

Fairfax School Board
Tuesday, April 12, 2022
Fairfax School Board Meeting Minutes

These minutes are not approved until accepted by the Fairfax School Board at their next meeting.

Present: Scott Mitchell, Megan Maddocks, Matthew Hogan, Elizabeth Noonan, Justin Brown, Tom Walsh, Randall Morton, Geri Witalec-Krupa, Emily Aiken, Tamara Revoir, John Tague, Scott Thompson

Public Present: Roy V. Hill, II

1. Scott Mitchell called the meeting to order at 7:32pm
2. **Approve Minutes** – Roy Hill discussed the wording of the minutes. The minutes will be reviewed and brought back to the next meeting.
3. **Correspondence** – There were two emails received. Sharon Randall emailed voicing her support for the students and flying the Black Lives Matter flag. Hillary Borcharding emailed regarding the flag policy which is deferred to the next meeting.
4. **Public Comment** – Roy V. Hill, II commended the Board for the work they are doing. He recommended two books and read an excerpt.
5. **Student Board Representatives** – Not present.
6. **Board Business** –
 - a. Accept Resignations – The district has received resignations from Dylan Callan, Leslie Gadway, Melody Wilkins and Emily Wills.
 - b. Approve New Hires – The administrators discussed the new hires. *Motion by Megan Maddocks to approve new hires Emily Wills, High School ELA teacher; Mitchell Thayer, Middle School Physical Education teacher; Mary Tardif, Band Director; Courtney LaCasse, 5-12 Nursing; Miranda LaBerge, 7/8 Language Arts teacher; Tammy Boissoneault, 3/4 Elementary teacher; Erica Marcelino-Howard, K-12 Wellness; approved unanimously.*
Motion by Matthew Hogan to hire Russell Williams, Teaching and Learning Coach, approved unanimously.
 - c. Construction Project – Three quotes have been received to fix the water line. It involves tearing up a parking lot, inserting new piping, cover and pave. The three quotes are from Pidgeon for \$33,465.00; SD Ireland for \$39,900.00; and Lugo's Plowing for \$17,385.00. There was a discussion regarding the difference in quotes. John will ask Tod Granger to clarify the quotes. A special Zoom meeting will be held to discuss further and take action.
 - d. Transportation Update – Justin Brown discussed the electric bus issue and is working to get the issue resolved. An email was received from Patsy Parker containing three quotes for cameras on the buses. Patsy recommends the quote from Surveillance 24/7 for \$26,000.00. A new transportation director will begin next year.

Motion by Matthew Hogan to authorize up to \$30,000.00 to move forward with the quote from Surveillance 24/7 for video monitoring systems for the buses, approved unanimously.

- e. Policy Update – Policies were distributed to the Board Members for a first reading. There was a discussion regarding same.

7. **Reports –**

- A. Principals – The administrators discussed their list of items they would like to purchase before the end of the year. Emily Aiken asked if bonuses could be given to staff with the surplus. Justin Brown reviewed the list. All of the items on the list equals \$143,000.00, with some items to be determined.

Motion by Tamara Revoir to allow the Administration to spend up to \$150,000.00 on the list provided to the Board, approved unanimously.

Geri Witaliec-Krupa discussed that all of the coaching positions have been filled. The weather has not been cooperating. Geri discussed the Opus 36 Music COMP program held recently with the students and a mentor to compose music. Alden Kalbfleisch's piece was selected. Elizabeth Noonan discussed multiple events happening in the high school. Justin Brown discussed the 7th grade sustainability fair. 8th graders visited a student's family maple sugaring operation. Tom Walsh discussed a grant from Bokan for Puppets in Education. Some students have never attended an assembly because of COVID. Tom reiterated the fact that the students and teachers have outgrown the building.

- B. Financials – Randall Morton discussed the budget. Randall discussed the capital fund and the 5% limit and advised that some money be spent. There was a quote submitted for cameras on the buses.
- C. Superintendent –
- D. Committees – Scott Mitchell inquired if the direction of the Long Range Planning Committee should be changed. Scott discussed getting the word out to the public to recruit members for the committee.
- E. Board Members –

- 8. **Other** – There will be a special Zoom meeting on Thursday, April 14, 2022 at 6pm.

Motion by Tamara Revoir to allow for the superintendent to hire staff as required, approved unanimously.

9. **Plan Next Meeting & Agenda –**

May 9, 2022 – Regular Meeting – bonuses, policies
May 25, 2022 – FWSU Regular Meeting
June 13, 2022 – Regular Meeting

- 10. **Executive Session** – *Motion by Megan Maddocks to enter Executive Session at 9:25pm, approved unanimously. Exited Executive Session at 9:36pm, no action taken.*

- 11. **Adjourn** – *Meeting adjourned at 9:37pm.*



Truso, Candace <ctruso@fwsu.org>

Board Meeting Re Flag Policy

1 message

Hillary Borcharding <hillary.ann.borcharding@gmail.com>
To: fxboard@fwsu.org

Sun, Apr 10, 2022 at 3:47 PM

Dear Members of the Board:

I am unable to attend the upcoming carousel school board meeting regarding the school flag policy, so I wanted to send my thoughts. I encourage all board members to vote no on any policy that removes students from the decision making process.

We are preparing our students to enter a polarized world. At school and at work students will have to navigate differing viewpoints and learn to respectfully advocate for their positions. By taking low-stakes, controversial decisions away from students, we make ourselves feel more comfortable but we fail to offer our students meaningful opportunities to engage in discourse and democratic decision making. Will everyone be happy with what they decide? Absolutely not, but that's the nature of living in a community.

I would strongly encourage you to adopt a policy that allows students to democratically decide which flags to fly on their own campus.

Respectfully,
Hillary Borcharding
Resident of Fairfax



Truso, Candace <ctruso@fwsu.org>

Flying the BLM Flag

1 message

'Sha' via Fairfax School Board <fxboard@fwsu.org>
Reply-To: Sha <Whatdoyouhearwhatdoyousay@yahoo.com>
To: fxboard@fwsu.org
Cc: SHARON RANDALL <WHATDOYOUHEARWHATDOYOUSAY@yahoo.com>

Mon, Apr 11, 2022 at 5:27 PM

Dear Fairfax SchoolBoard,

A Front Porch Forum post referenced a Vermont state law, that each school district is required to have a flagpole on the premises to fly the State and Country flag. Community members were quick to reply, pointing out that the statute did **Not** prevent other flags from being flown as long as the United States and State flag were flying.

Democracy is hard. It requires engagement to thrive. As much as possible, the best answer to hurtful speech is more speech.

(I somewhat recently went to a hairdresser who was sharing things regarding her family, and noticed the BLM bracelet I had on.) The hairdresser referenced my bracelet and said, "That stuff against black people only happens down south, not it Vermont." I responded, By Saying, "Is that stuff," you are referring to, suggesting that the disproportionate number of people with black skin in Vermont are NOT prejudged, treated differently than white folks, or harassed? In addition, living in Vermont causes white men and women to welcome black men and women?" She did not have an answer except to say that's how she feels. My point being, I did not want to return and give this merchant \$ and a tip. Then I realized, there would be no more opportunities to chat and perhaps continue a dialogue that may lead to recognizing each of our own biases and the ability to look at them and change them.

If Vermonters are all outraged by the way in which our fellow human beings are treated, then the flying of the BLM flag would be a symbol of that outrage regarding the horrific ways in which Black men and women were treated both historically and currently. As well as, a reminder to all that our town is an all inclusive, safe place.

You cannot legislate away or prevent hateful speech or discriminatory thoughts. You must combat them instead with reason and affirmative protection of equity and civil rights.

The powerful speech and actions taken on behalf of BFA Fairfax students, who are recognizing the reality of historically and currently disadvantaged groups are to be commended. The BFA Fairfax's efforts to help vulnerable students thrive and develop their own voices, will do more to promote democracy than any form of censorship.

Silence in the face of hurtful speech makes us complicit. Staying "Neutral" is not acceptable...where does one's car go when in neutral?... it goes nowhere... it remains stuck. Perhaps remaining "neutral" enables telling oneself that there are NO racial injustices both historically, and on-going, that we are each better for learning about.

The truth is, as many of us know, Those who fail to learn from History, are doomed to repeat it. No joke, my spouse was going to hold up a sign in a parade this summer that said "My arms are tired from holding up the same sign since the 1960's."

Let us remember, there is an implicit “too” at the end of Black Lives Matter.

I so often wonder, Why is it that so many adults are afraid of saying what the students recognize, and already know is real, “Courageous Conversations.” The students learned, shared, acknowledged and poignantly articulated that Racism is Real. Not only in the big wide world but exists within the walls of BFA Fairfax, (as we are a microcosm), just prior to our children stepping into this big diverse world. Our students know this and they presented to the BFA Fairfax SchoolBoard that they aren’t afraid to state the truth and that they wanted the BLM flag flown indefinitely. When that vote was passed there was never a discussion or controversy regarding how long the flag flying at BFA, taking a stand, and representing the truth that Black Lives Matter. The proposal was voted on and passed. There was no imposed limit on the flying of the truth, that BLM.

I read of a local mother, who summarized many Fairfax residents sentiments: “Flags give outward presence to anyone on school grounds that it’s a place of safety and a place of equality.” People began to express their opinions on the Front Porch Forums “This is a human rights issue. It is also a matter of human dignity, of feeling valid, recognized, and loved as an equal member of our school community.”

Black Lives Matter...this statement does not take a single thing away from anyone here tonight, living in Our town, our State, Country. In Fact, I submit to you, that the raising of the BLM flag indefinitely adds to each of us to remember that we are on this planet together, right here, right now. We can all work together to dismantle the racial bias that underpins virtually every aspect of our Country and world. It’s hard work. It’s uncomfortable. But nothing worth doing is easy.

There’s nothing more important than creating a world in which no children have to be afraid to walk through an unfamiliar neighborhood, to buy a bag of Skittles, to browse in a high-end store, to walk through the hallways of their hometown school, or as one of our past students said, ride on a bus and hear fellow students make a game out of chanting racial slurs... what I’m saying is that we ALL need to recognize that flying the BLM flag, is a symbol and recognition of inclusivity of each and every student feeling safe and welcome.

I will end on this statement: How long should the BLM flag remain on BFA’s Flagpole? Until, the reasons I spoke of this evening are no longer a reality. How much Longer? Until.

Thank You for Your Time.
Stay Well.

Sharon Randall
Fairfax Resident, F.N.R.E. Member

Sent from my iPhone

----- Forwarded message -----

From: **Callan, Dylan** <dcallan@fwsu.org>

Date: Mon, Jan 24, 2022 at 11:36 AM

Subject:

To: Witalec-Krupa, Geri <gwitalec@fwsu.org>

Hello,

I am writing this email letting you know that I will not be returning to Fairfax next school year. I have accepted another teaching position at a different school.

Thank you,
Dylan Callan

On Tue, Apr 5, 2022 at 10:01 AM Gadway, Leslie <lgadway@fwsu.org> wrote:

Hi Justin-

I just wanted to follow up on our conversation this morning and put it in writing that I will be moving over the summer so I will not be signing my contract for the 22/23 school year.

Thanks,
Leslie

On Wed, Apr 6, 2022 at 4:43 PM Melody Wilkins <mwilkins@fwsu.org> wrote:

Hi, Justin.

After much deliberation, I've decided I won't be renewing my contract for next school year. I'll be notifying my colleagues tonight, so you can post my position anytime tomorrow or later. It's been a tough year and not an easy decision.

Sent from my iPad

7 April 2022

Hello Justin. I hope you are well.

Please let this letter serve as my resignation from my current role as 7th and 8th grade ELA teacher, in order to accept the position of high school ELA teacher.

Thank you, and please let me know if you need anything else from me.

Sincerely,
Emily Wills



BELLOWS FREE ACADEMY

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Geri Witalec-Krupa, Director of Student Activities



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BFA Fairfax Elementary School Board Report April 11, 2022

I want to express my ongoing appreciation to every staff member at BFA Fairfax. They continue to go above and beyond to support our students and each other.

Proficiency-Based, Personalized Learning:

Smarter Balanced Assessment Consortium (SBAC)- We will engage in the SBAC with students in grades 3 and 4 on April 27, 28 & May 10, 11. The Smarter Balanced Assessments (SBAC) each spring tests are designed for students in grades 3-9, and will measure achievement in English Language Arts and Mathematics. We have been completing required training and developing accommodation plans for designated students.

Distributed Leadership and Student Agency:

2022-2023 Schedule/Transition- We are engaged in the process of developing next year's schedule and transition process. This is incredibly time consuming and important work. As you are aware we have reconfigured grade level structures to accommodate several large classes. Particularly, to accommodate the current Kindergarten and Grade 2 classes as they transition to their next grade level. By adding the multi-age configurations, we are able to spread these large classes out with our existing staff and classroom space. However, these classes are still large. As our community continues to grow, our elementary school continues to see sustained student growth and is in need of additional classrooms. These are the anticipated grade level configurations for next year:

- 5- Kindergarten Classrooms
- 3- Grade 1 Classrooms
- 2- Grade 1/2 Multi-Age Classrooms
- 3- Grade 2 Classrooms
- 6- Grade 3/4 Multi-Age Classrooms

Safe, Equitable, Healthy, Flexible Learning Environments:

Early Release Days- On March 23 and April 6 we engaged in a training on Harassment, Hazing, and Bullying policies and procedures. Heather Lynn presented the legal definitions, staff requirements for reporting and responding to inappropriate conduct that may meet the criteria for Harassment, Hazing and Bullying.

Summer Learning- We are beginning the process of planning for our annual Summer Learning program. Last year we served approximately 60 students in math, literacy, and STEM learning opportunities. We will continue to provide transportation and meals during the program.

After School Title 1 Learning Opportunities- We are engaged in our second session of after school learning opportunities for students. Currently we are serving 30 students. This session is running from Mid-March through Mid-May to provide tutoring support for students that have demonstrated an ongoing need in literacy and math, based on data and teacher recommendations.

Engaged Partners: Parents and Community:

Puppets in Education- Chris and Andrea Grant from the Bokan Auto Group have generously donated Puppets In Education performances for the elementary school. Chris and Andrea are parents and community members and consistently find ways to provide support to our school and community. We are grateful for their ongoing support and their generous donation of this show. On Tuesday, May 03, **Puppets in Education** will be presenting a program addressing kindness and strategies to use if someone is unkind both online and in person. They will also address issues of anxiety and worry and strategies to deal with these emotions. We have collaborated with Puppets in Education many times over the past years and they have presented in many schools throughout Vermont. I will be communicating with families about this learning opportunity.

New Hires-

.5 FTE Wellness- Erica Marcalino-Howard
3/4 Multi-Age Teacher- Tammy Boissoneault
Kindergarten- TBH
PreK/K SLP- Francisca Ovitt (FWSU)

Departing Staff- Mrs. Knapp has decided that she is not going to return next year to her teaching role at BFA Fairfax. Mrs. Knapp is going to retire and focus on her family and the other parts of her life. We are grateful for her service to our students and families over the past many years. She has made a positive impact on our learning community. We wish her luck as she enters the next phase of her life journey and appreciate all she has done for BFA Fairfax.

Union Bank- We will be resuming our partnership with Union Bank after a COVID hiatus. On Friday, April 28 teachers have the opportunity to collaborate with Monica Wood (Save for Success Coordinator) to learn about banking basics and the benefits of saving.

Genuine Foods- Genuine Food continues to effectively collaborate with the Administrative Team to continue to provide meals that meet the USDA requirements. We are in the process of determining our food needs for our Summer Learning program and preparing for a full return to meals in the cafeterias next school year. Finally, Genuine received a score of 94% out of 100% from their March Vermont State Health inspection.

Pre K-4 Important Dates:

| | |
|-------------------------------------|------------------------------|
| Spring Recess | April 18-22 |
| SBAC Assessment | April 27 and 28 (ELA) |
| Puppets In Education Program | May 03 |

| | |
|--------------------------|-----------------------------|
| Early Release Day | May 04 |
| SBAC Assessments | May 10 and 11 (Math) |
| Early Release Day | May 18 |
| Memorial Day | May 30 (No School) |



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Bellows Free Academy - Fairfax

Board of School Directors Report: Grades 5-8

April 8, 2021

With April showers on full display, spring seems to be finally emerging. Just this week we were able to welcome families into the building as we cautiously return to hosting events for the public (more below). We are still doing our best to manage ongoing staffing issues on a daily basis, yet as we jump head-long into hiring season there are now (quality) candidates who are stepping up to interview for positions in the coming year.

Proficiency Based Personalized Learning:

On April 6, the 7th grade team hosted a phenomenally well-attended Sustainability Fair. This was a showcase for projects students had been working on for the previous month in which they picked a dilemma to research, design a solution and share with the public. It was wonderful to see so many families, students from other grades and visitors discussing and voting on [awards](#) for most creative, most innovative, most inspiring, most sustainable, and most practical projects.

Distributed Leadership and Student Agency:

On Friday April 1, we were able to take our 8th grade to one of our students' family's sugar house for an afternoon of learning and community building. We are so grateful to the Staffords and B and B sugar house for hosting and providing such an enriching afternoon. We were also able to bring our 6th grade students for a fun community building day to Spare Time. This was a great opportunity to celebrate the growth and learning we have experienced with our 6th graders.

On April 4, our 8th grade student council, in partnership with our 5th grade team launched a "coin challenge" fundraiser for the World Central Kitchen in support of feeding people impacted by the war in Ukraine. Students have been excited to be able to contribute in a meaningful way.

Safe, Equitable, Healthy, Flexible Learning Environments:

I am excited to share that we are in the early stages of a partnership with Annie O'Shaughnessy (director of the Holistic Restorative Education Program at St. Michael's College) for work to further evolve our school-wide Restorative Practices in the coming year. In conversation with our School Resource Officer and teacher leaders we are all excited for the potential this brings to our students and our community.

On April 29th and 30th we are excited to bring a group of our middle school musicians and singers to the Middle School Music Festival at Missisquoi Valley Union. At this point, BFA appears to be the most well-represented at the festival. This festival is an opportunity for our students to practice and perform with other students from the region. The final performance will begin at 2pm in MVU's Thunderdome on April 30.

Beginning in the first week of May we are excited to bring our 5th grade to Camp Johnson for a full return to Star Base. This is an exciting opportunity for students to learn in a different, hands-on environment, culminating with a community "Rocket Launch" at BFA on May 23.

Engaged Partners: Parents and Community:

We have won a grant award in partnership with Spiral International through the American Council: Teachers of Critical Languages Program to host a native Chinese Language Instructor at BFA Fairfax in the coming year. Principal Noonan and I are in the process of designing and incorporating this program and teacher into the MS and HS schedules for the coming school year. We look forward to sharing more information in the coming months.

We continue to be so grateful to those members of the community who have stepped forward to serve as substitute staff. Our staffing needs (for building substitutes as well as bus drivers) continues to be acute, so please encourage anyone who you may know, who might be interested, to contact the school at 802-849-6711.

Respectfully submitted,

Justin Brown

Grades 5-8 Principal



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Bellows Free Academy - Fairfax Board of School Directors Report Director of Student Activities April 12, 2022

The spring season is up and running, and our fields and gym spaces have come alive with various sports and activities. Through the assistance and cooperation of grounds staff, community members, and the athletes and coaches themselves, our fields are being transformed into the beautiful playing surfaces we take such pride in.

Safe, Equitable, Healthy, Flexible Learning Environments

BFA Fairfax currently offers the following athletic opportunities in the spring: MS and HS Track and Field, MS and HS Baseball, MS and HS Softball, HS Girls and Boys Ultimate Frisbee, and HS Boys Lacrosse. Fairfax also has a number of student-athletes taking part in Girls Lacrosse through another cooperative agreement with Milton High School. For a school the size of ours, this number of differing opportunities is impressive to say the least. Year after year our student athletic participation numbers greatly exceed the typical percentage for Vermont high schools. We are proud to offer so many options for our students, and will continue to investigate creative avenues for finding participation options in sports we do not offer at our school.

In the area of Performing Arts, BFA Fairfax has numerous students who will be representing our school in the upcoming District and All-State Music Festivals. It is quite an honor to be selected for these prestigious festivals, and we are exceptionally proud of all our student musicians who will be attending. We are also excited to announce that, after a two year hiatus, our music program will return to the Trills and Thrills adjudication festival at the Great Escape. This festival allows our student ensembles to perform and be evaluated by a panel of professional judges throughout the morning, then celebrate their accomplishments during the afternoon hours at the amusement park.

Finally, two nods of “congratulations” are in order. First, to our One Acts dramatic arts ensemble, whose performance of “Romeo and Juliet: Six Very Busy Days” was one of the most funny and enjoyable performances in memory. Second, to **Alden Kalbfleisch**, whose individual piano composition piece “Liquid Tree” was chosen as one of 25 student musical compositions from around Vermont and New Hampshire to be performed by professional musicians through the Opus 36 Music COMP program. Alden’s original piece, as well as those of his fellow honorees, will have the “world premier” of their compositions on April 26th at St. Paul’s Cathedral in Burlington. Pieces will be performed by musicians from the Vermont Symphony Orchestra, TURNmusic, and more! The concert will be broadcast on LCATV, with selected pieces airing on Vermont Public Radio in the future. Congratulations Alden!

As always, I am honored to work for such a wonderful organization and community. We have persevered through the last two years, and are hopefully on the horizon of continued and future greatness in our school.

Important Dates:

April 29-30: Middle School District Music Festival

May 5-7: High School All-State Music Festival

May 20: High School District Music Festival

May 31: Grades 5-12 Spring Band Concert

June 2: Grades 5-12 Spring Music Concert

Respectfully Submitted,

Geri Witalec-Krupa

Director of Student Activities



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BFA Fairfax High School School Board Report April 2022

Proficiency-Based, Personalized Learning

Students continue to showcase their learning in a variety of ways. Below are a few highlights of the learning taking place in the second semester.

Spanish: All classes participated in March Music Madness brackets. They narrowed down 20 different songs in Spanish to one winner! The classes had fun listening to the music and engaging in an intercultural activity. Additionally, students are practicing reciting a poem in Spanish to enter the Vermont Foreign Language Association poetry contest. Students in Novice Spanish created Puerto Rican carnival masks that inspired characters in a stories the students wrote. Intermediate Spanish classes have been discussing environmental issues in Spanish.

Senior Civics: Students in Senior Civics engaged in a Town Meeting simulation. Using Roberts Rules of Order, students conducted the meeting and discussed a variety of issues including amending their charter (the syllabus), advocating for additional senior trips, and modifying homework assignments.

New Hire: We are delighted to offer Ms. Emily Wills the high school English Language Arts positions. Ms. Wills brings 17 years of service to BFA students and families with her as she transitions from the middle school. She is a thoughtful, engaging, and enthusiastic educator who will bring an array of learning opportunities to the high school. The student/faculty interview committee was impressed with her wide array of teaching styles and excitement for adding new literature genres, such as dystopian literature, to our elective courses.

Distributed Leadership and Student Agency

Congratulations to the newest members of the National Technical Honor Society. The following students will be inducted in the Burlington Technical Center society: Miles Clokey, Julia Thibault, Samantha Bedore, Chelsea Roy, and Kamryn Taylor. On March 23rd, the following students were honored as new NTHS members at Essex Technical Center: Julia Ferris, Connor Hebert, Isabella Gambino, and Lillian Kirkpatrick.

Graduation with Distinction applications have been reviewed and students meeting the requirements have been notified. We look forward to honoring their work and dedication at graduation.

Safe, Equitable, Healthy, Flexible Learning Environments

SBAC testing is in full swing. High school students will complete testing prior to Spring Break.

Engaged Partners: Parents and Community

Parents conferences were highly successful in March. Teachers received positive feedback about this format and we will continue to utilize this platform.

I will discuss the Green Schools Initiative and update the board on our work on grant funding and planning thus far.

Respectfully Submitted,

Elizabeth Noonan

High School Principal



Superintendent's Report April 2022

Due to the revolving nature of the Carousel Meeting, my board report consists of notes to guide the discussion in case I am in a different room at the time they come up:

-Accept Resignations (Discussion|Action)

Melody Wilkins MS ELA

-Approve New Hires (Discussion | Action)

Emily Wills HS ELA (moving from MS ELA)

Mitchell Thayer MS PE

Erica Marcelino-Howard ES Wellness (pending provisional)

Courtney Lacasse MS/HS Nurse

Mary Tardif k-12 Music (.5 →1.0 FTE)

Tammy Boissoneault ES Class room (moving from Grade $\frac{5}{6}$ to Grade $\frac{3}{4}$)

Russell Williams MS Teaching and Learning Coach

Miranda Laberge MS ELA

I have met with all of these candidates and recommend them to the board.

-Construction Project (Discussion | Action)

We have three bids for the replacement of the water line. The plan is to complete the work before the end of the fiscal year. Randy will have the bids and recommendation from Tod G.

-Transportation Update (Discussion| Action)

The principals will provide details regarding transportation.

-Policy Updates, [First Reading](#) (Discussion)

These are policies that are required for all schools in Vermont that are currently not on our policy docket. We will review these again in May, so you have time to look at them thoroughly. These policies are in their second reading and up to potential approval at the FWSU board meeting.

Respectfully submitted,

JOHN T. TAGUE

John T. Tague
Superintendent

Fairfax School District
FY22 Budget Status Report
As of April 11, 2022

| | Budget | Actuals | Encumbrances | Budget Status | Remaining |
|----------------------------|---------------------|--------------------|---------------------|----------------------|--------------------|
| Revenues | | | | | |
| Revenues | \$14,494,647 | \$9,902,497 | \$0 | \$9,902,497 | \$4,842,150 |
| Fund Balance Carry Forward | \$131,445 | \$0 | | \$0 | |
| Total Revenues | \$14,626,092 | \$9,902,497 | \$0 | \$9,902,497 | \$4,842,150 |

| | Budget | Actuals | Encumbrances | Budget Status | Remaining |
|--|---------------------|--------------------|---------------------|----------------------|--------------------|
| Expenditures | | | | | |
| Elementary School | \$2,942,249 | \$1,835,024 | \$883,796 | \$2,718,820 | \$223,429 |
| Middle School | \$0 | \$21,330 | \$3,023 | \$24,353 | -\$24,353 |
| High School | \$3,749,578 | \$1,982,748 | \$1,390,810 | \$3,373,558 | \$376,020 |
| School Wide | \$116,879 | \$26,258 | \$19,585 | \$45,843 | \$71,036 |
| Early Ed | \$452,843 | \$243,265 | \$220,940 | \$464,205 | -\$11,362 |
| Special Education | \$1,371,143 | \$1,050,000 | \$176,920 | \$1,226,920 | \$144,223 |
| Speech & Language | \$110,482 | \$80,000 | \$30,482 | \$110,482 | \$0 |
| Compensatory Education | \$245,185 | \$82,479 | \$40,710 | \$123,189 | \$121,996 |
| Planning Room | \$5,850 | \$6,645 | \$12,078 | \$18,723 | -\$12,873 |
| Extra Curricular | \$303,940 | \$213,523 | \$90,144 | \$303,667 | \$273 |
| Guidance | \$425,874 | \$239,327 | \$126,749 | \$366,076 | \$59,798 |
| Nurse | \$213,922 | \$131,213 | \$82,709 | \$213,922 | \$0 |
| PD & Technology | \$570,228 | \$450,264 | \$83,266 | \$533,530 | \$36,698 |
| Library | \$129,834 | \$79,663 | \$45,688 | \$125,351 | \$4,483 |
| School Board | \$39,571 | \$28,545 | \$2,335 | \$30,880 | \$8,691 |
| FWSU Assessment | \$1,575,844 | \$1,418,968 | \$0 | \$1,418,968 | \$156,876 |
| Principal's Office | \$859,645 | \$631,382 | \$210,404 | \$841,786 | \$17,859 |
| Business Office | \$65,000 | \$0 | \$65,000 | \$65,000 | \$0 |
| Operation and Maintenance of the Plant | \$1,070,110 | \$790,587 | \$252,099 | \$1,042,686 | \$27,424 |
| Transportation Assessment | \$377,917 | \$127,083 | \$120,834 | \$247,917 | \$130,000 |
| Total General Fund Expenditures | \$14,626,094 | \$9,438,304 | \$3,857,572 | \$13,295,876 | \$1,330,218 |

Anticipated FY22 Surplus:

| | |
|---|--------------|
| FY22 Revenue | \$14,244,647 |
| FY22 Expenditure | \$13,295,876 |
| HRA's not yet encumbered | \$227,000 |
| | <hr/> |
| | \$721,771 |
| 50% to capital / offsetting revenue in FY24 | \$360,886 |

For reference, FY21 surplus used
as offsetting revenue in FY23 budget: \$452,784

A. BOARD OPERATIONS

| Required Policies | | |
|-------------------|---|---------|
| | Policy | Updated |
| A1 | Conflict of Interest FWSU BFA FES GEMS | |

B. PERSONNEL

| Required Policies | | |
|-------------------|---|---------|
| | Policy | Updated |
| B1 | Substitute Teachers FWSU BFA FES GEMS | 4/12/22 |
| B2 | Volunteers and Work Study Students FWSU BFA FES GEMS | |
| B3 | Alcohol and Drug Free Workplace FWSU BFA FES GEMS | 4/12/22 |
| B4 | Drug & Alcohol Testing of Transportation Employees | |
| B5 | Employee Unlawful Harassment FWSU BFA FES GEMS | |
| B6 | HIPAA Compliance | Removed |
| B7 | Tobacco Prohibition FWSU BFA FES GEMS | 4/12/22 |
| B8 | Electronic Communications between Employees & Students FWSU BFA FES GEMS | 4/12/22 |

C. STUDENTS

| Required Policies | | |
|-------------------|--|---------|
| CODE | Policy | Updated |
| C1 | Student Records FWSU BFA FES GEMS | 4/12/22 |
| C2 | Student Drugs & Alcohol | |
| C3 | Transportation FWSU BFA FES GEMS | |
| C4 | English Learners FWSU BFA FES GEMS | |
| C5 | Firearms FWSU BFA FES GEMS | 4/12/22 |
| C6 | Home Study Students FWSU BFA FES GEMS | |
| C7 | Student Attendance | |
| C8 | Pupil Privacy FWSU BFA FES GEMS | |
| C9 | Nutrition & Wellness FWSU BFA FES GEMS | |
| C10 | Prevention of Harassment, Hazing & Bullying Policy FWSU BFA FES GEMS | |
| C10-P | Prevention of Harassment, Hazing & Bullying Procedures FWSU BFA FES GEMS | |
| C11 | Student Freedom of Expression FWSU BFA FES GEMS | 4/12/22 |
| C12 | Prevention of Sexual Harassment as Prohibited by Title IX FWSU BFA FES GEMS | 4/12/22 |
| C13 | Homeless Students | |
| C14 | Section 504 and ADA Grievance Protocol for Students & Staff FWSU BFA FES GEMS | |

D. INSTRUCTION

Required Policies

| | Policy | Updated |
|----|--|---------|
| D1 | Proficiency-Based Graduation Requirements FWSU BFA FES GEMS | 4/12/22 |
| D2 | Grade Advancement | |
| D3 | Responsible Computer Internet & Network Use FWSU BFA FES GEMS | 4/12/22 |
| D4 | Title One Comparability FWSU BFA FES GEMS | 4/12/22 |
| D5 | Animal Dissection FWSU BFA FES GEMS | 4/12/22 |
| D6 | Class Size Policy FWSU BFA FES GEMS | |
| D7 | Special Education FWSU BFA FES GEMS | 4/12/22 |

E. SCHOOL - COMMUNITY RELATIONS

Required Policies

| | Policy | Updated |
|----|---|---------|
| E1 | Title 1, Part A Parent and Family Engagement FWSU BFA FES GEMS | 4/12/22 |

F. NON-INSTRUCTIONAL OPERATIONS

Required Policies

| | Policy | Updated |
|----|---|---------|
| F1 | Travel Reimbursement FWSU BFA FES GEMS | |

SUBSTITUTE TEACHERS

Policy

It is the policy of the Fairfax Town School District to employ substitute educators who will meet the minimum qualifications outlined by Vermont Standards Board for Professional Educators (VSBPE) Rule, as well as the additional requirements established by this policy.

Qualifications

No person will be placed on the qualified substitute list unless that person has graduated from high school.

Unlicensed Persons

An unlicensed person may be employed as a substitute teacher for up to 30 consecutive calendar days in the same assignment. The Superintendent may apply to the Vermont Standards Board for Professional Educators or its designee for emergency or provisional licenses as provided in VSBPE Rules 5350 and 5360.

Licensed Educator

A substitute teacher who is licensed but not appropriately endorsed for the position for which he or she is employed may fill a position for thirty consecutive calendar days in the same assignment. The Superintendent may apply to the Vermont Standards Board for Professional Educators or its designee for an additional thirty days for specific substitute teachers, or for provisional licenses as provided in VSBPE Rule 5350.

Administrative Responsibilities

A list of qualified substitute teachers, organized by grade level and subject, will be developed by the Superintendent or his or her designee for all schools in the District.

The Superintendent or his or her designee will conduct an orientation session for substitute teachers each year, including information on the prevention, identification, and reporting of child sexual abuse, as required by 16 V.S.A. § 563a. Each teacher under contract will compile a packet of information containing pertinent substitute teacher information as defined by the Principal.

Substitute teachers will be paid per diem wages as determined by the Superintendent from year to year. Distinctions in pay level may be made based on the need for the substitute teacher to prepare lessons and assess and record student progress, on the length of service and on the credentials of the substitute teacher.

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| <i>VSBA Review:</i> | <i>October 11, 2019</i> |
| <i>Date Warned:</i> | <i>April 12, 2022</i> |
| <i>Date Adopted:</i> | |
| <i>Legal Reference(s):</i> | <i>Vt. Standards Board for Professional Educators Rules §§ 5381 et seq.</i> |
| | <i>16 V.S.A. § 563a (Prevention, Identification and Reporting of Child Sexual Abuse)</i> |
| | <i>16 V.S.A. § 558 (Employment of School Board Members)</i> |
| | <i>16 V.S.A. § 251 et seq. (Access to Criminal Records)</i> |
| <i>Cross Reference:</i> | <i>Personnel: Recruitment, Selection, Appointment and Criminal Records Checks</i> |

CODE B3
(Required)¹

ALCOHOL AND DRUG-FREE WORKPLACE²

Policy³

It is the policy of the Fairfax Town School District to maintain a workplace free of alcohol and drugs. No employee, volunteer or work study student⁴ will unlawfully manufacture, distribute, dispense, possess or use alcohol or any drug in the workplace. Nor shall any employee, volunteer or work study student be in the workplace while under the influence of drugs or alcohol. If there are reasonable grounds to believe that an employee, volunteer or work study student is under the influence of drugs or alcohol while on or in the workplace, the person will be immediately removed from the performance of his or her duties.

Definitions

Drug means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined by state or federal statute or regulation.⁵

Workplace means the site for the performance of work for the school district, including any school building or any school premises and any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities. It also includes off school property during any school-sponsored or school-approved activity, event or function such as a field trip or athletic event, where students are under the jurisdiction of the school district.⁶

Employee means all persons directly or indirectly compensated by the school district for providing services to the district and all employees of independent contractors who provide services to the district.⁷

Volunteer means an individual not employed by the school district who works on an occasional or regular basis in the school setting to assist the staff. A volunteer works without compensation or economic benefits provided by the school district.

Work Study Student means a student who receives compensation for work performed at the school as part of a college work experience program. For purposes of this policy, an intern, working without pay, will be considered as a work study student. A student working toward a teaching credential who may be placed at a school as a student teacher is not a work study student.

Employee Responsibilities

As a condition of employment, each employee will notify the superintendent in writing of his or her conviction of any criminal drug statute for a violation occurring on or in the workplace as defined above. The employee must notify the Superintendent no later than five days after such conviction. Entry of a *nolo contendere* plea shall constitute a conviction for purposes of this policy, as will any judicial finding of guilt or imposition of sentence. Within 10 days of notification from an employee, or receipt of actual notice of an alcohol or drug conviction, the superintendent will notify any federal or state officers or agencies legally entitled to such notification.⁸

An employee, volunteer or work study student who violates the terms of this policy may be required to satisfactorily complete an alcohol or drug abuse assistance or rehabilitation program approved by the superintendent. In addition, an employee who violates the terms of this policy will be subject to disciplinary action.

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|----------------------------|---|
| <i>VSBA Version:</i> | <i>March 3, 2020</i> |
| <i>Date Warned:</i> | <i>April 12, 2022</i> |
| <i>Date Adopted:</i> | |
| <i>Legal Reference(s):</i> | <i>49 U.S.C. §§ 5331, 31306 (Omnibus Transportation Employee Testing Act of 1991)</i> |
| | <i>49 C.F.R. Parts 40, 382, 391, 392, 395 and 653</i> |
| | <i>21 V.S.A. §§ 511 et seq.</i> |
| | <i>18 V.S.A. § 4230a</i> |
| | <i>18 V.S.A. § 4474c</i> |
| <i>Cross Reference:</i> | |

¹ The Drug Free Workplace Act of 1988 applies to all individuals or organizations that receive federal grants and any individuals or organizations that are federal contractors whose contracts exceed \$100,000. The Act does not explicitly require a Drug Free Workplace policy, but it does require covered entities to “...establish a drug-free awareness program to inform employees about...the *grantee’s policy of maintaining a drug free workplace...*”. 41 U.S.C. §702(1)(b)(ii).

² Alcohol is not considered a “controlled substance” under federal law. The Drug Free Workplace Act therefore does not require that alcohol be included in an employer’s prohibition of drugs in the workplace. Vermont law does authorize employers to prohibit alcohol possession and/or use of alcohol in the workplace. The Vermont drug testing law defines “drug” broadly and includes alcohol as a “drug.” 21 V.S.A. §511(3).

³ The Drug Free Workplace Act requires specific actions on the part of employers including publication of a statement notifying employees of the prohibition against illegal drugs in the workplace, the establishment of a drug-free awareness program with specific elements, the notification to employees that compliance with the prohibition against drugs is a requirement for employment and imposing specific sanctions on any employee who is convicted of violations occurring in the workplace. See 41 U.S.C. §701.

⁴ The inclusion of volunteers and work study students as “employees” for purposes of this policy is optional. See *endnote 7 below*.

⁵ The Drug Free Workplace Act uses the term “controlled substance” as synonymous with the term “drug.” Controlled substances are listed in the federal law at 21 U.S.C. 812. Marijuana is included as a controlled substance under federal law despite legalization in Vermont.

⁶ Definition derived from 41 U.S.C. §706(1).

⁷ 41 U.S.C. §706(2). See also U.S. Department of Labor *Drug –Free Workplace Advisor*, <http://www.doi.gov/elaws/asp/drugfree/policy.htm>. Note that the federal law defines “employee” as one “...directly engaged in the performance of work pursuant to a federal grant or contract, whether or not the employee is paid through grant or contract funds. An employer may expand the coverage of this policy to include all employees, whether or not they are engaged in work pursuant to federal grants.

⁸ See 41 U.S.C. §702(a)(1)(D).

TOBACCO PROHIBITION

Policy

In accordance with state law, it is the policy of the Fairfax Town School District to prohibit the use of tobacco or tobacco substitutes on supervisory union or school grounds or at school sponsored functions. This ban extends to any student, employee or visitor to the school, and applies at all times, whether or not school is in session. Students are, furthermore, prohibited from possessing tobacco products, tobacco substitutes or tobacco paraphernalia at all times while under the supervision of school staff or at school-sponsored activities. The Superintendent or his or her designee shall develop procedures, rules and regulations that are necessary to implement this policy and, at a minimum, will include provisions ensuring that tobacco products, tobacco substitutes or tobacco paraphernalia are confiscated when found in the possession of students and that referrals to law enforcement agencies are made when appropriate.

Definitions

For purposes of this policy and administrative rules and procedures developed pursuant to this policy:

1. **School grounds** means any property and facilities owned or leased by the school and used at any time for school related activities, including but not limited to school buildings, school buses, areas adjacent to school buildings, athletic fields and parking lots.
2. **School sponsored activity** means activities including but not limited to field trips, project graduation events, sporting events, work internships and dances.
3. **Tobacco product** has the same meaning as set forth in 7 V.S.A. § 1001(3), as amended from time to time.
4. **Tobacco paraphernalia** has the same meaning as set forth in 7 V.S.A. § 1001(7), as amended from time to time.
5. **Tobacco substitutes** has the same meaning as set forth in 7 V.S.A. § 1001(8), as amended from time to time.

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|-----------------------------|---|
| <i>VSBA Version:</i> | <i>October 11, 2019</i> |
| <i>Date Warned:</i> | <i>April 12, 2022</i> |
| <i>Date Adopted:</i> | |
| <i>Legal Reference(s):</i> | <i>16 V.S.A. § 140 (Tobacco on school grounds)</i> |
| | <i>18 V.S.A. §§ 1421 et seq. (Smoking in the workplace)</i> |
| | <i>7 V.S.A. §§ 1001 et seq.</i> |
| <i>Policy Reference(s):</i> | |

ELECTRONIC COMMUNICATIONS BETWEEN EMPLOYEES AND STUDENTS

I. **Statement of Policy**

The Fairfax Town School District recognize electronic communications and the use of social media outlets create new options for extending and enhancing the educational program of the school district. Electronic communications and the use of social media can help students and employees communicate regarding: questions during non-school hours regarding homework or other assignments; scheduling issues for school-related co-curricular and interscholastic athletic activities; school work to be completed during a student's extended absence; distance learning opportunities; and other professional communications that can enhance teaching and learning opportunities between employees and students. However, the Fairfax Town School District recognize employees and students can be vulnerable in electronic communications.

In accordance with Act 5 of 2018 this policy is adopted to provide guidance and direction to the Fairfax Town School District employees to prevent improper electronic communications between employees and students.

II. **Definitions. For purposes of this policy, the following definitions apply:**

- A. **Electronic communication.** Electronic communication is any computer-mediated communication in which individuals exchange messages with others, either individually or in groups. Examples of electronic communication include, but are not limited to, email, text messages, instant messaging, voicemail, and image sharing and communications made by means of an internet site, including social media and social networking websites.
- B. **Social media.** Social media is any form of online publication or presence that allows interactive communication, including, but not limited to, social networks, blogs, websites and internet forums. Examples of social media include, but are not limited to, Facebook, Twitter, Instagram, YouTube, and Google+.
- C. **Employee.** Employee includes any person employed directly by or retained through a contract of employment the district, an agent of the school, a school board member, and including supervisory union employees.
- D. **Student.** Student means any person who attends school in any of the grades Prekindergarten through 12 operated by the district.

III. **Policy on Electronic Communication Between Students and Employees.**

All communication between employees and students shall be professional and appropriate. The use of electronic communication that is inappropriate in content is prohibited.

A. Inappropriate content of an electronic communication. Inappropriate content of an electronic communication between an Employee and a Student includes, but is not limited to:

1. Communications of a sexual nature, sexual oriented humor or language, sexual advances, or content with a sexual overtone;
2. Communications involving the use, encouraging the use, or promoting or advocating the use of alcohol or tobacco, the illegal use of prescription drugs or controlled dangerous substances, illegal gambling, or other illegal activities;
3. Communications regarding the employees' or student's past or current romantic relationships;
4. Communications which include the use of profanities, obscene language, lewd comments, or pornography;
5. Communications that are harassing, intimidating, or demeaning;
6. Communications requesting or trying to establish a personal relationship with a student beyond the employees' professional responsibilities;
7. Communications related to personal or confidential information regarding employee or student that isn't academically focused; and
8. Communications between an employee and a student between the hours of 10 p.m. and 6 a.m. An Employee may, however, make public posts to a social network site, blog or similar application at any time.

B. Procedures. The superintendent shall develop procedures for both the receipt and handling of reports filed under this policy (see IV.A. and B. below).

IV. Enforcement Responsibilities

A. Student communications violation of this policy. In the event a student sends an electronic communication, that is inappropriate as defined in this policy or that violates the procedures governing inappropriate forms of electronic communication to an employee, the employee shall submit a written report of the inappropriate communication ("Report") to the principal or designee by the end of the next school day following actual receipt by the Employee of such communication. The principal or designee will take appropriate action to have the student discontinue such improper electronic communications.

While the school district will seek to use such improper electronic communications by a student as a teaching and learning opportunity, student communications violation of this policy may subject a student to discipline. Any discipline imposed shall take into account the relevant surrounding facts and circumstances.

B. Employee communications violation of this policy. In the event an employee sends an electronic communication that is inappropriate as defined in this policy or that violates the procedures governing inappropriate forms of electronic communication to a student, the student shall or the student's parent or guardian may submit a written report of the inappropriate communication ("Report") to the principal and/or the person designated by the principal to receive complaints under this policy promptly. The report shall specify what type of inappropriate communication was sent by the employee with a copy of the communication, if possible.

Inappropriate electronic communications by an employee may result in appropriate disciplinary action.

- C. **Applicability.** The provisions of this policy shall be applicable at all times while the employee is employed by the district and at all times the student is enrolled in the school district, including holiday and summer breaks. An employee is not subject to these provisions to the extent the employee has a family relationship with a student (i.e. parent/child, nieces, nephews, grandchildren, etc.).
- D. **Other district policies.** Improper electronic communications that may also constitute violations of other policies of the district, i.e. unwelcome sexual conduct may also constitute a violation of the school's separate policy on the Prevention of Harassment, Hazing and Bullying of Students. Complaints regarding such behavior should be directed as set forth in the school's Procedures on the Prevention of Harassment, Hazing and Bullying of Students.

V. Reporting to Other Agencies

- A. **Reports to Department of Children and Families [DCF].** When behaviors violative of this policy include allegations of child abuse, any person responsible for reporting suspected child abuse under 33 V.S.A. §4911, et seq., must report the allegations to the Commissioner of DCF. If the victim is over the age of 18 and a report of abuse is warranted, the report shall be made to Adult Protective Services in accordance with 33 V.S.A. §6901 et seq.
- B. **Reports to Vermont Agency of Education [AOE].** Accordingly, if behaviors violative of this policy in a public school involve conduct by a licensed educator that might be grounds under Vermont law for licensing action, the principal shall report the alleged conduct to the superintendent and the superintendent shall report the alleged conduct to the AOE.
- C. **Reporting Incidents to the Police.** Nothing in this policy shall preclude persons from reporting to law enforcement any incidents and/or conduct that may be a criminal act.
- D. **Continuing Obligation to Investigate.** Reports made to either DCF or law enforcement shall not be considered to absolve the school administrators of their obligations under this or any other policy, such as the Policy on the Prevention of Harassment, Hazing and Bullying, to pursue and complete an investigation upon receipt of notice of conduct which may constitute a policy violation.

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| <i>VSBA Update:</i> | <i>June 25, 2020</i> |
| <i>Date Warned:</i> | April 12, 2022 |
| <i>Date Adopted:</i> | |
| <i>Legal Reference(s):</i> | 2018 Acts and Resolves No. 5 (located at https://legislature.vermont.gov/Documents/2018.1/Docs/ACTS/ACT005/ACT005%20As%20Enacted.pdf) |
| | 16 V.S.A. § 1698 |
| | 16 V.S.A. § 570 |

EDUCATION RECORDS

Policy

The Fairfax Town School District recognize the importance of keeping accurate and appropriate education records² for students as part of a sound educational program and is committed to act as trustee of this information, maintaining these records for educational purposes to serve the best interests of its students.

The principles of accuracy and confidentiality underlie all policies and procedures for the collection, maintenance, disclosure and destruction of education records. It is the policy of the District to protect the confidentiality of education records and release information only as permitted by law. Annually or when the student enrolls, the district will inform³ parents, guardians, and students eighteen years and older of their rights with respect to the student's education records and the available procedures for exercising those rights. This shall include notification of the following:

1. The right to inspect and review the student's education records within 45 days after the day the district receives a request for access.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights.
3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that the law authorizes disclosure without consent.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of the Family Educational Rights and Privacy Act (FERPA).
5. The procedure for exercising the right to inspect and review education records.
6. The procedure for requesting amendment of records.
7. The types of personally identifiable information that the district has designated as directory information, and a parent or eligible student's right to opt out of the disclosure of directory information.⁴
8. The procedure for a parent or eligible student to notify the district that they want to opt out of the district's disclosure of directory information.
9. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest as defined by FERPA.⁵

Administrative Responsibilities

The building principal will be the custodian of all education records in a given school. The superintendent has overall responsibility for education records throughout the District and for assuring that adequate systems are in place to maintain such records and to provide parents with access to them in accordance with state and federal law. The superintendent is responsible for developing procedures to assure the consistent implementation of this policy. The procedures shall comply with all federal and state laws and regulations governing access to and the collection, maintenance, disclosure, and destruction of education records.

Definitions

All terms used in this policy, and the procedures developed for the implementation of this policy, shall be defined, where applicable, as those terms are defined in the Family Educational Rights and Privacy Act and in the federal regulations promulgated pursuant to that Act.⁶

¹ The federal Family Educational Rights and Privacy Act (FERPA) does not explicitly require a school board policy on the protection of student records. Its requirements are stated in the negative... “no funds shall be made available to any educational agency...which has a policy of denying...the right of parents...to review and inspect educational records. 20 U.S.C. § 1232g; 34 C.F.R. Part 99. Nor does the State Board Manual of Rules and Practices explicitly require a school board policy on student records. “Each supervisory union shall develop, and each school shall implement, a system of maintaining student records that aligns with Agency of Education statewide data collections; which enables accurate and timely reporting in connection with state and federal data collection requirements; and ensures the accuracy, relevancy and confidentiality thereof, and accessibility thereto; and which is in compliance with the federal Family Education Rights and Privacy Act of 1974 (P.L. 95-380 as amended from time to time.” SBE Rule 2113.

² A “record” means any information recorded in any way, including but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm and microfiche. The term “education records” means those records that are (1) directly related to a student; and (2) maintained by the school district, a school within the district, or a party acting for the school district or a school within the school district. It does not include a teacher’s notes that are in the teacher’s sole possession and shared only with a substitute teacher or records that are exempted from the definition under 34 C.F.R. § 99.3(b). 20 U.S.C. § 1232g; 34 C.F.R. § 99.3.

³ School districts are required to find an effective way to notify parents or eligible students who are disabled, and parents whose primary language is not English. 20 U.S.C. § 1232g; 34 C.F.R. § 99.7(b).

⁴ The Family Educational Rights and Privacy Act allows schools to designate certain information as “directory information” and release it after providing public notice of the categories of information it seeks to release. “Directory information” includes, but is not limited to, a student’s name, address, telephone listing, date and place of birth, grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees, honors, and awards received, and the most recent previous educational agency or institution attended by the student. Additional information may be released with specific parental consent. 12 U.S.C. § 1232g; 34 C.F.R. § 99.3.

⁵ The Family Educational Rights and Privacy Act allows schools to disclose student personally identifiable information to school officials with legitimate educational interests. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest must be set forth in the district’s annual notification for FERPA rights. A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer, contractor, consultant, or other party who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. 12 U.S.C. § 1232g; 34 C.F.R. § 99.3; 34 CFR § 99.31(a).

⁶ 12 U.S.C. § 1232g; 34 C.F.R. § 99.3.

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|---------------------|--|
| VSBA Revision: | February 8, 2022 |
| Date Warned: | April 12, 2022 |
| Date Adopted: | |
| Legal Reference(s): | 20 U.S.C. §§ 1232g (Federal Family Educational Rights and Privacy Act) |
| | 20 U.S.C. § 7908 |
| | 16 V.S.A. § 563(27) (NCLBA Armed Forces Recruiter/Higher Education) |
| | 34 C.F.R. Part 99 |
| | 1 V.S.A. § 317 (Definitions) |
| | 15 V.S.A. § 670 (Non-custodial parents) |
| | 33 V.S.A. § 5536a (Juvenile court records) |
| | VT State Board of Education Manual of Rules and Practices § 2113 |

FIREARMS

Policy

It is the policy of the Fairfax Town School District to comply with the federal Gun Free Schools Act of 1994 and state law requiring school districts to provide for the possible expulsion of students who bring firearms to or possess firearms at school. It is further the intent of the board to maintain a student discipline system consistent with the requirements of the federal Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and the Vermont State Board of Education rules.

Definitions

For the purposes of this policy, the terms “firearm” “school” and “expelled” shall be defined consistent with the definitions required by state and federal law.

Sanctions

Any student who brings a firearm to school, or who possesses a firearm at school shall be brought by the superintendent to the school board for an expulsion hearing.

A student found by the school board after a hearing to have brought a firearm to school shall be expelled for at least one calendar year. However, the school board may modify the expulsion on a case-by-case basis when it finds circumstances such as, but not limited to:

1. The student was unaware that he or she had brought a firearm to school.
2. The student did not intend to use the firearm to threaten or endanger others.
3. The student is disabled and the misconduct is related to the disability.
4. The student does not present an ongoing threat to others and a lengthy expulsion would not serve the best interests of the pupil.

At the discretion of the school board and administration, an expelled student may be afforded limited educational services at a site other than the school during the period of expulsion under this policy.

Policy Implementation

An expulsion hearing conducted under this policy shall afford due process as required by law and as developed by the superintendent or his or her designee.

The superintendent shall refer to the appropriate law enforcement agency any student who brings a firearm to a school under the control and supervision of the school district. The superintendent may also report any incident subject to this policy to the Department for Children and Families (DCF).

The superintendent shall annually provide the Secretary of Education with descriptions of the circumstances surrounding expulsions imposed under this policy, the number of students expelled and the type of firearms involved.

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|---------------------|--|
| VSBA Review: | 10/11/19, updated 11/18/2020 |
| Date Warned: | 4/12/2022 |
| Date Adopted: | |
| Legal Reference(s): | 16 V.S.A. § 1166 (State law pursuant to Federal law) |
| | 13 V.S.A. §§ 4004, 4016 (Criminal offenses) |

| | |
|------------------|---|
| | 20 U.S.C. § 7151(Gun Free Schools Act) |
| | 18 U.S.C. § 921 (Gun Free School Zones Act of 1990) |
| | 20 U.S.C. §§ 1400 et seq.(IDEA) |
| | 29 U.S.C. § 794 (Section 504, Rehabilitation Act of 1973) |
| | Vt. State Board of Education Manual of Rules & Practices, §§ 4311, 4313 |
| Cross Reference: | Search and Seizure |
| | Student Conduct and Discipline |

STUDENT FREEDOM OF EXPRESSION IN SCHOOL-SPONSORED MEDIA

Policy Statement

Freedom of expression is a fundamental principle in a democratic society that provides all citizens, including students, with the right to engage in a robust discussion of ideas. It is the policy of the Fairfax Town School District to ensure that students enjoy free speech and free press protections related to school-sponsored media, and to encourage students to become educated, informed, and responsible members of society.

No expression made by students in school-sponsored media shall be deemed to be an expression of school policy.

Definitions

“Media advisor” means a person employed, appointed, or designated by the district/supervisory union to provide instruction relating to school-sponsored media.

“School-sponsored media” means any material prepared, written, published, or broadcast as part of a school-supported program or activity by a student journalist that is distributed or generally made available as part of a school-supported program or activity to an audience beyond the classroom in which the material is produced.

“Student journalist” means a student enrolled in the district/supervisory union who gathers, compiles, writes, edits, photographs, records or prepares information for dissemination in school-sponsored media.

“Student supervisor” means a student who is responsible for editing school-sponsored media.

Implementation

Subject only to the conditions 1-6 below, a student journalist may exercise freedom of speech and freedom of the press in school-sponsored media. Student supervisors of school-sponsored media are responsible for determining the content of their respective media.

This policy does not authorize or protect content of school-sponsored media that:

1. Is libelous or slanderous;
2. Constitutes an unwarranted invasion of privacy;
3. May be defined as obscene, gratuitously profane, threatening or intimidating;
4. May be defined as harassment, hazing, or bullying under Title 16 § 11;
5. Violates federal or state law; or
6. Creates the imminent danger of materially or substantially disrupting the ability of the school to perform its educational mission.

Supervisory Union staff may restrain the distribution of content in school-sponsored media that can be demonstrated to violate any of the conditions 1-6 above.

Content in school-sponsored media will not be restrained solely because it involves political or controversial subject matter, or is critical of the school or its administration.

A student journalist may not be disciplined for acting in accordance with this policy.

A media advisor may not be disciplined for taking reasonable and appropriate action to protect a student journalist in conduct protected by this policy or for refusing to infringe on conduct that is protected by this policy, by the first amendment to the U.S. Constitution, or by the Vermont Constitution.

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| <i>VSBA Update:</i> | <i>August 1, 2019</i> |
| <i>Date Warned:</i> | <i>April 12, 2022</i> |
| <i>Date Adopted:</i> | |
| <i>Legal Reference(s):</i> | <i>16 V.S.A. § 1623</i> |
| <i>Cross Reference(s):</i> | |

Prevention of Sexual Harassment As Prohibited by Title IX

I. Statement of Policy.

- A. **Prohibiting Title IX Sexual Harassment.** Per Title IX of the Education Amendments Act of 1972 ("Title IX") the Fairfax Town School District (the District) does not discriminate on the basis of sex in its educational programs and activities, including employment and admissions. All forms of sex-based discrimination, including sexual harassment, are prohibited in the District. A District with actual knowledge of sexual harassment in an educational program or activity of the District against a person in the United States must respond promptly in a manner that is not deliberately indifferent. A District is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances. A District may be deemed to have been deliberately indifferent based on its restriction of rights protected under the U.S. Constitution, including the First, Fifth and Fourteenth Amendments.
- B. **Retaliation.** Retaliation as defined by this Policy is expressly prohibited. Complaints alleging retaliation may be filed according to the Title IX Grievance Procedures set forth in Section IV.
- C. **Concurrent Statutory Obligations.** While all forms of sex-based discrimination are prohibited in the District, the purpose of this policy is to address, and only address, *sexual harassment as defined in Title IX and Section II.M. below*. For conduct which satisfies that definition, a school's response is governed by this policy, and in those cases for which they have received a filing of a formal complaint of same, as set forth under the Title IX Grievance Process set forth in Section IV below. For other forms of inappropriate conduct, or conduct which may satisfy the definition of harassment on the basis of sex under Vermont law, including student misconduct and employment based statutes prohibiting unlawful harassment and other forms of misconduct, the District may have the separate obligation to address those behaviors as required by other school policies and applicable laws.
- D. **Covered Parties.** This Policy shall apply to all students, employees and any third party who contracts with the District to provide services to District students or employees, upon District property or during any school program or activity. A third party under supervision and control of the school system will be subject to termination of contracts/agreements, restricted from access to school property, and/or subject to other consequences, as appropriate.

II. Definitions

As used in this Policy and during the Title IX Grievance Process, the terms below shall have the meaning ascribed.

- A. **“Actual Knowledge”** means “notice” of “sexual harassment” or allegations of “sexual harassment” to either (a) a recipient’s Title IX Coordinator; or (b) any official of the recipient who has the authority to institute corrective measures on behalf of the recipient; or (c) to any employee of an elementary and secondary school.
1. For purposes of this paragraph “sexual harassment” refers to the definition as contained *within this policy*. For other forms of inappropriate conduct, or conduct which may satisfy the definition of harassment on the basis of sex as recognized under Vermont law, schools retain the option and in some cases the obligation, to address those behaviors as required by policy and law.
 2. Actual knowledge shall not be deemed to exist when the only official of the recipient with actual knowledge is the respondent.
 3. “Notice” as used in this paragraph includes, but is not limited to, a Report of Sexual Harassment to the Title IX Coordinator as described Section IV.B.
 4. Notice sufficient to trigger an obligation under this policy only shall exist where any employee has sufficient personal knowledge of alleged facts to be aware that if such facts were found to be true it would constitute a violation of this policy.
 5. Imputation of knowledge based solely on vicarious liability OR constructive notice shall be insufficient to establish or constitute actual knowledge.
- B. **“Complainant”** is an individual who is alleged to be the victim of conduct that could constitute “sexual harassment” under this Policy. In order for an individual to be considered to be a Complainant they need not file Report of Sexual Harassment, nor a Formal Complaint of Sexual Harassment. Where the Title IX Coordinator signs a Formal Complaint of Sexual Harassment, the Title IX Coordinator is not considered a “Complainant.”
- C. **“Days”** shall mean calendar days, but shall exclude non-weekend days on which the District office is closed (e.g. holidays, office-wide vacations), or any weekday during the school year on which school is closed (e.g. snow days).
- D. **“Decision-Maker”** means persons tasked with either the responsibility of making determinations of responsibility (referred to as “Initial Decision-Maker”); or the responsibility to decide any appeal (referred to as “Appellate Decision-Maker”) with respect to Formal Complaints of Sexual Harassment in accordance with the Title IX Grievance Process.
- E. **“Determination of Responsibility”** is the formal finding by the decision-maker on each allegation of Sexual Harassment contained in a Formal complaint that the Respondent did or did not engage in conduct constituting Sexual Harassment under Title IX.
- F. **“Disciplinary sanctions”** are consequences imposed on a Respondent when s/he is determined responsible for sexual harassment prohibited under this Policy.

- F. **“Emergency Removal”** for purposes of this Policy shall mean removing a respondent from the District’s education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. Emergency Removals as permitted by this Policy shall not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.
- G. **“Formal Complaint of Sexual Harassment”** means a document filed by either (a) a complainant (or complainant’s parent/guardian); or (b) the Title IX Coordinator, alleging sexual harassment against a respondent AND requesting that the District investigate the allegation of sexual harassment. The issuance or receipt of a Formal Complaint of Sexual Harassment formally triggers the Title IX Grievance Process set forth in Section IV. of this Policy.
- H. **“Investigation of Title IX Sexual Harassment”** Before the District can conduct an Investigation of Sexual Harassment under this Policy, against a Respondent, a Formal Complaint of Sexual Harassment that contains an allegation of sexual harassment and a request that the District investigate the allegations is required. Such investigation is a part of the Title IX Grievance Process, as set forth in Section IV.E.
- I. **“Remedial actions”** are actions intended to restore or preserve a complainant’s equal access to the educational programs and activities of the District.
- J. **“Report of Sexual Harassment”** is any report which provides the District with actual knowledge of sexual harassment or allegations of sexual harassment. Such a report may or may not be accompanied by a Formal Complaint of Sexual Harassment. Without such a Complaint, the Title IX Grievance Process is not triggered. See Section IV.A and IV.B. regarding the process for initiating that process.
- K. **“Respondent”** means an individual who has been reported to be the individual accused (i.e. perpetrator) of conduct that could constitute sexual harassment as defined under this policy.
- L. **“Retaliation”** means intimidation, threats, coercion, or discrimination by either the District or any other person, against any individual for the purpose of interfering with any right or privilege secured by Title IX and/or this Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing in connection with this Policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sexual discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this policy, constitutes retaliation.

Limitation in Scope.

- i. Material False Statements. Actions taken in response to **materially** false statements made in bad faith, or to submitting **materially** false information in bad faith, as part of a report or during the Title IX Grievance Process do not constitute retaliation. A determination of responsibility alone is insufficient to conclude that a person made a materially false statement in bad faith.
 - ii. 1st Amendment Protections. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this Policy.
- M. **“Sexual harassment”** prohibited under Title IX and by this Policy is conduct on the basis of sex, occurring in an education program or activity of the District, against a person in the United States, that satisfies one or more of the following:
1. A school district employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct; **OR**
 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, **AND** objectively offensive that it effectively denies a person equal access to the District's education program or activity; **OR**
 3. Or any conduct which would satisfies one or more of the following definitions:
 - a. Sexual assault: Any sexual act(s) directed at another person without consent of the victim, including instances where the victim is unable to lawfully give consent because of age or cognitive ability. Consent to a sexual act exists where words, actions or other non-verbal conduct objectively communicates a desire to participate in the sexual act(s). Consent to some sexual act(s) does not indicate consent to all sexual acts. Consent may be withdrawn at any time by objectively communicating through words, actions or other non-verbal conduct **AND/OR**
 - b. Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or an intimate nature with the victim. The existence of the relationship shall be considered with reference to the length of the relationship, the type of relationship and the frequency of the interactions between the persons involved in the relationship. **AND/OR**
 - c. Domestic violence: Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner or any other persons protected under 15 V.S.A. section 1101 from domestic abuse. **AND/OR**
 - d. Stalking: A course of conduct by a person directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

Limitation in Scope. For purposes of this policy conduct shall not be deemed to satisfy Title IX's definition of "sexual harassment" if the conduct occurred either (1) outside of the United States and/or (2) includes locations, events or circumstances over which the District did not exercise substantial control over both the respondent and the context in which the harassment occurred.

- N. **"Supportive Measures"** are non-disciplinary, non-punitive, individualized services, offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. These measures may include, but are not limited to, the following:

- 1.counseling;
- 2.extensions of deadlines or other course-related adjustments;
- 3.modifications of work or class schedules;
- 4.campus escort services;
- 5.mutual restrictions on contact between the parties;
- 6.changes in work or housing locations;
- 7.leaves of absence;
- 8.increased security and monitoring of certain areas of the district campus;
- 9.and other similar measures.

III. **Duties**

A. **Reports of Sexual Harassment**

1. Any Person May Make a 'Report of Sexual Harassment'. Any person may report sexual harassment whether relating to her/himself or another person. A Report of Sexual Harassment may be made at any time, in person, by mail, by telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.
 - a. Any Staff Member May Receive Reports. Additionally, while the District strongly encourages Reports of Sexual Harassment to be made directly to the Title IX Coordinator, the report may be made to **any** District staff member, including, for instance, a counselor, teacher or principal.
 - b. In Cases where Title IX Coordinator is Alleged Respondent. If the Title IX Coordinator is the alleged respondent, in such cases either the Report of Sexual Harassment or Formal Complaint of Sexual Harassment may be made directly to the Superintendent, who shall thereafter fulfill the functions of the Title IX Coordinator regarding that Report/Complaint, or delegate the function to another person.

B. **District Response to Report of Sexual Harassment.**

1. Duty to respond. The District will promptly respond when there is Actual Knowledge of sexual harassment, even if a Formal Complaint of Sexual Harassment has not been filed.

- a. District Response Must Be Equitable. In its response the District shall treat Complainants and Respondents equitably by providing supportive measures to the Complainant and by following the Title IX Grievance Process prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a Respondent.
 - b. Reports of Harassment Received by District Employees Shall Be Referred to Title IX Coordinator. Where any District employee – other than the employee harasser, or the Title IX Coordinator – receives information of conduct which may constitute sexual harassment under this Policy, s/he shall, without delay, inform the Title IX Coordinator of the alleged sexual harassment. Failure to report will subject the employee to discipline up to and including dismissal.
 - c. Complainant Contact. As soon as reasonably possible after receiving a Report of Sexual Harassment from another District employee or after receiving a report directly through any means, the Title IX Coordinator shall contact the Complainant [and parent/guardian in cases where the complainant is a student under the age of 18] to:
 - i. discuss the availability of and offer supportive measures;
 - ii. consider the complainant’s wishes with respect to supportive measures;
 - iii. inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
 - iv. explain to the complainant the process for filing a Formal Complaint of Sexual Harassment.
2. Formal Investigation of Sexual Harassment. Before the District may conduct a formal investigation of sexual harassment or take any action (other than supportive measures) against a Respondent, a Formal Complaint that contains an allegation of sexual harassment and a request that the District investigate the allegations is required and must be filed by either the Complainant, the Complainant’s Parent/Guardian, or the Title IX Coordinator, as set forth under Section IV.B. below.
 3. Initiating the Title IX Grievance Process. A Report of Sexual Harassment alone does **not** initiate a Title IX Grievance Process. Before the District may initiate that process, a Formal Complaint of Sexual Harassment must be filed under the procedures set out in IV.A. (“Title IX Grievance Process”).

C. Formal Complaints of Sexual Harassment.

1. Process for Filing a Formal Complaint of Sexual Harassment. The process for filing a Formal Complaint of Sexual Harassment is set forth in Section IV.A. (“Title IX Grievance Process”).
 - a. District Response to Receipt of Formal Complaint.
 - i. Investigation of Sexual Harassment. The District must investigate the allegations of a Formal Complaint unless both parties voluntarily consent to engage in Informal Resolution, or Dismissal otherwise occurs under Section IV. G. below.
2. District Written Notification to Parties in Response to Receipt of Formal Complaint. Upon receipt of a Formal Complaint, the District must provide written notice as set forth in Section IV.C. below of the Title IX Grievance Process. In response to a

Formal Complaint of Sexual Harassment, the District must follow the Title IX Grievance Process set forth in Section IV.

D. District Duty to Respond When Determination of Responsibility For Sexual Harassment Has Been Made Against a Respondent. The District must provide remedies to a Complainant where a determination of responsibility for sexual harassment has been made against a Respondent designed to restore or preserve equal access to the District's education program or activity. Such remedies may include "supportive measures" but also need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

E. Reporting to Other Agencies.

1. Reports to Department of Children and Families. When a report made pursuant to this policy includes allegations of child abuse, any person responsible for reporting suspected child abuse under 33 V.S.A. § 4491, et seq. must report the allegation to the Commission or DCF. If the victim is over the age of 18 and a report of abuse is warranted, the report shall be made to Adult Protective Services in accordance with 33 V.S.A. § 6901 et seq.
2. Reports to Vermont Agency of Education. If a report of sexual harassment is made to the District about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the principal shall report the alleged conduct to the Superintendent and the Superintendent shall report the alleged conduct to the Secretary. [If a report of sexual harassment is made in an independent school about conduct by a licensed educator that might be grounds under Vermont law for licensing action, the head of school is encouraged to report the alleged conduct to the Secretary of Education.]
3. Reporting Incidents to Police.
 - a. FERPA Rights. Information obtained and documented by school administration regarding the school's response to notice of student conduct that may constitute sexual harassment may constitute an "educational record" regarding the student or student(s) involved as defined by the Family Education Rights and Privacy Act. Accordingly, such information may not be disclosed without prior parent approval to local law enforcement except in response to a lawfully issued subpoena, or in connection with an emergency if disclosure is necessary to protect the health or safety of the student or other individuals.
 - b. First Hand Reports. Nothing in this policy shall preclude persons from reporting incidents and/or conduct witnessed first-hand that may be considered to be a criminal act to law enforcement officials.
4. Continuing Obligation to Investigate. Reports made to DCF, AOE or law enforcement shall not be considered to absolve the school administrators of their obligations under this policy, or other school policies where appropriate, to respond, and when appropriate to investigate and follow the Title IX Grievance Process.

F. **Disseminating Information and Notice.**

1. **Notice of Title IX Policy.** The District will make this Policy publicly available on the District's website (OR if the District does not maintain a website, available upon request for inspection by members of the public).
2. **Notice of Title IX Obligations and Coordinator Information.** The District shall include in all student and employee handbooks, and shall make publicly available on the district's website (OR if the District does not maintain a website, available for inspection to members of the public upon request) the following information:
 - a. The District's policy of non-discrimination on the basis of sex, that it is required by Title IX not to discriminate in such a manner, and that such requirement not to discriminate in the education program or activity of the District extends to admission and employment (all to be prominently displayed on both the website and in publications):
 - b. The title, name, office address, email address, and telephone number of the District's Title IX Coordinator (all to be prominently displayed on both the website and in publications);
 - c. A statement that Title IX inquiries may be referred to either the District's Title IX Coordinator or to the Assistant Secretary for Civil Rights.

The same information shall be otherwise provided to students, employees, unions or professional organizations holding collective bargaining or professional agreements with the District, and all persons seeking employment with the District, or seeking to enroll or participate in the District's educational programs or activities. Those persons shall also be informed of the grievance procedures and process provided for under Section IV. of this Policy, including how to file either a Report of Sexual Harassment or Formal Complaint of Harassment, and the response the District will take in response to such filings.

3. **Training Materials.** Additionally, the District will make any materials used to train personnel as required under Sec. V.F. publicly available on the District's website (OR if the District does not maintain a website, available upon request for inspection by members of the public).

G. **Record Keeping**

The District shall maintain for a period of seven years records of

1. **Sexual Harassment Investigations.** The District shall maintain records of any:
 - a. determination regarding responsibility;
 - b. any disciplinary sanctions imposed on the respondent;
 - c. any remedies provided to the complainant designed to restore or preserve equal access to the recipient's education program or activity; and
 - d. any appeal and result therefrom.

2. Any informal resolution and the result therefrom.
3. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
4. For each response required of the District by this Policy to Actual Knowledge of Sexual Harassment, the District must create and maintain for a period of seven years the following:
 - a. Records of any actions, including any supportive measures, taken in response to a Report of Sexual Harassment or Formal Complaint of Harassment. In each instance the District must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's educational program or activity. Where a District does not provide a Complainant with supportive measures, then the District must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the District in the future from providing additional explanations or detailing additional measures taken.

H. Confidentiality

1. Duty to Maintain Confidentiality.

The District must keep confidential the identity of any individual who has made a Report of Sexual Harassment or Formal Complaint of Sexual Harassment under this Policy, any Complainant, Respondent, and any witness, except either:

- a. As may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 C.F.R. part 99;
- b. or as required by law, such as reports to DCF, law enforcement or the Agency of Education as set forth in Section III.E above;
- c. or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing or judicial proceeding arising thereunder, as set forth in this policy (Section IV.C.2, IV.E.7,8, and 10, IV.F.5., IV.G.3., and IV.H.7.);
- d. where maintaining confidentiality with respect to supportive measures offered to the Complainant or Respondent would impair the ability of the school district to provide the supportive measures;

IV. TITLE IX GRIEVANCE PROCESS.

A. General Provisions.

1. Triggers for Implementation. The Title IX Grievance Process is used only upon the filing of a **Formal Complaint** of sexual harassment as described below. This process must be followed before any discipline of a Respondent to allegations of Sexual Harassment may be imposed by the District.

2. Protections for Equitable Treatment in The Handling of Formal Complaints by District. The District response to a Formal Complaint of Sexual Harassment shall treat Complainant and Respondents equitably. In particular, this Title IX Grievance Process shall require:
- a. **“Presumption of Non Responsibility”** presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Title IX Grievance Process;
 - b. **“Objectivity”** an objective evaluation of all relevant evidence - including both inculpatory and exculpatory evidence - and provide that credibility determinations may not be based on a person’s status as a Complainant, Respondent, or Witness;
 - c. **“Conflict and Bias Free Personnel”** that individuals designated by the District to act as Title IX Coordinator, investigator, decision-makers, or to facilitate an informal resolution process, shall have no conflict of interest nor bias for or against a Complainant or Respondent individually, or complainants or respondents generally;
 - d. **“No Interference with Legal Privileges”** such that at no point in the grievance process will the Title IX Coordinator, the investigator, any decision maker, or any other person participating on behalf of the District, require, allow, rely upon, or otherwise use questions or evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege (e.g., doctor/patient, attorney/client, clergy, etc.), unless the person holding such privilege (parent/guardian for minor student) has waived the privilege in writing to use the information with respect to the Title IX Grievance Process;
 - e. **“Proof of Responsibility for Sexual Harassment by a Preponderance of the Evidence,”** which is only met when the party with the burden convinces the fact finder (the Initial Decision- Maker) that there is a greater than 50% chance that the claim is true (i.e., more likely than not). This standard shall be applied to all Formal Complaints of Sexual Harassment, whether they involve students or faculty; and
 - f. **“Reasonably Prompt Time Frames for Conclusion of the Title IX Grievance Process.”** The District shall make a good faith effort to conduct a fair, impartial grievance process in a reasonably prompt manner designed to provide all parties with a prompt and equitable resolution. It is expected that in most cases, the grievance process will be concluded - through at least the determination of responsibility decision - within 80 days after filing the Formal Complaint of Sexual Harassment. However, more complex cases or other case specific circumstances, may require additional time beyond that timeframe. In such cases, good cause must be shown and written notice provided.

B. Grievance Process Timeline.

Investigation 20 +/- days (as the complexity of the case demands);

10 days for reviewing information prior to conclusion of investigation;

10 days after receiving investigative report -by either- party to respond;

10 days for decision maker to allow initial questions;

10 days for responses to questions;
10 days for questions and responses to follow-up questions;
10 days for determination of responsibility decision;
10 days for appeal (6 additional days for administrative steps);
10 days for argument/statement challenging or supporting determination;
10 days for decision on appeal.

1. Delays and Extensions of Time. At any stage of the grievance process, the District (through the Superintendent, or if the Superintendent is the respondent, the Title IX Coordinator or designee) may for good cause allow for temporary delays or extensions of time upon request of either party, or on his/her own initiative. Examples of good cause may include such things as availability of parties, party advisors, witnesses, school or school administrative office holidays or vacations, referral back to an earlier stage of the grievance process, concurrent law enforcement or other agency activity, or need to obtain language interpreters or accommodation of disabilities. For any such delay or extension of time, the Superintendent or the Title IX Coordinator will provide simultaneous written notice to the parties of the delay/extension and the reason(s).
2. Delivery of Copies and Notices. Except as specifically stated elsewhere in this Policy, for any document, information or material required to be delivered to a party or to a person assigned with responsibility under the Title IX Grievance Process, the manner of transmittal may be by electronic mail, regular mail or such other manner reasonably calculated to assure prompt delivery with evidence thereof (such as a commercial carrier or other receipted delivery). Hand delivery will only be permitted if made to the District official charged with the specific function under this Policy (e.g., Title IX Coordinator, Superintendent, investigator, decision maker(s), etc.). Any document required to be delivered to a minor or other non-eligible student, must also be delivered to the minor's parent/guardian. Copies should also be sent to a party's advisor if the information for the advisor has been previously communicated to the sending party. Under federal regulations, copies of the investigative evidence, as well as the investigative report, must be forwarded to a party's advisor.
3. Notice of Range of Disciplinary Sanctions and Remedial Actions Upon Final Determination of Responsibility.
 - a. Employee Respondents. "Disciplinary sanctions" against an employee respondent may include any available sanction available for the discipline of employees, up to and including dismissal or non-renewal for any other violation of Board policy,, applicable individual or collective bargaining contract, or state or federal laws or regulations.
 - b. Student Respondents. "Disciplinary sanctions" against a student may include any available discipline or sanction, up to and including expulsion, permitted by District policies, and any other District rules and procedures or student code of conduct.
 - c. Remedial Actions. Remedial actions as to a Respondent after a Title IX Sexual Harassment Final Decision, whether employee or student, may include the imposition upon a responsible respondent of any additional non-disciplinary measures appropriate to effecting a remedy for sexual harassment, and may include such measures as no-contact requirements, scheduling adjustments, removal or exclusion from extracurricular activities, class reassignments, limits on future class registrations, restrictions on access to various spaces in the school buildings, reassignment of attendance, and similar measures fine-tuned to

respond appropriately to the circumstances surrounding a successful complainant's right to access the district's program and activity. Additional remedial actions may include recommendations that a school-wide or system-wide response is needed in order to respond to the sexual harassment in a way that is not clearly unreasonable under the circumstances. In such cases, the Superintendent shall provide additional staff training, harassment prevention programs, or such other measures as determined appropriate to protect the safety of the educational environment and/or to deter sexual harassment.

5. Emergency Removal. Nothing in this Policy, or Title IX Grievance Process, precludes a District from removing a Respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act. Such removal shall not be disciplinary.
 6. Administrative Leave. Nothing in this Policy precludes a recipient from placing a non-student employee respondent on administrative leave during the pendency of the Title IX Grievance Process. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.
- C. Formal Complaints of Sexual Harassment. The Title IX Grievance Process is initiated by way of a Formal Complaint ("complaint" or "formal complaint") filed by the Complainant, the Complainant's parent/guardian, or the Title IX Coordinator.
1. Complainant Options. In cases of Actual Knowledge (and/OR) Reports of Sexual Harassment, the Complainant retains the option to either file a Complaint of Sexual Harassment or choose not to and instead simply receive the supportive measures, except as set forth below.
 - a. Filings by Title IX Coordinator. In cases where the Complainant does not file a Formal Complaint of Sexual Harassment, the Title IX Coordinator may nevertheless choose to sign and thus initiate a Formal Complaint of Harassment, but only if:
 - i. initiating the grievance process against the respondent is not clearly unreasonable in light of the known circumstances;
 - ii. in other cases where, in the exercise of good judgment and in consultation with the District's attorney as appropriate, the Title IX Coordinator determines that a grievance process is necessary to comply with the obligation not to be deliberately indifferent to Actual Knowledge of sexual harassment.
 - iii. If the Complaint is filed by the Title IX Coordinator, he/she is not a party to the action, and the District must comply with all of the provisions of the Title IX Grievance Process relative to respondents and complainants.
 - b. Supportive Measures. The Title IX Coordinator will contact the Complainant to discuss and offer supportive measures.

2. Respondent Rights. In cases where no Formal Complaint of Sexual Harassment is either filed by the Complainant or the Title IX Coordinator **no disciplinary action may be taken** against the Respondent based upon conduct that would constitute sexual harassment under this policy. Nevertheless, the Title IX Coordinator may contact the respondent to discuss, and or impose, non-disciplinary supportive measures.
3. Timeliness of Formal Complaints of Sexual Harassment. Although the District will initiate the Title IX Grievance Process regardless of when the Formal Complaint of Sexual Harassment is submitted, delays in reporting may significantly impair the ability of school officials to investigate and respond to the allegations.
4. Jurisdiction Over Parties. Although there is no time limit per se to filing a Formal Complaint of Sexual Harassment, Complaints may be dismissed if either the Complainant or Respondent is no longer enrolled or employed by the District.
5. Manner of Filing and Content of Formal Complaints of Sexual Harassment. Formal Complaints of Sexual Harassment may be filed with the Title IX coordinator in person, by mail, or by email and must be in writing. While forms may be obtained from the Title IX Coordinator or on the District or school website, at a minimum, a Formal Complaint of Sexual Harassment must:
 - a. contain the name and address of the Complainant and the student's parent or guardian if the complainant is a minor student;
 - b. describe the alleged sexual harassment;
 - c. request an investigation of the matter;
 - d. when filed by the Complainant be signed by the Complainant or otherwise indicate that the complainant is the person filing the complaint, or if not filed by the Complainant be signed by the Title IX Coordinator.
6. Consolidation of Complaints. The District may consolidate formal complaints of allegations of sexual harassment where the allegations of sexual harassment arise out of the same facts or circumstances and the formal complaints are against more than one respondent; or by more than one complainant against one or more respondents; or by one party against the other party. When the District has consolidated formal complaints so that the grievance process involves more than one complainant or more than one respondent, references to the singular "party", "complainant", or "respondent" include the plural, as applicable.

C. Notification of Formal Complaint to Parties ("Notification"). Upon receipt of a Formal Complaint of Sexual Harassment, the District must provide the following written notice to the parties who are known:

1. Notice of the District's Title IX Grievance Process (Section IV), including any informal resolution process.
2. Notice of the allegations potentially constituting sexual harassment as defined by Section II.M., including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting

sexual harassment as defined by Section II.M., and the date and location of the alleged conduct, if known.

- a. Supplemental Notice Required Upon Change in Investigative Scope. If, in the course of an investigation the District decides to investigate allegations about the Complainant or Respondent that are not included in the original Notification, the District must provide simultaneous notice of the additional allegations to the parties whose identities are known.
3. The written notice must include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Title IX Grievance Process set forth in Section IV. of the Policy.
4. The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney (who may be present during any Grievance proceeding, including any related meeting or proceeding). The District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
5. The written notice must inform the parties of any provision in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

D. Informal Resolution. At any time prior to reaching a determination regarding responsibility (but only after the filing of a formal complaint), the District may offer an optional informal resolution process (e.g., mediation, arbitration), provided that the District:

1. May not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to a Sexual Harassment Investigation of a Formal Complaint of Sexual Harassment, such as may occur through Informal Resolution;
2. May not offer an informal resolution process unless a Formal Complaint of Sexual Harassment is filed;
3. Provides written notice to the parties disclosing:
 - a) The allegations of the Formal Complaint of Sexual Harassment;
 - b) The requirements of the information resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to an informal final resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
 - c) Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
4. Obtains the parties' voluntary written consent to the informal resolution process; and

5. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

E. Sexual Harassment Investigation.

The Title IX Coordinator shall designate a qualified, trained, person to investigate. The investigation must:

1. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence. (Evidence about the complainant's sexual predisposition or prior sexual behavior are **not** relevant, unless such evidence about the complainant's prior sexual behavior is offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the evidence concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and is offered to prove consent.)
2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not on either of the parties;
3. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
5. Provide the parties with the same opportunities to have others present during any interview or other part of the investigation, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
6. Provide, to a party (e.g., Respondent or Complainant – and parent/guardian as appropriate) whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation;
8. PRIOR to completion of the Sexual Harassment Investigative Report, the District, through the Title IX Coordinator, must send to each party and party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report;

9. Prepare a written Sexual Harassment Investigative Report that fairly summarizes relevant evidence, including, without limitation, witness credibility, discrepancies, inculpatory and exculpatory information, and relevant District policies, rules and regulations, and the manner in which the same were made known to the pertinent school populations or specific parties. The investigative report shall include a description of the procedural steps taken, starting with the receipt of the formal complaint, and continuing through the preparation of the investigative report, including any notifications to the parties, interview with parties and witnesses, site visit, and methods used to gather evidence.
10. The investigator shall provide the Investigative Report in hard copy or electronic format to the Title IX Coordinator, to each party and each party's advisor, if any. Each party will have 10 days from receipt to provide the Title IX Coordinator a written response to the Investigative Report.

F. Initial Determination of Responsibility. The initial determination of responsibility of the respondent shall be made by the Initial Decision-Maker.

1. Initial Decision-Maker. The Initial Decision-Maker cannot be the same person(s) as the IX Coordinator or the Investigator(s).
2. Opportunity for Relevant Party Questions. After the Investigator Report has been sent to the parties pursuant to Section IV. E.10 (above), and PRIOR to making a determination of responsibility, the Initial Decision-Maker will afford each party 10 days to submit written, relevant questions to the Initial Decision-Maker that the party wants asked of any party or witness. Only relevant questions may be posed. The Initial Decision-Maker shall explain to the party proposing the questions any decision to exclude a question as deemed "not relevant."
 - a. Irrelevant Questions and Evidence. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are **not** relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the Complainant, or if the question and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
 - b. Written Responses to Questions. The Initial Decision-Maker will provide the questions to the party/witness, with copies to each party, and provide no less than 10 days for written responses, likewise to be provided to each party.
 - c. Opportunity for Limited Supplemental Questions. The Initial Decision-Maker will provide 5 days each for supplementary, limited follow-up questions and 5 days for answers, and may provide for additional rounds of follow-up questions, as long as the provision is extended to both parties equally.
3. Prohibition on Negative Inferences. The Initial Decision-Maker may not make any credibility determinations based on the person's status as a complainant, respondent or witness.
4. Presumption of Non-Responsibility. The Respondent must be deemed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Title IX Grievance Process.

5. Written Initial Determination Regarding Responsibility. Within 10 days following the close of the period set for responses to the last round of follow-up questions, the Initial Decision-Maker must issue a Written Initial Determination to the Title IX Coordinator, the Superintendent and the parties simultaneously, which, while applying the preponderance of the evidence standard, must include:
 - a. Identification of the allegations potentially constituting Sexual Harassment as defined in this Policy, section II.M.;
 - b. A description of the procedural steps taken from the receipt of the formal complaint through the Initial Determination Regarding Responsibility, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
 - c. Findings of fact supporting the Written Initial Determination Regarding Responsibility;
 - d. Conclusions regarding the application of the District's applicable codes of conduct, policies, administrative regulations or rules to the facts;
 - e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility (i.e., whether or not the respondent is responsible for sexual harassment), any disciplinary sanctions the District imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the Complainant; and
 - f. The District's procedures and permissible bases for the Complainant and Respondent to appeal (as set forth in Section IV.H, below).
6. Finality of Decision. The Initial Determination Regarding Responsibility becomes final, and identified as the **Title IX Sexual Harassment Final Decision** either:
 - a. On the date that District provides the parties with Written Determination of the Appeal, if an appeal is taken as set forth in Section IV.H. (below); OR
 - b. Where no appeal is taken, the date on which an appeal would no longer be considered timely.
7. Duty to Effectuate Title IX Sexual Harassment Final Decision.
 - a. District Response to Sexual Harassment. Once a **Title IX Sexual Harassment Final Decision** is issued, the District may implement remedies as set forth in Section III.D. above, and action as necessary to respond in a manner not deliberately indifferent in light of the known circumstances in cases of a Determination of Title IX Sexual Harassment Final Decision concluding responsibility for Sexual Harassment. The issue of responsibility for the conduct at issue shall not be subject to further review or appeal within the District (except as provided by District policy or collective bargaining agreement or applicable law). Appeals of disciplinary sanctions may be made pursuant to the District's ordinary review process for discipline, or to the extent applicable through any statutory or other processes provided under collective bargaining agreements or individual contracts.

- b. Responsibility for Response. The Title IX Coordinator is responsible for effective implementation of remedies.
- c. Other Actions Pursuant to Applicable Code of Conduct, Policies, Agreements, Contracts. The District may also proceed against the Respondent or Complainant pursuant to the District's applicable code of conduct or other Board policies, collective bargaining agreement, individual contract or administrative rules/regulations/procedures.

G. Dismissal of a Formal Complaint.

1. The District must dismiss a formal complaint with regard to Title IX sexual harassment if the alleged conduct:
 - a. Would not constitute sexual harassment, even if proved;
 - b. Did not occur in the District's education program or activity; or
 - c. Did not occur against a person in the United States.
2. The District may dismiss a formal complaint with regard to Title IX sexual harassment if at any time during the investigation or determination of responsibility stage(s):
 - a. A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
 - b. The respondent is no longer enrolled or employed by the District; or
 - c. Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
3. Upon dismissal of a formal complaint, the District must promptly send written notice of the dismissal and the reason(s) therefore simultaneously to the parties.
4. The dismissal of a formal complaint under Title IX does not preclude the District from continuing any investigation or taking action under other District policies, code of conduct or administrative rules/regulations. In some cases, the District may have an obligation to continue an investigation and proceed under a different policy or mandated process.

H. Appeals. The District must offer both parties an appeal from a Initial Determination Regarding Responsibility, and from a Dismissal of a Formal Complaint, or any allegations therein.

1. Method of Filing. Either party may appeal the Initial Determination of Responsibility or the dismissal of a Formal Complaint of Sexual Harassment (or any allegations therein) by notifying the Superintendent in writing ("written appeal"), with a copy to the Title IX Coordinator. If there are multiple determinations of responsibility, the written appeal shall specify which ones are included in the appeal.
2. Deadline for Notice of Appeal. The Notice of Appeal must be in writing and received by the Superintendent, with a copy to the Title IX Coordinator, within 10 days of

either the Initial Determination of Responsibility or the written Notice of Dismissal being communicated to the parties, as appropriate.

3. Grounds For Appeal. Either party may only appeal the Initial Determination of Responsibility or the Dismissal of a Formal Complaint of Sexual Harassment (or any allegations therein) based upon one or more of the following grounds, which must be stated specifically in the party's written appeal:
 - a. Procedural irregularity that affected the outcome of the matter;
 - b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
 - c. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
4. Appellate Decision-Maker. The Appellate Decision-Maker shall not be the same person as the Initial Decision-Maker that reached the determination regarding responsibility or the Dismissal of a Formal Complaint of Sexual Harassment, the Investigator(s) or the Title IX Coordinator. The Appellate Decision-Maker shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The Appellate Decision-Maker shall be trained as set forth in section V.F.2. and 3.
5. District Notification of Appeal and Duty to Equitable Treatment of Parties During Appeal. The District must notify the both parties in writing when an appeal is filed and implement appeal procedures equally for both parties.
6. Opportunity to Brief Appellate Decision-Maker.
 - a. Deadline In Cases Other than Newly Available Evidence. Except in cases of newly available evidence, each party shall have 10 days "reasonable and equal opportunity] from the date of the Notification of Appeal under section H.5. above, to submit to the Appellate Decision-Maker a written statement in support of, or challenging, the Initial Determination Regarding Responsibility.
 - b. Deadline in Cases of Newly Available Evidence. In cases where the basis of the appeal is newly available evidence affecting the outcome, the party relying upon such evidence shall submit to the Appellate Decision-Maker such evidence or a summary of such evidence along with the party's appeal statement first and within 7 days from the date of the Notification of the Appeal. In such instances the Appellate Decision-Maker shall then forward such documentation on to the opposing party, whereupon the opposing party shall thereafter have 7 days to review and submit their Brief to the Appellate Decision-Maker.
7. Written Determination of the Appeal
 - a. The Appellate Decision-Maker shall provide a Written Determination of the Appeal after considering the record and the parties' appeal statements, describing the result of the appeal and the rationale of the result. The appeals decision maker will only overturn the Initial Determination of Responsibility upon

a conclusion that it was clearly erroneous (i.e., either made on unreasonable grounds, or without any proper consideration of the circumstances). If the basis or one of the bases for the appeal was new evidence, the appeals decision maker may either make a determination of responsibility regarding that evidence or refer it back to the appropriate stage of the Title IX Grievance Process. The Appellate Decision shall be provided simultaneously to both parties, with a copy to the Title IX Coordinator and the Superintendent of Schools.

- b. Upon issuance of the Written Determination of the Appeal, it becomes a **Title IX Sexual Harassment Final Decision**, as set forth in Section IV.F.6, with commensurate Title IX obligations for the District to act as set forth in Section IV.F.7.

V. **Responsible Personnel.**

A. **Bias or Conflicts of Interest.**

No person designated as a Title IX Coordinator, investigator, decision-maker, nor any person designated by the District to facilitate an informal resolution process, may have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

B. **Title IX Coordinator.**

The District must designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under this Policy, which employee must be referred to as the "Title IX Coordinator." Any individual designated by the District as a Title IX Coordinator shall be free of conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

1. **Notice of Title IX Coordinator Contact Information.** The name or title, office address, electronic mail address, and telephone number of the employee(s) designated as the Title IX Coordinator shall be provided to the following:
 - a. all applicants for admission and employment;
 - b. parents or legal guardians of elementary and secondary school students;
 - c. employees; and
 - d. all unions or professional organizations holding collective bargaining or professional agreements with the recipient.
2. **Duties of Title IX Coordinator** In addition to coordinating the District's efforts to comply with its responsibilities under this Policy, and any other duties assigned, the Title IX Coordinator shall be responsible for:
 - a. **Receipt of Reports of Sexual Harassment.** Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's

verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

i. Responding to general reports and formal complaints of sexual harassment.

(a). The Title IX Coordinator shall promptly contact the Complainant (or where Complainant is a minor their parent/guardian) (regardless to whether a formal complaint has been received) to discuss:

i. Supportive Measures: the availability of supportive measures (as defined in section II.N. above); to consider Complainant's wishes with respect to supportive measures; to inform of the availability of supportive measures with or without the filing of a Formal Complaint of Sexual Harassment;

ii. Formal Complaint and explain the process for filing a Formal Complaint of Sexual Harassment.

ii. Signing and/or receiving Formal Complaints of Sexual Harassment and in such cases commencing the Title IX Grievance Process set out in Section IV. above;

iii. Coordinating the effective implementation of supportive measures; and

iv. Coordinating the District's efforts to comply with its responsibilities related to the Title IX Grievance Process set forth in Section IV of this policy, including any other specific duties as assigned by the Superintendent to fulfill the District's obligations under this policy.

3. Conflict of Interest or Bias/Unavailability. In cases where the Title IX Coordinator is unavailable, including unavailability due to a conflict of interest or other disqualifying reason, the Superintendent shall assure that another person with the appropriate training and qualifications is appointed as acting Title IX Coordinator for that case, in such instances "Title IX Coordinator" shall include the acting Title IX Coordinators.

C. Investigators.

1. Conflict of Interest or Bias. Any individual assigned to investigate a Formal Complaint of Sexual Harassment shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

2. Responsibilities. Investigators shall be responsible for conducting Sexual Harassment Investigations as set forth in Section IV.E. above.

D. Decision-Makers.

1. Conflict of Interest or Bias. Any individual assigned as a Decision-Maker in the case of a Sexual Harassment under this Policy shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

2. Responsibilities.

- a. **Initial Decision-Makers** shall be responsible for issuing an Initial Determination Regarding Responsibility following a Sexual Harassment Investigation and other duties set forth in Section IV.F. above.
- b. **Appellate Decision-Makers** shall be responsible for issuing a Written Determination of the Appeal, and other duties set forth in Section IV.H. above.

E. Informal Resolution Process Facilitators (“Facilitators”).

1. Conflict of Interest or Bias. Any individual assigned to facilitate an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
2. Responsibilities. Facilitators shall be responsible for facilitating a process of informal resolution as permitted in section IV. D. above.

F. Training. The District shall ensure that training of the following personnel occur:

1. All District Employees. Training of District Employees shall occur relative to mandatory reporting obligations, and any other responsibilities they may have relative to this Policy.
2. Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. These individuals must be trained on the following topics:
 - a. the definition of sexual harassment as contained within this Policy;
 - b. the scope of the recipient’s education program or activity;
 - c. how to conduct an investigation, appeals, and informal resolution process;
 - d. how to serve impartially, including by avoiding prejudgment of the facts at issue; and
 - e. conflicts of interest and bias.
3. Decision-makers. In addition to the topics set forth in II.D.2. above, decision-makers shall be trained on the following topics:
 - a. issues of relevance of questions and evidence, including when questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant as set forth in Section IV.E.1. and IV.F.2.a.
4. Investigators. In addition to the topics set forth in II.D.2. above, investigators shall be trained on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in Section IV.E.9 above.
5. Training Materials. Any materials used for trainings of Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must:

- a. Not rely on sex stereotypes; and
- b. Promote impartial investigations and adjudications of formal complaints of sexual harassment.
- c. Be made available to the public either on its website, or if the District does not maintain a website, must make those materials available upon request for inspection by members of the public.

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| <i>VSBA Update:</i> | <i>September 1, 2020</i> |
| <i>Date Warned:</i> | <i>April 12, 2022</i> |
| <i>Date Adopted:</i> | |
| <i>Legal Reference(s):</i> | <i>Title IX of the Education Amendments of 1972, 20 U.S.C 1681, et seq 20 U.S.C. §1232g, Family Educational Rights and Privacy Act</i> |
| | <i>34 CFR. Part 99, Family Educational Rights and Privacy Act Regulations</i> |
| | <i>34 CFR 106.8, Designation of responsible employee and adoption of grievance procedures.</i> |
| | <i>34 CFR 106.30, Definitions</i> |
| | <i>34 CFR 106.44, Recipient's response to sexual harassment</i> |
| | <i>34 CFR 106.4, Grievance process for formal complaints of sexual harassment</i> |
| | <i>34 CFR 106.71, Retaliation</i> |
| <i>Cross References:</i> | |

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.*

PROFICIENCY-BASED GRADUATION REQUIREMENTS (PBGRs)

It is the policy of the Fairfax Town School District to ensure students can engage in rigorous, relevant and comprehensive learning opportunities that allow them to demonstrate proficiency in literacy, mathematics, scientific inquiry, global citizenship, physical education, artistic expression, and transferable skills. A student meets the requirements for graduation when the student demonstrates evidence of proficiency in these curriculum content areas, and when they meet any additional graduation requirements described by this Board (Insert additional requirements here).

The Fairfax Town School District **will not** use credits for the purpose of demonstrating that a student has met the graduation requirements. Students in the Fairfax Town School District **will** receive credit for learning that takes places outside of the school, school day, or the classroom, provided that any credits earned occur under the supervision of an appropriately licensed educator.

Responsibilities of the Superintendent

The superintendent shall develop procedures to ensure:

1. The PBGRs described in this policy reflect the learning standards adopted by the State Board of Education.
2. Students are being assessed as proficient against the comprehensive set of board-adopted PBGRs set forth in this policy prior to their receipt of a high school diploma.
3. Course credits will specify the proficiencies demonstrated to attain that credit, and that those proficiencies will align with the PBGRs set forth in this policy.
4. Student learning outcomes attained through Flexible Pathways² opportunities— including career and technical education, virtual learning, work-based learning, service learning, dual enrollment, and early college— are linked clearly to expectations of proficiency identified in this policy.
5. Learning opportunities identified in students' Personalized Learning Plans (PLPs) support expectations of proficiency identified in this policy.
6. All students will meet the same set of PBGRs set forth in this policy, with accommodations or modifications being provided for students who require them under an IEP or 504 plan.
7. Information regarding PBGR implementation and assessment is provided to students and parents at least annually.

Monitoring of PBGR Implementation

¹ Rule 2120.2 requires schools to provide students the opportunity to experience learning through flexible and multiple pathways, including but not limited to career and technical education, virtual learning, work-based learning, service learning, dual enrollment and early college. Learning must occur under the supervision of an appropriately licensed educator. Learning expectations must be aligned with state expectations and standards.

The responsibilities described above will be monitored at a frequency and by a method chosen by the board. The board can monitor any policy at any time by any method, but will ordinarily depend on the following schedule:

| Administrative Procedure | Frequency | Month |
|---|------------------|--------------|
| 1. Student proficiency assessment reflects PBGRs | Biannually | Jan., July |
| 2. Course descriptions specify proficiencies to be attained | Annually | August |
| 3. Flexible Pathways and PBGRs are aligned | Annually | August |
| 4. PLPs and PBGRs are aligned | Annually | August |
| 5. PBGR accommodations and modifications | Biannually | Jan., July |

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| <i>VSBA Version:</i> | <i>March 3, 2020</i> |
| <i>Date Warned:</i> | <i>April 12, 2022</i> |
| <i>Date Adopted:</i> | |
| <i>Legal Reference(s):</i> | |
| <i>Cross Reference(s):</i> | |

RESPONSIBLE COMPUTER, NETWORK & INTERNET USE

Purpose

The Fairfax Town School District recognizes that information technology (IT) is integral to learning and educating today's children for success in the global community and fully supports the access of these electronic resources by students and staff. The purpose of this policy is to:

1. Create an environment that fosters the use of information technology in a manner that supports and enriches the curriculum, provides opportunities for collaboration, and enhances staff professional development.
2. Ensure the district takes appropriate measures to maintain the safety of everyone that accesses the district's information technology devices, network and web resources.
3. Comply with the requirements of applicable federal and state laws that regulate the provision of access to the internet and other electronic resources by school districts.

Policy

It is the policy of the Fairfax Town School District to provide students and staff access to a multitude of information technology (IT) resources including the Internet. These resources provide opportunities to enhance learning and improve communication within our community and with the global community beyond. However, with the privilege of access comes the responsibility of students, teachers, staff and the public to exercise responsible use of these resources. The use by students, staff or others of district IT resources is a privilege, not a right.

The same rules and expectations govern student use of IT resources as apply to other student conduct and communications, including but not limited to the district's harassment and bullying policies.

The district's computer and network resources are the property of the district. Users shall have no expectation of privacy in anything they create, store, send, receive or display on or over the district's computers or network resources, including personal files and electronic communications.

The superintendent is responsible for establishing procedures governing use of IT resources consistent with the provisions of this policy. These procedures must include:

1. An annual process for educating students about responsible digital citizenship. As defined in this policy, a responsible digital citizen is one who:
 - A. **Respects One's Self.** Users will maintain appropriate standards of language and behavior when sharing information and images on social networking websites and elsewhere online. Users refrain from distributing personally identifiable information about themselves and others.
 - B. **Respects Others.** Users refrain from using technologies to bully, tease or harass other people. Users will report incidents of cyber bullying and harassment in accordance with the district's policies on bullying and harassment. Users will also refrain from using another person's system account or password or from presenting themselves as another person.
 - C. **Protects One's Self and Others.** Users protect themselves and others by reporting abuse and not forwarding inappropriate materials and communications. They are responsible at all times for the proper use of their account by not sharing their system account password.

- D. **Respects Intellectual Property.** Users suitably cite any and all use of websites, books, media, etc.
 - E. **Protects Intellectual Property.** Users request to use the software and media others produce.
2. Provisions necessary to ensure that Internet service providers and other contractors comply with applicable restrictions on the collection and disclosure of student data and any other confidential information stored in district electronic resources.
 3. Technology protection measures that provide for the monitoring and filtering of online activities by all users of district IT, including measures that protect against access to content that is obscene, child pornography, or harmful to minors.
 4. Methods to address the following:
 - A. Control of access by minors to sites on the Internet that include inappropriate content, such as content that is:
 - i. Lewd, vulgar, or profane
 - ii. Threatening
 - iii. Harassing or discriminatory
 - iv. Bullying
 - v. Terroristic
 - vi. Obscene or pornographic
 - B. The safety and security of minors when using electronic mail, social media sites, and other forms of direct electronic communications.
 - C. Prevention of unauthorized online access by minors, including “hacking” and other unlawful activities.
 - D. Unauthorized disclosure, use, dissemination of personal information regarding minors.
 - E. Restriction of minors’ access to materials harmful to them.
 5. A process whereby authorized persons may temporarily disable the district’s Internet filtering measures during use by an adult to enable access for bona fide research or other lawful purpose.

Policy Application

This policy applies to anyone who accesses the district’s network, collaboration and communication tools, and/or student information systems either on-site or via a remote location, and anyone who uses the district’s IT devices either on or off-site.

Limitation/Disclaimer of Liability

The District is not liable for unacceptable use or violations of copyright restrictions or other laws, user mistakes or negligence, and costs incurred by users. The District is not responsible for ensuring the accuracy, age appropriateness, or usability of any information found on the District’s electronic resources network including the Internet. The District is not responsible for any damage experienced, including, but not limited to, loss of data or interruptions of service. The District is not responsible for the accuracy or quality of information obtained through or stored on the electronic resources system including the Internet, or for financial obligations arising through their unauthorized use.

Enforcement

The district reserves the right to revoke access privileges and/or administer appropriate disciplinary action for misuse of its IT resources. In the event there is an allegation that a user has violated this policy, the school district will handle the allegation consistent with the student disciplinary policy.

Allegations of staff member violations of this policy will be processed in accord with contractual agreements and legal requirements.

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| VSBA Version: | August 1, 2019 |
| Date Warned: | April 12, 2022 |
| Date Adopted: | |
| Legal Reference(s): | 17 U.S.C. §§101-120 (Federal Copyright Act of 1976 as amended) |
| | 20 U.S.C. §6777 et seq. (Enhancing Education Through Technology Act) |
| | 18 U.S.C. §2251 (Federal Child Pornography Law—Sexual Exploitation and Other Abuse of Children) |
| | 47 U.S.C. §254 (Children’s Internet Protection Act) |
| | 47 CFR §54.520 (CIPA Certifications) |
| | 13 V.S.A. §§2802 et seq. (Obscenity, minors) |
| | 13 V.S.A. § 1027 (Disturbing Peace by Use of...Electronic Means) |
| | 13 V.S.A. §2605(Voyeurism) |
| Cross Reference(s): | Student Conduct and Discipline (C20) |
| | Selection of Instructional Materials(D32) |
| | Complaints About Instructional Materials(B22) |

CODE D4
(Required)

TITLE I COMPARABILITY POLICY

If a school in the Fairfax Town School District becomes eligible to receive Title I funds, the school district in which the school is located shall provide comparable services, staffing levels, curriculum materials and instructional supplies for Title I eligible and non-Title I eligible schools. The district shall use local and state funds to ensure equivalence among schools in staffing and the provision of curricular materials and instructional supplies. Students in all schools shall be eligible for comparable programs and supplemental supports. The district shall utilize district-wide salary schedules for professional and non-professional staff.

The superintendent or his or her designee shall develop procedures for compliance with this policy and shall maintain records that are updated biennially documenting the district's compliance with this policy.

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| <i>VSBA Version:</i> | <i>December 15, 2015</i> |
| <i>Date Warned:</i> | <i>April 12, 2022</i> |
| <i>Date Adopted:</i> | |
| <i>Legal Reference:</i> | <i>20 USCA §6321(c)</i> |
| | <i>20 USC 7801(26) (LEA defined)</i> |
| | <i>16 V.S.A. 144</i> |
| <i>Cross Reference:</i> | |

ANIMAL DISSECTION

It is the intent of the Fairfax Town School District to comply with the requirements of Act 154 of 2008 regarding the right of students to be excused from participating in or observing activities involving the dissection or vivisection of animals. Students enrolled in district schools shall have the right to be excused from participating in any lesson, exercise or assessment requiring the student to dissect, vivisect or otherwise harm or destroy an animal or any part of an animal, or to observe any of these activities, as part of a course of instruction.

Definition

As used in this policy, the word “animal” means any organism of the kingdom animalia and includes an animal’s cadaver or the severed parts of an animal’s cadaver.

Alternative Education Method

A student who is excused under this policy shall be provided with alternative methods through which he or she can learn and be assessed on material required by the course. The alternative methods shall be developed by the teacher of the course, in consultation with the principal if necessary.

Discrimination

No student shall be discriminated against based on his or her decision to exercise the right to be excused afforded by this policy.

Procedures

The (superintendent/principal) shall develop and implement procedures to ensure compliance with the provisions of Act 154 of 2008. The procedures shall include provisions for the timely notification to each student enrolled in the course and to the student’s parent or guardian of the student’s right to be excused from participating in or observing the lesson and the process by which a student may exercise this right.

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| <i>VSBA Version:</i> | <i>October 11, 2019</i> |
| <i>Date Warned:</i> | <i>April 12, 2022</i> |
| <i>Date Adopted:</i> | |
| <i>Legal Reference:</i> | <i>Act 154 of 2007-2008 Adjourned Session</i> |
| | <i>16 V.S.A. §912</i> |
| <i>Cross Reference:</i> | |

CODE D7
(Required)

SPECIAL EDUCATION

Policy

It is the policy of the Fairfax Town School District to meet the needs of students with disabilities, as defined in federal and state law and regulations, and to provide a free and appropriate public education (FAPE) to these students in the least restrictive environment that will allow all students to benefit educationally.

The Agency of Education (AOE), as the State Education Agency (SEA), is responsible for the overall provision of a Free Appropriate Public Education (FAPE) to eligible Vermont students with disabilities and does this through the implementation of the Individuals with Disabilities Education Act (IDEA).

The school district will use the guidelines developed by the Vermont Agency of Education in its most current edition of the *Vermont Special Education Procedures and Practices Manual (Manual)* regarding special education issues. The Manual is designed to assist Vermont school districts in understanding the provisions of the Individuals with Disabilities Education Improvement Act (IDEA) and meeting its requirements.

The Manual can be found on the Vermont Agency of Education's website.

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| <i>VSBA Version:</i> | <i>October 11, 2021</i> |
| <i>Date Warned:</i> | <i>April 12, 2022</i> |
| <i>Date Adopted:</i> | |
| <i>Legal Reference:</i> | <i>20 U.S.C. § 1415 (Individuals with Disabilities Education Act (IDEA))</i> |
| <i>Cross Reference:</i> | |

CODE E1

(Required) ^[1]

TITLE I, PART A PARENT AND FAMILY ENGAGEMENT

Title I, Part A Parent and Family Engagement Policy

It is the policy of the Fairfax Town School District to plan and implement effective needs-based Title I programs, activities, policies and procedures with meaningful consultation and involvement of participating Title I parents and family members that comply with all parent and family engagement requirements, specifically those required by federal statute. As such the Fairfax Town School District is responsible for ensuring compliance with development and implementation of the following three documents:

1. **PARENT AND FAMILY ENGAGEMENT POLICY:** As a Title I Part A, we will outline and describe the ways in which we will be responsible for and address the Parent and Family Requirements listed and will develop jointly with, agree on with, and distribute to, parents and family members of participating children a written parent and family engagement policy that meets all requirements described below.

2. **SCHOOL-LEVEL PARENT AND FAMILY ENGAGEMENT PROCEDURE:** Each of our school(s) served by Title I Part A will outline and describe the ways in which the school will be responsible for and address the Parent and Family Requirements listed. Each school will jointly develop with, and distribute to, parents and family members of participating children a written parent and family engagement procedure, agreed on by such parents, that will describe the means for carrying out the requirements described below.

2a. **SCHOOL-PARENT COMPACT:** Each of our school(s) served by Title I Part A, as part of their Parent and Family Engagement Procedure, will develop jointly with, agree on with, and distribute to, parents and family members of participating children a School-Parent compact to outline how parents, the entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the State's high academic standards.

DEFINITIONS:

Local Education Agency: for purposes of this policy, a supervisory union or supervisory district is the local education agency (LEA).

Parent: Includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare). ^[2]

Parent and Family Engagement (PFE): The inclusion of parents, families, schools, and communities in order to support learning and improve schools. Opportunities for the informed participation of parents and family members, including those who have limited English proficiency, those who have disabilities, and those of migratory children.

IMPLEMENTATION

The Fairfax Town School District will ensure the successful development and implementation of the written LEA Parent and Family Engagement Policy, School Parent and Family Engagement Procedure(s), and School-Parent Compact(s) and will address all requirements in specific detail with review and revision on a periodic and timely basis.

1. Parent & Family Engagement Policy ^[3], ^[4]

Fairfax Town School District

[School Year: 2021- 2022

[Date of last revision: March 23, 2022]

In order to provide all children with significant opportunity to receive a fair, equitable, and high-quality education, and to close educational gaps, the Fairfax Town School District receives Title I, Part A funds. Therefore, the Fairfax Town School District will develop, with the parents and family members of participating students, a written parent and family engagement policy. This policy will outline the Fairfax Town School District's expectations and objectives for meaningful parent and family engagement and the ways in which the LEA will implement and support opportunities for parent and family involvement in order to improve student academic achievement.

Part I: General Requirements and Expectations

1. Per ESSA (1116(a)(2)) In order to support increased parent and family engagement to improve student academic achievement, the Fairfax Town School District has the following objectives:

Increased parent and caregiver participation in school-related activities, increase opportunities for parent/caregiver feedback, increase parent/caregiver engagement in school-related activities

2. Per ESSA (1116(a)(2)) The Fairfax Town School District agrees to take the following actions to involve parents and family members in the joint development of its Plan:

Parent and community feedback are essential to the success of the Fairfax Town School District Title 1 program. Parents and community members are encouraged to share feedback on the Fairfax Town School District's Title 1 program through school and board engagement. Parents/Families are encouraged to offer feedback during the annual Title 1 parent nights (2x per year fall and spring). Additionally, parents/families are encouraged to complete the Annual Title 1 survey offered each year. Parent and community members will have the opportunity to learn about the student achievement data through the board presentations on the Continuous Improvement Plan.

3. Per ESSA (1116(a)(2)) The Fairfax Town School District agrees to take the following actions to involve parents and family members in the joint development of Support and Improvement

Each Year the Fairfax Town School District Team will support schools in updating their Continuous Improvement Plans, including holding engagement sessions with families, and support schools in collecting and analyzing feedback obtained through a variety of sources relating to the Continuous Improvement Plan. Additionally, the Fairfax Town School District Team will support schools in collaborating with parents/families on how to use Title 1 Part A funds through workshops.

4. Per ESSA (1116(a)(2)) The Fairfax Town School District agrees to take the following actions to provide coordination, technical assistance, and other support necessary in order to build capacity for parent and family engagement activities to improve student achievement and school performance:

The Fairfax Town School District's Title I team will engage school principals annually through training, consultation and feedback sessions so that principals and school-based Title I teams can successfully engage families in all areas of Title I programming: School PFE Policy, the School-Family Compact, and all other Title I PFE requirements. This support includes annual provided professional development, training sessions, and consultation with the Curriculum,

Instruction, and Assessment to provide support to school principals and school Title I teachers each fall for a total of three sessions, with consultation available throughout the year.

5. Per ESSA (1116(a)(2)) The Fairfax Town School District will conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of this Parent & Family Title I, Part A Parent & Family Engagement Policy in improving the academic quality of all its Title I schools. The evaluation will include identifying the following:

- Barriers to greater family participation in Title I parent and family engagement activities (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background)
- The needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers
- Strategies to support successful school and family interactions

The Fairfax Town School District agrees to take the following actions to conduct this annual evaluation:

Each year the LEA will evaluate Parent and Family engagement activities through interviews with school principals and an annual survey which asks about the effectiveness and opportunities for growth for Parent and Family engagement. These surveys include an electronic survey embedded in the fall Parent Engagement Meeting presentation as well as various school-based surveys emailed to families throughout the year. The Office of Curriculum, Instruction, and Assessment will also seek School Board and community feedback on Parent and Family Engagement Policy publicly at school board meetings.

6. Per ESSA (1116(a)(2)) The Fairfax Town School District agrees to take the following actions to use the findings of the annual evaluation to design evidence-based strategies for more effective parent and family engagement, and to revise the Parent & Family Engagement Policy, if necessary:

Data will be analyzed by The Fairfax Town School District Title 1 Teams after each fall and spring parent meeting. The office of Curriculum, Instruction, and Assessment will support schools in modifying Parent and Family Engagement Plans based on feedback and data from School Board meetings and parent and family surveys.

7. Per ESSA (1116(a)(2))The Fairfax Town School District agrees to take the following actions to involve parents in the activities of the schools:

School-based teams, which include principals, Title I teachers, interventionists as well as the school boards shall serve as parent and community advisory groups that adequately represent the needs of the population served by the Fairfax Town School District in order to develop, revise, and review the parent and family engagement policy. Many team members are also parents in our community. Parents will be represented by these teams through the teams work with parents during conferences, teacher communication throughout the year, Open Houses, Curriculum Nights, and the administration of school-based surveys.

Part II: Building Capacity for Involvement

To ensure effective involvement of parents and support a partnership among the schools, parents, and the community in order to improve student achievement, the Fairfax Town School District will use the following strategies:

8. Per ESSA (1116(a)(2)) The Fairfax Town School District will provide assistance to parents of children served by the Fairfax Town School District in understanding the following topics:

- The challenging State academic standards
- State and local academic assessments
- Title I, Part A requirements
- How to monitor their child's progress
- How to work with educators to improve their children's achievement

The Fairfax Town School District agrees to take the followings actions in order provide this assistance:

The Fairfax Town School District Title I team and Office Curriculum Instruction, and Assessment will provide resources such as materials on school websites, annual Parent and Family Engagement sessions, and school board engagement. This engagement aims to support parents, provide resources to increase engagement, and build understanding regarding academic assessment results, curriculum, and Continuous Improvement Planning and its connection to Title I programming

9. Per ESSA (1116(e)(2)) The Fairfax Town School District agrees to provide materials and training, as appropriate, to help parents work with their children to improve their children's achievement:

The Fairfax Town School District ensures that information regarding standards, assessment and achievement is shared with parents and families in a variety of ways including: annual curriculum and assessment reports to the school board, the posting of assessment results to the district website, the sending of mailing of annual SBAC and WIDA results letters to families, and the inclusion of information about absenteeism and behavior expectations in school handbooks on school websites

The Fairfax Town School District agrees to take the following actions to educate its teachers, specialized instructional support personnel, principals and other school leaders, and other staff, with the assistance of parents, in the following areas:

- The value of contributions of parents
- How to reach out to, communicate with, and work with parents as equal partners
- How to implement and coordinate parent programs
- How to build ties between parents and school

The Fairfax Town School District Title 1 team will support administrators and school personnel with strategies for improving parent/family communication and engagement. Strategies will be shared on an ongoing basis during staff meetings, team meetings and Data Team conversations, which focus on supporting students. Principals and Title I teachers are encouraged to reach out

to the Office of Curriculum, Instruction, and Assessment at any time for tailored support needs regarding contributions and parents, building relationships and coordinating parent programs.

10. Per ESSA (1116(e)(4) & (1116(a)(2)(C)) The Fairfax Town School District will, to the extent feasible and appropriate, coordinate and integrate Title I parent involvement programs and activities with other Federal, State, and local programs and conduct other activities that encourage and support parents in more fully participating in the education of their children. The [Fairfax Town School District] agrees to take the following actions to coordinate and integrate parent involvement programs:

The Fairfax Town School District will seek to increase parent involvement in programming by ensuring that schools offer a variety of engagement sessions for parents such as Open Houses, Curriculum Nights, Club and Sports involvement, and the administration of school-based surveys. In order to help students transition effectively, the Fairfax Town School District will partner with parents, local organizations, facilitate LEA-wide transition planning at school and administrative levels, monitor student assessment data, track class sizes, and evaluate course enrollment information to support student transitions at all levels. Parent surveys and community feedback at school board meetings will be used for informing programming. Opportunities to participate in community programming will be shared through principal communications.

Parents are encouraged to have students participate in programs through a variety of ways including teacher and school-staff referrals, in school opportunities, and guidance counselor coordination.

11. Per ESSA (1116(e)(5)) The Fairfax Town School District agrees to take the following actions to ensure that information related to the school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand:

The Fairfax Town School District will ensure that schools invite families to Title I meetings, share information about school events, and provide information about assessments in a variety of ways including messenger services, school newsletters, social media, weekly LEA email updates, and updating school websites frequently. The Fairfax Town School District has a communication process that outlines who shares information, communication channels, translation services, and approvals.

12. The Fairfax Town School District agrees to take the following actions to provide other reasonable support for parent involvement activities, as parents may request:

In addition to the areas listed in this document, parents/families can seek additional information by contacting the Director of Curriculum or the school principal. Parents are asked to attend and get involved in as many programs at the Fairfax Town School District, as possible. School staff is generally available for consultation and to receive feedback throughout the year as parents and families communicate it.

PART III. Policy Adoption

This Fairfax Town School District's Parent & Family Engagement Policy has been developed jointly

with, and agreed on with, parents of children participating in Title I, Part A programs.

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| <i>VSBA Version:</i> | <i>9/24/2021</i> |
| <i>Date Warned:</i> | <i>04/12/2022</i> |
| <i>Date Adopted:</i> | |
| <i>Legal Reference:</i> | <i>20 USC § 7801(38)</i> <i>20 U.S.C. § 6318</i> <i>16 V.S.A § 43</i> |
| <i>Cross Reference:</i> | |

[1] *This policy is mandatory for LEAs and schools that receive Title I, Part A funds. 20 U.S.C. § 6318(a)(2).*

[2] *20 USC § 7801(38) definition of term “parent.”*

[3] *20 U.S.C. § 6318*

Special Rule: *If the school has a parent and family engagement policy that applies to all parents and family members, the school may amend that policy, if necessary, to meet the requirements.*

[4] *20 U.S.C. § 6318*

Amendment: *If the LEA involved has a school district-level parent and family engagement policy that applies to all parents and family members in all schools served by the LEA, the LEA may amend that policy, if necessary, to meet the requirements.*