual review of both best interest and manifest hardship assignments, (2) adding language to section and footnote regarding transportation obligations in manifest hardship cases, and (3) minor format/grammar changes; **Sept. 2021**, revisions reflect 2021 amendments to RSA 193:3, I-II, & VI (HB388) which (i) expanded allowable best interest and manifest hardship re-assignments to include "approved" private schools (irrespective of whether sectarian), and (ii) added language to 193:3, IV clarifying that if denial of a manifest hardship assignment is based upon a child's disability, a complaint may be filed with the N.H. Human Rights Commission. **November 2020**, the old version of policy JCA concerned only reassignments based on the best interest standard, while manifest educational hardship reassignments were addressed in sample JEC. Each of the former policies reflected different processes described in RSA 193:3, I-III. 2020 legislative changes to 193:3, I-III-a (see 2020 Laws 38:22, chaptered version of 2020 HB1558, including amended HB1328) made best interest and manifest hardship processes sequential, rather than separate. Accordingly, NHSBA has merged the two processes into one policy. It is possible/likely that at some point in the next couple of years, the NH DOE will amend Rule Ed 320 to reflect the 2020 legislative changes, and such rule revisions may require additional policy revisions.



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 class or 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.

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 a another class within the school, another public school, public academy, or approved private school in another district.

Authorization granted to the Superintendent to make reassignments under this policy applies only after application is made by the parent/guardian of the student or with the parent/guardian's consent, and upon 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.

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

1. Procedure:

- a. In order to initiate consideration of a reassignment 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 reassignment. In order to facilitate a determination, such application may also include any additional information described in 4 below. The written request should be mailed or delivered to the SAU office or emailed to the Superintendent at the email address provided on the District's website.
- b. Upon such request, the Superintendent shall schedule a meeting (the "reassignment meeting") with the parent/guardian, to be held within 10 days of receiving the request.
- c. Prior to or at the reassignment meeting, the parent/guardian shall make a specific request that the student be re-assigned to another class/grade within the same school, or to a public school, public academy, or approved private school in another district.
- d. 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.
- e. The Superintendent may present such information as he or she deems appropriate.

- f. In determining whether reassignment is in the student's best interest the Superintendent shall consider the student's academic, physical, personal, or social needs.
2. Finding Reassignment Is or Is Not in Best Interest.
 - a. Within five school days of the reassignment meeting, the Superintendent shall deliver to the parent/guardian a written determination as to 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).
 - b. 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:
 - i. A change of assignment within the student's current assigned school;
 - ii. The student's transfer to another public school or public academy within the district of residence; or
 - iii. The student's transfer to a public school, public academy, or approved private school in another district.
 - c. 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.
3. Tuition Determination.

- a. *Assignment to Another School District or Public Academy.* If a student is to be reassigned to a public school in another school district or approved public academy as a result of a best interest determination, the Superintendent shall work with the Superintendent or administrator of the receiving school district/approved school 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 consistent with the Board's ordinary manifest approval procedures.
- b. *Assignment to an Approved Private School.* If the student is reassigned to an approved private school as a result of a best interest determination, that school may charge tuition to the parent/guardian or may enter into an agreement for payment of tuition with the school district in which the student resides. [1 Delete Endote]. 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 assure that the reassignment approval is placed on the agenda for the next regularly scheduled Board meeting.

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.
5. 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: 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).^[2 Delete endnote]
6. Other In-District Assignments. Nothing in this policy is intended to limit authority otherwise extended to the Superintendent to make assignments or reassignments according to the policies, regulations, and ordinary practices of the District.
7. Review/Appeal of Decision. The decision of the Superintendent shall be final and any appeal shall be limited to the process set forth in Section B, below.
8. 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.

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 describing that reassignment is not in the student's best interest as described in paragraph A.2.a & c, 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 ^{3 Delete endnote} 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).
 - c. Prior to or at such hearing, the parent/guardian shall provide to the Superintendent a specific request in writing that the student 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 assure 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.⁴
 - 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 320(c)-(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 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 Ed. Rule Ed 2001(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 **{not}** (see and delete endnote 5) 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. [6 Delete endnote]

C. Admission Requirements. Students reassigned under this Policy shall meet the admission requirements of the school to which the student is to be reassigned. **Statutory**

D. Reassignment Limit. The total reassignments or transfer 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.

¹ [Delete endnote] The first sentence of this paragraph is taken directly from the 2021 amendment to RSA 193:13, I(h). It is unclear from the statutory language how this relates to the District’s tuition negotiation/payment language relative to schools in other public districts.

² [Delete endnote] RSA 193:3, I(g) includes the language: “Some or all of the tuition may be waived by the Superintendent for good cause shown or pursuant to school board policy of the receiving district.” The language suggests that the two standards (good cause shown or policy) are not exclusive.

³ [Delete endnote] The 2020 amendments to RSA 193:3, II require that the hearing be held within 15 days of the request by the parent. This supersedes the 30 day requirement of NH DOE Ed. 320.01 (e).

⁴ 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.

⁵ [Delete endnote] There is some ambiguity as to whether the law requires districts to provide transportation for K-8 students who are assigned to schools outside of the district after a manifest hardship determination. RSA 189:6 requires the district to provide transportation for K-8 students living more than two miles from the school to which a student is assigned. While 193:3,I (g) has a specific exception built in for best interest assignments (see A.4, above), no such exception exists for manifest hardship assignments. Accordingly, before including the word "not" here, the School Board should consult with its private counsel.

⁶ [Delete endnote] Similar as to what is allowed of the Superintendent relative to a best interests determination, the School Board, may – but is not required to - review a student’s manifest educational hardship reassignment to determine whether the original conditions which have caused the need for the manifest educational hardship reassignment no longer exist.

NH Statutes

RSA 193:14-a

Description

[Change of School Assignment; Duties of State Board of Education](#)

RSA 193:3, III

[Change of School Assignment](#)

NH Dept of Ed Regulation

Ed 307

Description

[Manifest Educational Hardship](#)

N.H. Dept. of Education Admin. Rule Ed. 320

[N.H. Dept. of Education Administrative Rule Ed. 320 \[Pending revision\]](#)

JFAB

[Admission of Tuition and Non-Resident Students](#)

JG

[Assignment of Students to Classes and Grade Levels](#)

Category: *Optional*

Academic Honesty and Integrity

ADOPTION/REVISION NOTES –

- a. **ADOPTION NOTE** - *The use of generative artificial intelligence ("AI ") tools is ever-present and becoming more so. Obvious concerns exist that students use such tools in place of their own work to the detriment of the development of their own critical thinking , writing and other skills, not to mention as a means of cheating or otherwise gaining an unfair advantage . Nonetheless, NHSBA recommends against a complete ban on AI tools due not only to their ubiquity and the constantly evolving difficulty in managing a ban. Perhaps more importantly, an outright ban fails to recognize that properly used, AI is a powerful tool both for teachers and students. With this in mind, NHSBA revised Section B of the policy to include a paragraph specific to improper use of AI, as well as language in some of the other examples of prohibited conduct to include reference to AI. The new section, B.3 "Improper Use of Artificial Intelligence", however, also allows for use within parameters established by a particular instructor or by district or school rules. NHSBA encourages school administrators, IT directors and teachers to consider such parameters.*

NHSBA revision notes, August 2023, revised Section B to include provisions concerning use of AI, also revised section B.6 (formerly B.5). **May 2022**, new policy prepared at the request of multiple NHSBA member boards.



A. Statement of Policy. All students are expected to demonstrate academic integrity and honesty. Students are expected to put forth their best effort on tests and assignments. Students are expected to demonstrate respect towards their instructors and peers by encouraging and facilitating learning. Engaging in various forms of cheating or academic dishonesty does not permit students to realize the full extent of their educational experience or their full academic potential. These expectations are directly related to the Board’s educational objectives for students to learn to be responsible for and accept the consequences of their behavior.

B. Prohibited Behavior. In addition to any standards or rules established by individual classroom teachers, the following behaviors are in violation of the standards of academic integrity and honesty and are specifically prohibited:

1. **Cheating.** Cheating is any act of academic dishonesty, which includes such things as receiving or communicating information to another student during a test or other assessment; looking at another's test or assessment during the exam; using notes or obtaining information during a test or assessment when prohibited; obtaining information about the questions or answers for an assessment prior to the administration of the exam; or whatever else is deemed contrary to the rules of fairness with respect to school work or assessment, including special rules developed by the instructor of the course.
2. **Improper Use of AI Tools.** Improper use of artificial intelligence ("AI") tools (e.g., ChatGPT, Google Bard, Harvey.AI, etc.) is use which is inconsistent with the purpose, spirit, or specific instructions for assigned school work or homework. **Students may only use AI tools in accordance with the teacher's specific instructions or pre-existing class, school or District guidelines.** When use is permitted, students must state their use of the AI tools and, where applicable, find a legitimate, independent source to cite information. Teachers will provide general instructions related to the acceptable use of AI tools, but students are expected to obtain clarification from the teacher if they are uncertain of whether and how AI tools may be used on any given assignment.
3. **Plagiarism.** Plagiarism is the representation of someone else's ideas or words as one's own without crediting the source. It is the use, whether by paraphrase or direct quotation, of the published or unpublished work of another without full and clear acknowledgment through proper citation format. Sources of work that must be cited or otherwise acknowledged in order to avoid plagiarism include, but are not limited to, books, articles, websites, work of classmates/others, and AI tools (such as ChatGPT, Google Bard, Harvey.AI, etc.). Teachers should provide clear instructions related to the applicable standards of attribution and citation for a given assignment, but students are expected to obtain clarification from the teacher if they are uncertain of the applicable standards.
4. **Academic Misrepresentation.** Academic misrepresentation occurs when a student has another student or individual substitute for himself or herself during the taking of a test or other assessments.
5. **Academic Collusion.** Academic collusion is the sharing of test or other assessment questions or answers with another student without the instructor's permission. Academic collusion includes copying another student's homework without the instructor's permission or allowing another student to copy one's work. It also includes group collaboration on individual assignments without the instructor's permission.
6. **Dishonesty in Papers or Other Academic Work.** Dishonesty in papers or other academic work occurs when one submits work prepared by a writing service, an AI tool, or any another person. All work submitted for a course must be the student's own original work unless the sources are cited, or are otherwise in compliance with the teacher's instructions, or school or District guidelines.
7. **Self-Plagiarism (Work Done for One Course and Submitted in Another).** Self-Plagiarism occurs when a student for a class refers to work previously submitted in another class in order to fulfill the academic requirements in that latter class. In some instances, instructors may allow a certain amount of work from a prior course to be repurposed;

students who wish to do this must seek express approval from the instructor in advance.

8. **Unfair academic advantage.** Unfair academic advantage occurs when a student acts in such a way as to prevent or hinder another student's performance with respect to an academic activity. Examples include: concealing, destroying, or stealing research or library materials with the purpose of depriving others of their use; sabotaging another student's work; or attempting intimidation for academic advantage.
9. **Facilitating academic dishonesty.** Facilitating academic dishonesty occurs when one student completes an academic activity (e.g., homework, test, paper, etc.) for another student, or collaborates with another student on an academic activity when instructions have called for independent work.
10. **Other Academic Dishonesty.** This policy also prohibits any intentional act that violates the spirit of academic integrity and this policy. Such prohibited conduct includes, but is not limited to, stealing assessments; tampering with academic records; including inaccurate academic information on any application or resume; altering academic tests or assessments, grades or other student records; distributing materials for the purpose of cheating or facilitating; inappropriate or unethical use of technology (pre-program of graphing calculator, smart phones, etc.); or feigning illness or personal circumstances to avoid an academic activity (e.g., test, quiz, paper, homework, lecture, etc.).

C. Consequences.

The disciplinary consequences for violations of this policy shall be consistent with Board policy and the Student **Code of Conduct** _____. The minimum consequence **[should/shall]** be a zero relative to the specific assignment, test or quiz, and a conference with the student's parent/guardian. The Superintendent or designee shall list in the applicable **Code of Student Conduct** the specific range of additional consequences that may be imposed on a student for violations of this policy. **For a high school student, violations of academic integrity and honesty are cumulative during the student's high school years.**

*Current GSD Policy for review. We do not need this policy as this is incorporated in policy IHBH Extended Learning Opportunities and IHBI Alternative Learning Opportunities.
1-12-2024 Policy Committee*

ADULT EDUCATION CREDITS

Students shall be allowed to earn up to 20% of their credits in the Laconia Adult High School Diploma Program, or any other accredited Adult Education Program(s) in accordance with the guidelines published by the New Hampshire State Education Department, towards graduation from Gilford High School.

Registrations under this policy must be approved in advance by the Gilford High School Principal and the Director of the Adult High School Diploma Program.

**(Adopted: 1/5/76)
(Revised: 3/4/02)
(Reaffirmed: 4/2/2012)**

(Ref. 5375)

*Current GSD Policy for review.
1-12-2024 Policy Committee*

ANIMALS IN SCHOOLS

In the interest of students and safety, the Gilford School District supports the careful and responsible use of animals in and around schools.

(Adopted: 5/4/98)

(Reaffirmed: 5/7/2012)

**NHSBA sample policy.
1-12-2024 Policy Committee**

Animals in School

The Board recognizes that under the proper conditions, animals can be an effective teaching aid. In order to protect both children and animals, the following guidelines are adopted for use in all schools in the district.

1. The bringing of animals into the classroom must not violate city/state/federal ordinances.
2. The only animals and animal products (e.g., owl feces for dissection) allowed in a classroom must be for a specific and appropriate educational purpose and shall be allowed for the amount of time necessary to achieve the educational goal.
3. Precautions should be taken to minimize transmission of all diseases and injuries (e.g., Salmonella, rabies, ringworm, bites, scratches, etc.)
4. All animals must be in good physical condition and vaccinated against transmittable diseases. Dogs, cats, and ferrets require proof of current rabies vaccination. Animals are to be kept clean and free of intestinal parasites, fleas, ticks, mites, and lice.
5. Certain groups of people may be more susceptible to diseases, including infants, children, pregnant women, and those with weakened immune systems. Consult with parents to determine special considerations needed for children who are immunocompromised, who have allergies, or who have asthma.
6. The teacher will be responsible for the proper control of animals brought to school for instructional purposes, including the effective protection of children when animals are in the school. This will include keeping the animal in an appropriate cage or container, supervising human-animal contact, and handling fecal material in a sanitary manner.
7. No animals are to be allowed to run freely in the classrooms, food areas, or activity areas.
8. Areas should be designated for animal contact. Such areas should be properly cleaned regularly and after animal contact. Food or drink should not be consumed in these areas.
9. All fecal material must be cleaned from the cage of any mammal or bird on an as needed basis (at a minimum of one time per week), and appropriate sanitizer used. Reptiles, fish, and insects must be cared for in a manner to minimize odor and maintain health. Persons cleaning cages must wear gloves, masks, and glasses or goggles. Cleaning should be performed by people older than 5 years and under the supervision of an adult. Ideally, cleaning should be performed when other children are not in the room.

10. Wash hands after contact with animals, animal products, or their environment. Hand hygiene should be stressed, using verbal and written educational materials.
11. Certain animals pose additional risks and contact should not be permitted with young children.
12. Wild or exotic animals are not permitted in classrooms, unless under the control of a professional.

It will be the responsibility of the teacher to provide for a plan of care for classroom housed animals in the event of an emergency school closing which might cause disruption of the routine care of the animals. In each school where these animals are housed, there should be a plan whereby the staff member who visits the school daily during the emergency closing will be aware of the animals' presence and see to their care. If no staff member visits the school daily in such circumstances, the teacher is responsible for the daily care of the animal(s).

Teachers must be contacted prior to having animals in their classroom. No animal shall be at school unless the teacher involved is familiar with the appropriate care, feeding, and handling of that animal and of any potential dangers caused by that animal. It shall be the responsibility of the teacher to become familiar with each animal as it relates to the well being of the individual students in that particular classroom.

The principal shall be advised of any animals to be housed in the classroom. At the principal's discretion, permission to keep the animal may be denied based on these considerations: (1) the purpose for the animal's presence, (2) the ability of the teacher to control the animal, and/or (3) the past practice in the classroom.

Unauthorized Animals on School Grounds

Unauthorized animals are not allowed in school buildings or on school grounds. Children and staff will be instructed to keep their own animals off the school grounds. The appropriate town official will be called and requested to impound all animals taken into custody by school personnel.

The Superintendent shall develop procedures stating which animals are unauthorized as well as proper handling and caging procedures of animals in buildings or on school grounds.

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.*

Legal

Nat'l Assoc. of St. Public Health Veterinarians

Description

National Association of State Public Health Veterinarians, Inc., Compendium of measures to Prevent Disease Associated with Animals in Public Settings, 2006.
<http://www.nasphv.org/documentsCompendia.html>