

Perkins Report Recommendations

Issue	Recommendation	Person Responsible	Result and Timeline	Measure of Success
<p>I. Understand that non-sexual boundary violations are often precursors to sexual abuse</p>	<ul style="list-style-type: none"> • Accept that misconduct can and does occur everywhere, including in public schools • Eliminate ambiguity in rules and enforce rules consistently • Education and awareness of boundary violations and grooming behaviors 	<ul style="list-style-type: none"> • Superintendent • Principals • Assistant Principals • Title IX Coordinator 	<ul style="list-style-type: none"> • <i>Grooming Behaviors and Boundary Violations</i> PD training on 7/17/20 • Continuous training with students, parents, and educators 	<ul style="list-style-type: none"> • Students, parents, and employees are aware of and trained on expectations • Data analysis of incidents • Updates to rules/consistency • Employees see something and say something • Increased questions asked of Title IX Coordinator • Increased reporting
<p>II. Create a culture in the school environment where all community members feel comfortable reporting concerns and are confident that concerns will be addressed</p>	<ul style="list-style-type: none"> • The District should conduct a Climate Survey of staff, students, and families 	<ul style="list-style-type: none"> • Superintendent • Principals • Title IX Coordinator 	<ul style="list-style-type: none"> • Continuous training and awareness on reporting • Policies #431 and #520 • Training and accountability for retaliation against a student or employee for making a report 	<ul style="list-style-type: none"> • Increased reporting • Survey/assessment at end of school year on school climate
<p>III. Establish a comprehensive protocol for responding to concerns related to sexual misconduct</p>	<ul style="list-style-type: none"> • Have a unified complaint process for reporting sexual misconduct that applies to staff and students. Include definitions of prohibited conduct, how to report sexual misconduct, and the complaint process • Publish complete protocol in all school' student and staff handbooks • Publish information on bulletin boards 	<ul style="list-style-type: none"> • Superintendent • Title IX Coordinator • Principals 	<ul style="list-style-type: none"> • Policy #415 as of 8/13/20 	<ul style="list-style-type: none"> • Increased reporting

<p>III (A). Current District protocol requires anyone with a concern of sexual misconduct to report it to a designated administrator</p>	<ul style="list-style-type: none"> • That the District change its policy to require staff, students, or family members reporting potential Title IX violations – including sexual boundary violations – to report directly to the District’s Title IX Coordinator <p>*See page 8</p>	<ul style="list-style-type: none"> • Superintendent • Title IX Coordinator 	<ul style="list-style-type: none"> • IAW new Title IX regulations as of 8/13/20: reports of sexual harassment may be made to ANY District employee (K-12) • K-12 employees are mandated reporters and disciplinary sanctions may be imposed for not reporting 	<ul style="list-style-type: none"> • Students and employees know who to report allegations of sexual misconduct to
<p>III (B). Administrators tasked with investigating and responding to sexual misconduct must be impartial and have specialized training or experience</p>	<ul style="list-style-type: none"> • Investigators be trained and that investigations be adequate, reliable, impartial, and prompt 	<ul style="list-style-type: none"> • Superintendent • Principals • Assistant Principals • Title IX Coordinator 	<ul style="list-style-type: none"> • List of District Investigators was updated for 2020-2021 • Training for Investigators held 06/24/20 by Title IX Coordinator • Tool Kit prepared for Investigators (checklist and a sample Investigative Report) • Trauma-informed questions and procedures discussed 	<ul style="list-style-type: none"> • Independent, thorough, and unbiased investigations performed within stated timeframes on pg. 18/25 of Policy #415
<p>III (B).</p>	<ul style="list-style-type: none"> • The District conduct all sexual misconduct investigations at the District level (SAU 8) <p>*See page 8</p>	<ul style="list-style-type: none"> • Superintendent • Title IX Coordinator • Principals • Assistant Principals 	<ul style="list-style-type: none"> • Policy #521 contains a list of Investigators • Many cases can be investigated within the school with a trained investigator overseen by the Title IX Coordinator • Workload of Title IX Coordinator • Possible conflicts in advising the Superintendent 	<ul style="list-style-type: none"> • Investigations are thorough, fair, and conducted in a timely fashion

<p>III (C). The District impose interim measures to ensure student safety</p>	<ul style="list-style-type: none"> • Place employees on paid leave upon receipt of a credible allegation • Provide support measures to reporter and victim • Provide information on rights regarding: no contact, restraining orders, criminal prosecution, how to file reports with NH DOE, and Office of Civil Rights 	<ul style="list-style-type: none"> • Superintendent • Title IX Coordinator 	<ul style="list-style-type: none"> • See Policy #521, II (7) re: placement of employees on administrative leave and Policy #415 pg. 13/25 (safety–risk analysis and appeal rights) • See Policy #415 pg. 13/25 on emergency removal of a student. See supportive measures on pg. 5/25 of Policy #415 • See bypass provision on pg. 11/25 of Policy #415 	<ul style="list-style-type: none"> • Request feedback from complainants and respondents regarding the effectiveness of safety and supportive measures implemented in their case
<p>III (C). The District encourages reporting and accountability for sexual misconduct</p>	<ul style="list-style-type: none"> • Adopt an “amnesty” policy to refrain from disciplining students who report sexual misconduct despite minor violations of school policies which occurred during the sexual misconduct. 	<ul style="list-style-type: none"> • Superintendent • Title IX Coordinator • Policy Committee 	<ul style="list-style-type: none"> • Policy #415 pp. 2/25 • Addressed during training sessions on <i>Title IX Sexual Harassment Reporting and Grievance Process</i> 	<ul style="list-style-type: none"> • Increased reporting
<p>III (D). The District should inform parties of the outcome of the investigation</p>	<ul style="list-style-type: none"> • Substantiated/non-substantiated • Sanctions affecting the complainant directly (no contact/removal from school) 	<ul style="list-style-type: none"> • Superintendent • Title IX Coordinator 	<ul style="list-style-type: none"> • Policy #521 – 8/5/19 • Policy #415 – 8/13/20 	<ul style="list-style-type: none"> • Survey complainants and respondents
<p>III (E). Sanctions for sexual misconduct be proportionate to the conduct, and consistent with other discipline</p>	<ul style="list-style-type: none"> • Proportionate • Consider mitigating/aggravating factors • Consistent with discipline for similarly situated circumstances 	<ul style="list-style-type: none"> • Superintendent • Title IX Coordinator 	<ul style="list-style-type: none"> • Policy #415 	<ul style="list-style-type: none"> • Yearly review of sanctions issued in sexual misconduct cases
<p>III (F). The District should provide an appeals process</p>	<ul style="list-style-type: none"> • Merits: procedural error; previously unavailable evidence • Sanctions: disproportionate to the findings 	<ul style="list-style-type: none"> • Superintendent • Title IX • School Board 	<ul style="list-style-type: none"> • Policy #415 (outlines appeal process for substantiated cases of sexual harassment under Title IX) • Need to review Policy #521 for appeal process 	<ul style="list-style-type: none"> • Due process rights afforded to all parties

<p>IV. Staff and administrator training should be held to recognize “red flags” of sexual misconduct and how to report and respond appropriately</p>	<ul style="list-style-type: none"> • Students and staff receive annual training on identifying and reporting sexual misconduct, reporting peers, grooming behaviors and non-sexual boundary violations that often precede sexual abuse • Creation of a culture where staff and administrators feel comfortable reporting without fear of repercussion 	<ul style="list-style-type: none"> • Superintendent • Principals • Title IX Coordinator • Educators trained in child development 	<ul style="list-style-type: none"> • <i>Grooming Behaviors and Boundary Violations</i> training on 7/17/20 • Sexual abuse signs and symptoms discussed during PD training on 8/25/20, 8/27-8/28/20, 8/31/20, 9/1/20 to 9/3/20 • Retaliation discussed in PD training for 2020-2021 school year • Training and awareness will be presented to students 	<ul style="list-style-type: none"> • Survey results indicating an understanding and recognition of “red flags”
<p>V. Enhance supervision of staff and students</p>	<ul style="list-style-type: none"> • Maintain clear boundaries between teachers and students 	<ul style="list-style-type: none"> • Principals • Assistant Principals • Educators • Title IX Coordinator 	<ul style="list-style-type: none"> • <i>Grooming Behaviors and Boundary Violations</i> PD training on 7/17/20 • PD training from 8/24–9/3/20 	<ul style="list-style-type: none"> • Ongoing and recurrent training on boundary violations and grooming behaviors, with examples
<p>V (A) (1). Administrators document verbal counseling and use progressive discipline</p>	<ul style="list-style-type: none"> • Administrators walk the halls and observe activities involving staff and students to identify behaviors warranting further observance 	<ul style="list-style-type: none"> • Principals • Assistant Principals • Title IX Coordinator 	<ul style="list-style-type: none"> • Ongoing, with limited students in school buildings • Quarterly review of emails using “search terms” 	<ul style="list-style-type: none"> • At-risk behavior identified and immediately addressed
<p>V(A) (2). Standard policies implemented for staff on social media, Internet use, personal communications at school, and professional appearance</p>	<ul style="list-style-type: none"> • Social media policy specifically discouraging teachers from communicating with students on Instagram, Snapchat, Facebook • Prohibition regarding use of personal social networking sites during school • Progressive discipline and accountability for violations 	<ul style="list-style-type: none"> • Superintendent - delegated • Principals 	<ul style="list-style-type: none"> • Policy #434 • Recommend further guidance 	<ul style="list-style-type: none"> • Ongoing

<p>V (A)(3). The District should comply with FERPA</p>	<ul style="list-style-type: none"> • Restrict teachers from receiving information on students not assigned to them • That teachers do not work with unassigned students in the presence of assigned students (SPED students) • Teachers report requests by other educators for information on students not assigned to them to the Title IX Coordinator 	<ul style="list-style-type: none"> • Superintendent • Principals • Assistant Principals • Educators • Educational Assistants • Tutors 	<ul style="list-style-type: none"> • PD training addressed FERPA 8/24– 9/02/20 • Policy #431, 8/5/19 • CHS Parent/Student handbook (pg. 30) • DOE COC/COD Principle II 	<ul style="list-style-type: none"> • Ongoing reminders, training, and oversight of FERPA
<p>V(A)(4). Schedule changes</p>	<ul style="list-style-type: none"> • Changes to a student’s schedule should not be permitted without express written permission from the student’s parent or guardian 	<ul style="list-style-type: none"> • Principals • Assistant Principals 	<ul style="list-style-type: none"> • FERPA • CHS – rights transfer to students at age 18 (no parental signature needed) • Schedule changes addressed in student/parent handbooks or within specific school policies 	<p>Schedule change requests for students under 18 approved by parent/guardian</p>
<p>V(A)(5). Transportation</p>	<ul style="list-style-type: none"> • Must receive prior approval • Parent/guardian must consent 	<ul style="list-style-type: none"> • Superintendent • Principals • Students • Parents 	<ul style="list-style-type: none"> • Policy #437, 3/2/20 • A <i>Permission to Transport</i> form will be created by 9/30/20 	<ul style="list-style-type: none"> • No student is transported by a school employee without advance consent of a parent or guardian • Audit permission forms each year
<p>V(A)(6). Communication with student</p>	<ul style="list-style-type: none"> • Develop a policy of how teachers may communicate with students in and out of school, in compliance with the NH DOE COE 	<ul style="list-style-type: none"> • Superintendent • Principals 	<ul style="list-style-type: none"> • Need to address social media in greater detail • NH DOE COC/COE 	<ul style="list-style-type: none"> • Ongoing
<p>V(A)(7). Gifts</p>	<ul style="list-style-type: none"> • Adopt a policy prohibiting staff from giving anything of value to students except rewards/awards authorized by the administration 	<ul style="list-style-type: none"> • Superintendent 	<ul style="list-style-type: none"> • NH DOE COE/COC • Policy #437 	<ul style="list-style-type: none"> • Calls and advice sought from Title IX Coordinator

<p>V(A)(8). Fraternalization with students</p>	<ul style="list-style-type: none"> • Consider discouraging staff from socializing with students outside of school • Require staff to disclose any relationships with students requiring in-person contact outside of school or school-sanctioned events such as employment or family relationships <p>See page 9</p>	<ul style="list-style-type: none"> • Superintendent • Principals 	<ul style="list-style-type: none"> • Policy #437 • Recommendation requiring reporting of outside employment of a student by a staff member on more than an “infrequent occasion” is under consideration & discussion 	<ul style="list-style-type: none"> • No inappropriate fraternization between staff and students
<p>V(A)(9). Physical contact with students</p>	<ul style="list-style-type: none"> • Consider adopting a policy forbidding staff from hugging students or engaging in any physical contact other than: momentary hand on shoulder or arm, a handshake or fist bump <p>See page 9</p>	<ul style="list-style-type: none"> • Superintendent 	<ul style="list-style-type: none"> • Policy #437 (Rec. to add awareness of circumstances and discretion when one-on-one) • Addressed in PD training sessions • Included in <i>Boundary Violations/Grooming Behavior</i> training on 7/17/20 • DOE COC/COE 	<ul style="list-style-type: none"> • Physical contact between students and staff is non-intimate and infrequent
<p>V(B)(1). Lockdown panels (windows)</p>	<ul style="list-style-type: none"> • Remove after drills so activity in the classroom may be observed 	<ul style="list-style-type: none"> • Principals • Assistant Principals • Educators 	<ul style="list-style-type: none"> • Policy #437 	<ul style="list-style-type: none"> • No reports of staff and students behind locked classrooms with windows covered
<p>V(B)(2). Lunchtime</p>	<ul style="list-style-type: none"> • Students at RMS and CHS be required to eat lunch in the cafeteria or other designated area • Any designated area utilized for lunch or free time be supervised 	<ul style="list-style-type: none"> • Principals • Assistant Principals 	<ul style="list-style-type: none"> • CHS Parent/Student handbook, pg. 9 	<ul style="list-style-type: none"> • No unsupervised or “special” lunch areas
<p>V(B)(3). Cell phone policy</p>	<ul style="list-style-type: none"> • Administrators question any teacher’s failure to enforce reasonable restrictions on student behavior 	<ul style="list-style-type: none"> • Superintendent • Principals • Assistant Principals 	<ul style="list-style-type: none"> • See Parent/Student handbooks 	<ul style="list-style-type: none"> • Parent/student handbooks updated on a regular basis • CHS Parent/Student handbook, pg. 10

V(B)(4). Nomenclature	<ul style="list-style-type: none"> • The District require students to address teachers by their last names with appropriate titles. • Question any teacher’s failure to enforce standards of behavior as it could be an indication of other boundary violations 	<ul style="list-style-type: none"> • Principals • Assistant Principals • Educators • Students • Parents 	<ul style="list-style-type: none"> • Policy #540 (appropriate behaviors, including respect) • Nomenclature will be addressed in upcoming District handbook 	<ul style="list-style-type: none"> • Ongoing observations
VI. The District should err on the side of notification to authorities and parents/ guardians of minor children	<ul style="list-style-type: none"> • Schools take the conservative approach in making good faith reports of “suspected abuse or neglect” to DCYF, CPD, and parents 	<ul style="list-style-type: none"> • Superintendent • Title IX Coordinator • Principals • Assistant Principals • K–12 employees 	<ul style="list-style-type: none"> • Policies #415, #520 and #539 • PD training held from 8/24/20–9/03/20 • NH DOE through the COE & COC 	<ul style="list-style-type: none"> • Culture change to “when in doubt, report”
VII. The District should conduct regular evaluations of administrators	<ul style="list-style-type: none"> • Conduct regular evaluations of administrators using a “360-degree” analysis that includes supervisors, subordinates, peers, and family perspectives 	<ul style="list-style-type: none"> • Superintendent • Principals • Assistant Principals • Human Resources 	<ul style="list-style-type: none"> • Policy #450 • In-person evaluations on hold due to Covid-19 	<ul style="list-style-type: none"> • Regular evaluations
VIII. The District should ensure enhanced supervision of staff without the requisite certification	<ul style="list-style-type: none"> • Three (3) administrators’ credentials were not up to date 	<ul style="list-style-type: none"> • Superintendent • Human Resources Director • Principals • Assistant Principals 	<ul style="list-style-type: none"> • All certifications of administrators are current 	<ul style="list-style-type: none"> • All required certifications are current
*Create a District Handbook (this initiative is outside of the Perkins Report)	<ul style="list-style-type: none"> • Will result in consistent policies across the District • Schools can insert specific policies at the end of the document 	<ul style="list-style-type: none"> • Superintendent • Designated administrators 	<ul style="list-style-type: none"> • Ongoing 	<ul style="list-style-type: none"> • Consistent policies across the District

CPD – Concord Police Department
IAW – In accordance with
NHCOE – NH Code of Ethics

DCYF – Department of Children, Youth and Families
NH DOE – NH Department of Education

FERPA – Family Educational Rights and Privacy Act
NHCOC – NH Code of Conduct

Policy # 415 Title IX Sexual Harassment Reporting and Grievance Process
Policy # 434 Social Media – Staff
Policy #450 Teacher Performance and Evaluation System
Policy #521 Sexual Harassment
Policy 540 School Wide Behavioral Interventions and Supports

Policy #431 Professional Expectations
Policy #437 Employee-Student Relations
Policy #520 Safe Schools
Policy #539 Student Safety and Violence Prevention – Bullying

Additional information: Training Schedule of 2020-2021 trainings held to date (attached)

Explanations on non-concur areas:

III (A). That the District change its policy to require staff, students, or family members reporting potential Title IX violations – including sexual boundary violations to report directly to the District’s Title IX Coordinator.

In the past, schools could designate who they wanted individuals to report allegations of sexual harassment to. Under the new Title IX regulations implemented on August 14, 2020, actual knowledge is imputed to a school when “any” K-12 employee of the District (other than the alleged wrongdoer) receives notice, a report of information, or becomes aware of sexual harassment or allegations of sexual harassment. A student or employee victim may feel more comfortable reporting to a peer or their boss. The objective is that a report be made, not that it be made directly to the Title IX Coordinator. Avenues are available to report to the Title IX Coordinator by phone, email, text, or in-person. By mandating that reports be made directly to the Title IX Coordinator, K-12 employees may not take their reporting responsibility seriously and in accordance with Board Policy #415, they could face disciplinary sanctions up to and including termination.

III (B). The District conduct all sexual harassment investigations at the district level.

Not all cases of sexual harassment need to be investigated at the District Level. An initial review of the complaint will determine how serious the allegations are and whether an internal investigation can be conducted within the school. The critical attributes of an investigator are that they be trained, independent, and unbiased. CSD Board Policy #521 contains a list of qualified Assistant Principals and Principals who may conduct internal investigations. Using Assistant Principals to conduct investigations, overseen by the Title IX Coordinator, allows the Principal to be the decision-maker on responsibility, the Superintendent to be the initial appeal authority, and the Title IX Coordinator to provide oversight and ensure compliance with due process requirements outlined in CSD Board Policy #415. If the Title IX Coordinator conducts the investigation, he/she may not act in an advisory capacity to the Superintendent due to a conflict of interest. Before assigning an investigator, each complaint will be assessed based on its seriousness and complexity and a determination made by the Superintendent on who will act as the investigator. Options will include using an internal investigator, the Title IX Coordinator at the District level, or an external, third- party investigator.

V(A)(8). Fraternization with students - Consider discouraging staff from socializing with students outside of school. Require staff to disclose any relationships with students requiring in-person contact outside of school or school-sanctioned events such as employment or family relationships.

Instances exist where it is appropriate for staff to socialize with students outside of school even if the situation does not involve employment or family relationships. Examples include attendance at a wedding or funeral of a student's parent or other family member known to the educator, a religious celebration, or supporting a student by attendance at a theatrical, athletic, or musical event not connected with school. Requiring staff to disclose in-person contact outside of school sanctioned events would be onerous, difficult to enforce, and could have a chilling effect on courteous interactions when staff or students run into each other off campus for fear of being seen and reported to school officials. Disclosure requiring employment of a student by a staff member, on more than an infrequent occasion, while the student is enrolled in the school would be appropriate to prevent perceptions of favoritism and prevent assignment of the student to an employer's class.

V(A)(9). Consider adopting a policy forbidding staff from hugging students or engaging in any physical contact other than: momentary hand on shoulder or arm, a handshake or fist bump.

Students experience emotional situations in school. Examples might include telling a teacher about the loss of a parent or other family member, learning about the loss of a peer, congratulatory news such as acceptance into a postsecondary school that a student has dreamed of attending and received support of the teacher, or victory at a State athletic championship. Prohibiting ANY physical contact other than a momentary hand on the shoulder or arm, a handshake, or a fist bump is overly restrictive. Brief, non-intimate, non-frequent hugs can be appropriate between staff and students. Examples of appropriate/inappropriate physical contact between staff and students are addressed as part of professional development training on boundary violations and grooming behaviors and will be part of age appropriate sexual harassment instruction for students.